

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00800/FUL

|                                                                                                                                        |                        |
|----------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Name and address for correspondence:                                                                                                   | Applicant name:        |
| Mr Gary Hoerty<br>Gary Hoerty Associates<br>Suite 9<br>Grindleton Business Centre<br>The Spinney<br>Grindleton<br>Clitheroe<br>BB7 4DH | Miss Rose-Marie Turner |

### Part I - Particulars of Application

Date of Application: 30 August 2024

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|------------------|----------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Erection of a two storey detached dwelling following demolition of existing equine building</b> |
| <b>Location:</b> | <b>Redgate Stables , Rochdale Road East, Heywood, Rochdale, OL10 1RL</b>                           |

### Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

#### **Conditions and Reasons:**

- 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. Dwg no. Tur/824/3528/01. Amendment A.
- Existing Building Details. Dwg no. Tur/824/3528/02
- Proposed Plans and Elevations. Existing and Proposed Site Plans. Dwg no. Tur/824/3528/03A

- Existing and Proposed Detail Site Plans. Pre and Post Demolition. Dwg no. Tur/824/3528/04

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the Places for Everyone Joint Development Plan, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No development, other than works of demolition, shall take place until such time as a Phase I Report (Preliminary Risk Assessment) has been 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

Reason: To prevent pollution of the 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 and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

- 4 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding;
- e) measures to protect surrounding sensitive receptors from noise, vibration and fugitive dust & debris both during and after the construction phase;
- f) measures to prevent the spread of mud including barrier protection and wheel washing facilities; and
- g) details of construction hours which, for the avoidance of doubt, shall be limited to 08:00-18:00 Monday - Friday, 09:00-14:00 on Saturdays and no work on Sundays or Bank Holidays.

The approved CMS shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMS without the prior written permission of the Local Planning Authority.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the

construction of the development in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy, policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: The impacts of the construction phase will be immediate on commencement and therefore it is necessary to confirm what measures will be put in place to protect the amenity of nearby residents prior to commencement of any works on site.

- 5 Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of foul and surface water from the site (including surface water from hard landscaped areas), has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance, shall be accompanied by evidence of an assessment of the site conditions and shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. For the avoidance of doubt, foul and surface water shall be drained on separate systems and only combined at the site's final outfall manhole in accordance with Building Regulations Part H5 (2020). Details of how the drainage scheme will be maintained and managed after completion shall be provided. In the event of surface water discharging to sewerage, the rate of discharge shall be restricted to the lowest possible rate; the flow rate shall be agreed with the Local Planning Authority and United Utilities. The duly approved scheme shall be implemented prior to first occupation of the development hereby permitted, retained as such thereafter and maintained in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with policy G8 of the adopted Rochdale Core Strategy, policy JP-S4 of the Places for Everyone Joint Development Plan, saved policies EM7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: No drainage details have been provided. Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 6 No development shall take place until finished floor levels for the proposed buildings relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy, policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework

Reason for pre-commencement: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

- 7 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies DM1 and P3 of the adopted Rochdale Core Strategy, policies JP-G9 and JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 No above ground works shall take place until a scheme of biodiversity enhancements for the site including the specification and location of not less than one integrated house sparrow terrace, has been submitted to and approved in writing by the Local

Planning Authority. The dwelling hereby approved shall be occupied until such time as the duly approved biodiversity enhancement measures have been installed in accordance with the duly approved detail.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with policy G7 of the adopted Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(a) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(cb) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy, policies JP-G1, JP-G8 and JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 10 No clearance of trees and shrubs on site 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. The development shall be carried out in accordance with the approved details.

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.

- 11 Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the amendment, revocation or re-enactment thereof no development shall take place at the dwelling hereby permitted under Schedule 2, Part 1, Class A, Class B, Class D and Class E of that Order.

Reason: The Local Planning Authority considers it expedient, having regard to the nature of the development proposed in the Green Belt, to regulate any future alterations/extensions, in accordance with adopted Rochdale Core Strategy policies P3 and DM1, Places for Everyone policies JP-G9 and JP-P1 and the National Planning Policy Framework.

#### **Procedure Statement:**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued            23 October 2024

Melanie Hale  
Head of Planning Services

**IMPORTANT**

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

**INFORMATIVE:**

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

**INFORMATIVE:**

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

**INFORMATIVE:**

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

**INFORMATIVE:**

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact [environmental.management@rochdale.gov.uk](mailto:environmental.management@rochdale.gov.uk) for a quotation for your development.

Bats and their roosts, even when unoccupied, are protected at all times even when disturbance occurs as the result of an otherwise lawful activity such as a planning permission. If bats are found or suspected at any time work should cease until advice has been sought and implemented from the licenced ecologist. The LPA and Natural England should also be informed.

It is recommended that the applicant undertakes a dilapidation survey of the shared driveway into the site prior to development for the avoidance of doubt should remediation measures be required, which should be at the applicant's own expense.