DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
18/01279/FUL	Mubeen Patel	4 February 2019

Address: Land Adjacent To 47 Crescent Road Rochdale OL11 3LG

Proposal: Proposed demolition of existing commercial property and erection of 1no' 6 bedroom dwelling including associated landscaping, parking, boundary treatment and detached garage - Resubmission of 18/00386/FUL

PUBLICITY	**Call up expired?**	Yes	**Site notice expired?**	Yes
	Neighbour letters expired?	Yes	**Press Notice expired?**	N/a

INTERESTS	**Officer dealing with planning matters / Councillor app?**	No	**Ten or more objections and recommendation to grant?**	No
	Decision maker management interest in site?	No	**Called up?**	No

COMMUTED SUMS / S106	**Commuted Sum paid / S106 completed?**	N/a
	Confirm if commuted sum / S106 for POS – copy of calculation spreadsheet on file?	N/a

HUMAN RIGHTS ACT	**Account has been taken of the Act's provisions.**
ENFORCEMENT?	

EIA	**Has a screening opinion been completed and saved to Onbase?**	N/a

RECOMMENDATION	**GRANT**

CHECKED AND SIGNED OFF BY: DR **DATE: 29/05/2019**

SITE

The application relates to a currently vacant detached single storey building used previously by The Jericho Foundation as a training centre to support and provide valuable skills and experience to people. The building is located in a mainly residential area consisting of terraced blocks. To the rear of the building is large grassed areas consisting of pathways, beyond that are allotment gardens. A small public car parking area is available to the front of the site with a similar single storey detached building currently used as a beauty clinic to the east.

PROPOSAL

The proposed development is for the demolition of the existing single storey commercial building which is in a poor state of repair and the erection of a detached dwelling and detached garage. The dwelling would be two stories in height with a dormer to the rear and rooms in the roof space. The dwelling would be large in size with living areas at ground floor including space for a self-contained flat used by a family member. The upper two floors would consist of a total of 6 bedrooms, bathrooms and dressing rooms.

Vehicular access into the site would be from an unadopted lane taken off Clovelly Street. The site plan submitted indicates that 1.8m high double gates would be erected at the entrance of the site leading to a driveway and proposed detached garage with a small turning head positioned to the east of the dwelling. A turfed garden area would be provided to the rear bound by a 1.8m high concrete and timber panel fence. A car parking space would also be provided to the western side elevation of the dwelling which would be accessed from Crescent Road.

It should be noted that this application is a resubmission of a previously withdrawn application at the site for the erection of one dwelling (18/00386/FUL).

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

Rochdale Core Strategy:

The following policies of the adopted Rochdale Core Strategy are relevant:-

SO2	**Creating successful and healthy communities**
C1	Delivering the right amount of housing in the right places
SO3	**Improving design, image and quality of place**
P3	Improving design of new development
SO4	**Promoting a greener environment**
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
SO5	**Improving accessibility and delivering sustainable transport**
T2	Improving accessibility
DM1	General development requirements

Relevant saved Rochdale Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

18/00386/FUL - Proposed demolition of existing commercial property and erection of 1 dwelling with associated hard and soft landscaping and parking – Application Withdrawn.

85/D18405 - Change Of Use From Shop to Shop And Private Hire Taxi Booking Office – Refused.

07/D49809 - Single Storey Extension To Training Centre – Approved

06/D48298 - Change Of Use From Retail To Training Centre – Approved

99/D36707 - Change Of Use From Shop/Off License To Hot Food Take-Away - Refused

CONSULTATION RESPONSES

Highways And Engineering

This proposal will not attract great volumes of traffic. I have no objections to this proposal on Highways grounds.

The applicant identifies 2 valid parking spaces which is adequate for a proposal of this size and nature.

Access to the parking comes from narrow alleys formally used to access parking sites. I would deem these acceptable for access to a private dwelling. I have no Refuse collection concerns from this location. The existing highways layout will not change. I do not envisage any Road Safety concerns at this location.

The property will be built across a numbered highway which leads from the front of the premises to the garage site and beyond. This route forms an important short cut between Clovelly Street and Crescent Road. This Highway will require a formal closure under Section 247 of the Town and Country Planning Act. Such closures must be done in advance of any route being blocked.

Although unusual I have no objections to this development as proposed. Subject to the following Conditions;

Prior to building commencement the applicant should have secured a full closure of Highway 381975 under Section 247 of the Town and Country Planning Act.

Prior to building commencement the applicant should undertake a dilapidation survey of the highways and access roads surrounding the property to be submitted to the LPA. Upon completion any additional damage to the highways should be made good.

Env Health - Noise/Odours
No comments received to date

Environmental Control (Landfill Gas)

Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance

with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority

United Utilities
No objections. Recommends conditions requiring agreement of a sustainable surface water drainage scheme, and foul and surface water to be drained separately.

Gtr Manchester Ecology Unit
The bat assessment found no evidence of bats and assessed the building as being of negligible risk. I have no reason to doubt the findings of the report. I recommend an informative along the following lines is applied to any permission.

Whilst the building to be demolished has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Nesting Birds

There are a number of trees on the site and the building itself has potential for use by nesting birds. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Invasive Species

There is a risk of species such as Japanese knotweed and Himalayan balsam being present on the site. Himalayan balsam and Japanese knotweed are included within this schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. I recommend an informative along the following lines is applied to any permission.

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and Enhancing the Natural Environment

Section 109 NPPF states that the planning system should contribute to and enhance the natural and local environment. The site appears to be of low ecological value, the only features of interest being young mature trees around the site. It is unclear how many if any of these trees will be removed as no arb report appears to have been supplied. However the scale of the development is such that there is adequate space on site to provide replacement planting. I there recommend that any mitigation and or enhancement is provided as part of a general landscape condition along the following lines.

A landscape plan shall be submitted to and approved in writing by the LPA, prior to commencement of development. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat. The approved plan will be implemented in accordance with the approved details.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice displayed adjacent to the site. Two letters of objection have been received which make the concerns stated below. An 'Officer Response' is provided where the concerns raised have not been covered in the 'Analysis' section of the report;

- We have health issues including depression and insomnia, the proposal is unnecessary and would be a complete eyesore.
- The construction would be completely unsettling - **Officer Response;** The construction phase is temporary and therefore is not considered material in the consideration of this application'
- The OS plan shows the site boundary in a different location to the site plan, would the application deny access from Clovelly Street, would this access be closed off – **Officer Response**; A planning application requires the applicant to include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway), this is shown on the OS plan. The information submitted shows the unadopted highway from Clovelly Street to the proposed double metal gates shown on Drawing No. 1526.06 would remain open and would not be closed off.
- No reference is made of the car parking bay being closed off on Crescent Road **– Officer Response;** Highways have been consulted as part of this application and have offered no objections.
- How would the construction phase work, including lay down of materials, access to the site, traffic routes taken etc. **– Officer Response;** A Construction Management Plan is not considered necessary for a development of this size and nature.
- The access from Clovelly Street would not be able to withstand the additional traffic from the proposed dwelling, this would further deteriorate the poor access
- What arrangements are in place for maintaining the vehicular access after completion.
- The Stopping up Notice posted on the lamp post does not clarify the extent of the unnamed footpath, or make reference to an alternative route, or mention of site access or closure of a second public footpath – **Officer response;** Please note that authority to stop-up or divert a Highway is not conferred through the approval of a planning application and is separately done by the Department of Transport.

ANALYSIS

The application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP) – new development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside.

Annexe 2 of the National Planning Policy Framework defines 'previously developed land' as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

A part of the site where the existing commercial building would be demolished is therefore considered to represent an area of previously developed land and the remaining curtilage is greenfield. Policy C1 of the Core Strategy outlines that the Council will maximise the potential of previously developed sites, the Local Planning Authority is also mindful that paragraph 59 of the NPPF requires Local Planning Authorities to 'boost significantly the supply of housing'.

The site is located within an existing residential area consisting of mainly terraced and semi-detached residential properties within a short walking distance to shops, takeaways and amenities on both the busy roads of Bolton Road and Manchester Road. Both these roads provide high frequency bus routes to the town centre of Rochdale and other parts of the borough and nearby cities. The proposed development is therefore considered to be within a sustainable and accessible location.

Having regard to the above, it is considered that the proposed residential development would be acceptable and would be sympathetic to the housing typology and land use characteristics of the surrounding area, and would comply with the policies within the Core Strategy and the UDP and those within the NPPF for directing new housing development in sustainable locations and in providing a more flexible supply of housing. The proposed development would also make a small contribution to the supply of housing in the borough in accordance with the objectives of the NPPF.

Visual amenity

Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the adopted Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

The existing single storey detached commercial building at the site would be demolished and replaced by a larger two storey dwelling which would have a single storey element along the eastern side elevation and a two storey outrigger to the rear including a flat roofed dormer along the rear roof slope to provide accommodation in the roof space. The layout plans show a parking space would be provided along the western side of the dwelling whilst further parking provided from the back of the site

from Clovelly Street. The site plan submitted also shows a detached garage would be positioned to the east of the proposed dwelling whilst the elevation plans show the garage would measure 4.5m x 6m and would be 2.4m in height to eaves level and 3.9m in total height. The garage appears to be of simple design and of a proportionate size and would be constructed of red facing brick work and dark grey concrete tiles similar to those proposed for the dwelling.

The proposed dwelling would be located adjacent to terraced dwellings to the west, however set 1.5m back from the fronts of these dwellings to provide a small strip of garden area. The site plan shows a 1.8m high concrete post and timber panel fence would bind the site to the rear whilst double metal gates would provide access into the site from the unadopted road off Clovelly Lane with the driveway leading to a turning head and the proposed garage mentioned above.

The height of the proposed dwelling would be similar to the neighbouring terraced block to the west whilst the fenestration of the windows, their sizes and design would align with the openings of these neighbouring dwellings. Furthermore, the central break along the front of the dwelling would provide the property with a better overall finish rather than straight constant walling which would appear flat and uncharacteristic. Most of the bulk would be to the rear of the property away from the main public vantage points whilst the single storey element off the eastern elevation would be set back from the front towards the back of the neighbouring commercial building where it would have a reduced impact on the street scene. Although the dormer would be flat roofed; it would be located to the rear, would be small in size, set up from the eaves and set in from the side of the dwelling and is considered to be acceptable.

The plans indicate the property would be finished in red multi-faced bricks for the walls, dark grey interlocking roof tiles and white upvc for the window frames. The immediate neighbouring dwellings have pebbledash finishes or render finishes, however further up Crescent Road are red brick terraced blocks and semi-detached dwellings. As such, the materials proposed would be acceptable within this location where materials and the design of the properties are varied, however, a condition should be attached to any approval for samples/detail of the materials to be submitted and approved in writing to establish the exact colour, finish and texture of the materials, this is also applicable to the proposed garage.

The site would be bound by a 1.8m high solid timber fence to the rear and sides of the site. The fencing would be similar in terms of its height, design and materials to existing boundary fences to the rear of the proposed dwelling and is considered acceptable.

The plans do not show bin storage, however bin storage can easily be located to the rear of the dwelling away from the frontage which would be acceptable. One extra household is not considered to change the current method of collection which would be continued following this development.

Given the details, the style and appearance of the property, it is considered to be acceptable visually considering the existing style and design of properties in the street. In light of the above, the development is considered to be acceptable visually, according with policies DM1 and P3 of the adopted Core Strategy and the NPPF.

Residential amenity

Policy DM1 of the adopted Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

Policy G9 of the emerging Core Strategy requires that final development does not lead to an increase in noise pollution.

The SPD – Guidelines for Residential Development provides advice on the acceptability of proposed living accommodation, taking account of amenity of future occupiers and those surrounding.

The proposed dwelling would have windows in the front, side and rear elevations. The windows in the front, rear and eastern side elevations would be a sufficient distance from neighbouring properties to create any significant overlooking. The windows in the western side elevations would serve a WC and bathroom, given these windows do not serve habitable rooms it is considered there would be no significant overlooking into any neighbouring dwellings from the proposed property.

The only dwelling which could reasonably be impacted upon by the proposed development in terms of overshadowing would be No.43 Crescent Road. A distance of 5m would be retained between the side of No.43 and the proposed dwelling, although the proposed dwelling would be set further rearwards then this neighbouring dwelling, given the distance between these properties it would adhere to the guidance contained within the Councils SPD which states;

> *5.9 Planning permission will not normally be granted for two storey or first floor extensions to detached, semi-detached or terraced dwellings that project beyond a 30 degree line drawn from a point 2.4m along the common boundary from the rear elevation of the adjoining or adjacent dwelling.*

With regard to the living conditions of future occupiers of the property, it is noted that each habitable room within the building would be provided with natural light and ventilation, with an outlook to the streets on the front and amenity space to the side and rear of the property. The applicant has confirmed in writing that the self-contained flat at ground level would be ancillary to the host dwelling and used by a member of the family.

The plans submitted show a large area of private amenity space would be provided to the rear of the dwelling with a small buffer area retained to the front between the dwelling and the highway. The garden area to the rear of the proposed dwelling would be of adequate size and would provide functional amenity space to its occupants.

The proposed detached garage would be positioned adjacent to the gable of No. 115 Kingsland Road and the gable of 117-119 Kingsland Road. No. 115 has no windows in its gable whilst number 117-119 has two windows in its gable which would face the garage; however these windows are obscurely glazed and are not habitable room windows. As such the proposed detached garage would not impact on the amenity of these neighbouring occupiers. Furthermore, the garage would be at a distance of approximately 15m from the rear elevation windows of Number 43 Crescent Road, given the single storey height, pitched roof design and distance, the garage is not considered to result in a detrimental impact on the amenity of the occupiers of this neighbouring dwelling.

In light of the above, it is considered that the scheme would not have a detrimental impact upon the amenities of neighbouring properties, or future occupiers of the proposed dwellings. The application is therefore considered to be acceptable in this regard, according with Policies DM1 and G9 of the adopted CS, the Residential Standards SPD and the NPPF.

Ecology

Policy G6 of the Core Strategy states that we will expect development proposals and other proposals affecting green infrastructure to avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value, and its development or change of use will help to meet other sustainability or local regeneration objectives.

Policy G7 of the Core Strategy states that we will expect development proposals to protect and include existing biodiversity and trees and promote biodiversity, create new habitats through new development using landscaping and building and construction features wherever possible (e.g. ponds, species of vegetation, green roofs and walls, bat boxes, roof space, appropriate nest boxes and landscaping).

Policy G7 states that development proposals which would affect a species protected by law or its habitat will not be permitted unless it can be demonstrated that there is no adverse impact on the species concerned, and damage to habitats is minimal and alternative habitat provision is effective in maintaining those species.

Section 109 NPPF states that the planning system should contribute to and enhance the natural and local environment.

Bats

The existing commercial property has been vacant and in a poor state of repair with holes in its roof. The applicant has provided Bat assessment which found no evidence of bats and assessed the building as being of negligible risk. GMEU has been consulted and accept the findings of the report however have stated that an informative should be added that if bats are found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

Nesting Birds

There are a number of trees on the site and the building itself has potential for use by nesting birds. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. There is potential for the trees, shrubs and other vegetation around the site perimeter to be used by birds for both roosting and nesting purposes; It should recommended that works should not be undertaken during the main bird nesting season, unless nesting birds are found to be absent by a suitably qualified person. A condition to this effect is therefore recommended.

Invasive Species

There is a risk of species such as Japanese knotweed and Himalayan balsam being present on the site. Himalayan balsam and Japanese knotweed are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. As such an informative shall be added recommending suitably experienced consultant is employed to advise on how to avoid an offence if the species are to be disturbed.

Contributing to and Enhancing the Natural Environment

It is important that habitats of ecological value are taken into account when assessing the acceptability of development. The proposed site has some hedging and tall trees located around its periphery to the rear. As such GMEU has been consulted and advised that ‘the site appears to be of low ecological value, the only

features of interest being young mature trees around the site'. The site plans appears to show some trees would be retained, however it is unclear if any of these trees will be removed. However the scale of the development is such that there is adequate space on site to provide replacement planting. It is there recommend that any mitigation and or enhancement is provided and a condition attached for a landscape plan to be submitted to and approved in writing by the LPA, prior to commencement of development. The content of the plan should include elements to mitigate for loss of trees. The approved plan will be implemented in accordance with the approved details.

The application is therefore considered to be in accordance with Policy G7 of the adopted Core Strategy and the NPPF.

Pollution

Policy G9 of the Core Strategy requires that final development does not lead to an increase in pollution.

A condition requiring further site investigation, in order to protect against contamination of the land or ground condition is therefore recommended.

In light of the above, the proposal would not result in any harm to amenity or pollution factors and in this regard the application would accord with policies DM1 and G9 of the Core Strategy and the NPPF.

Highways and parking

The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy T2 of the adopted Core Strategy has regard to accessibility.

The proposed development would provide parking to the rear of the dwelling as well as one parking space to the side of the dwelling accessed from Crescent Road. The amount of parking provided would be adequate for a proposal of this type. Access to the parking spaces and garage to the rear would be from narrow alleys formally used to access parking sites. The highways officer has been consulted and offers no objections and states that the access is acceptable for a private dwelling, no Refuse collection concerns from this location have been raised and the existing highways layout will not change.

However, the Highways officer has detailed that 'the property will be built across a numbered highway which leads from the front of the premises to the garage site and beyond. This route forms an important short cut between Clovelly Street and Crescent Road. This Highway will require a formal closure under Section 247 of the Town and Country Planning Act. Such closures must be done in advance of any route being blocked; as such a condition would be attached to any approval to ensure development does not commence until the applicant has secured a full closure of the highway.

Furthermore, although photos before the commencement of the development have been provided to the LPA which show the current state of the highways and access roads surrounding the site, a condition would be attached to any approval that upon completion any additional damage to the highways should be made good to restore the highways back to their original condition.

In light of the above, it is considered that the application would provide safe and suitable vehicular access to the development and would provide adequate parking and manoeuvring. Accordingly, the proposal would not result in a severe impact to

highway safety and is in accordance with the requirements of Policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

GRANT subject to the following conditions:-

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2 This permission relates to the following plans:-

- Location Plan 1:1250
- Proposed site plan Drawing No. 1526.06.
- Proposed street scene Drawing No. 1526.08.
- Proposed plans and elevations Drawing No. 1526.07A
- Proposed Garage Drawing No. 1526.09 Rev A

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

3 Notwithstanding any description of materials in the application no above ground works (other than works of demolition) shall take place until samples or full details of all materials to be used on the external surfaces of the dwellings have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, the development shall not be occupied until a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs. The duly approved landscaping scheme shall be carried out within 12 months of the dwellinghouse first being occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping and provision of adequate off-road parking facilities for the dwellinghouse in the interests of

visual amenity and highway safety in accordance with the requirements of Policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to protect the amenities of surrounding residential properties in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

6 The car parking and driveways shown on the approved plans shall be constructed in accordance with the details shown prior to the development being brought into use and retained as such thereafter for the parking of vehicles.

Reason: In order to ensure adequate and appropriate parking is provided and maintained in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 No development (other than works of demolition) shall take place until a foul and surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions and inclusive of how the scheme shall be managed after completion, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, foul and surface waters shall be drained on separate systems and the surface water drainage scheme shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

8 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9 The development shall not be occupied until a photographic survey showing the post-development photographic condition of the unadopted highway starting from ‘Clovelly Street to Crescent Road' at 5 metre intervals along its length, accompanied by a scheme for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated in the intervening period (between pre and post development), shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved works of resurfacing and/or repair have been implemented in accordance with the details in the duly approved scheme.

Reason: The unadopted highway is in a poor state of repair. Construction traffic associated with the development has the potential to cause further deterioration of the road surface. The developer is required to undertake works of repair to the road surface where deterioration arises as a result of its use by heavy construction vehicles in order to facilitate safe and convenient access and circulation for vehicle traffic in accordance with the requirements of Policy T2 of the adopted Core Strategy.

10 No development (other than works of demolition) shall take place until Highway 381975 has been formally closed and evidence of closure has been submitted to and approved in writing by the local planning authority.

Reason: The development would necessitate the closure of the highway and this closure must be in place before the development commences.

11 The part of the building referenced ‘DIS FLAT’ on the approved plans shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling herby permitted.

Reason: In order to protect the amenity of the occupiers of the dwelling in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

12 No development shall take place until the trees to be retained to the rear of the site (within the garden of dwelling) have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees adjacent to the site in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Preparatory and ground works have the potential to damage trees and therefore protective measures must be in place before any development takes place.

13 No development (other than works of demolition) shall take place until a site investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local

Planning Authority before any development takes place. The submitted report shall include:
i) a survey of the extent, scale and nature of contamination
ii) an assessment of the potential risks to:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o archaeological sites and ancient monuments;
iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: This application proposes to develop the site. This condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within the curtilage under Schedule 2, Part 1, Classes A, B, C, D, E and F of the above Order except with the prior written approval of the Local Planning Authority.

Reason: In order to maintain and ensure satisfactory neighbouring amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

15 No development shall take place until a Demolition Method Statement (DMS) has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include details of the following: - (i) start date of demolition works (ii) a completion date of the demolition works (iii) and, a timeframe of when all equipment and materials brought onto the land and the materials resulting from the demolition will be removed from the site. The duly approved DMS shall be fully adhered to.

Reason: To enable the Local Planning Authority to regulate and control the development of land, to preserve the residential and visual amenities of the locality, and to secure a satisfactory standard of development in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals requires demolition works, an understanding will therefore be necessary of when demolition would

commence and measures put in place to protect the visual amenity of neighbouring occupiers prior to commencement on site.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition

Notes for Applicant:

1) Whilst the building to be demolished has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2) It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

3) Please note that authority to stop-up or divert a Highway is not conferred through the approval of a planning application. Approval to stop-up or divert a highway is only given once the Stopping up or Diversion order has been confirmed and notice of its confirmation has been published. Any obstruction of the interference with the way concerned, is not only an offence but may make it impossible to proceed with the making or confirmation of a Stopping up or Diversion order.

Report Author Mubeen Patel