

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01090/FUL

Name and address for correspondence:	Applicant name:
Mr James Kelly Solid Void 16 Woolfenden Way Wardle Rochdale OL12 9SS	Mr Grieves Guardian Construction

Part I - Particulars of Application

Date of 10 October 2023
Application:

Proposal:	Erection of 2no. detached dwellings including associated landscaping and parking
Location:	Land Adjacent 4 Rudman Street, Rochdale, OL12 6LJ

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:

Site and Location Plans ref RSR-SVA-ZZ-ZZ-DR-A-2000
Proposed Site and Location Plans ref RSR-SVA-ZZ-ZZ-DR-A-2001 rev C
Proposed House A Floor Plans ref RSR-SVA-ZZ-ZZ-DR-A-2005 rev B
Proposed House B Floor Plans ref RSR-SVA-ZZ-ZZ-DR-A-2006 rev A
Proposed Elevations House A ref RSR-SVA-ZZ-ZZ-DR-A-2010 rev B
Proposed Elevations House B ref RSR-SVA-ZZ-ZZ-DR-A-2011 rev B

Existing/Proposed Section HT A ref RSR-SVA-ZZ-ZZ-DR-A-2020 rev B
Existing/Proposed Section HT B ref RSR-SVA-ZZ-ZZ-DR-A-2021 rev B
Street Scene Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2030 rev A
Southern Boundary Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2035 rev A
Western Boundary Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2036 rev A
Northern Boundary Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2037 rev A

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 saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 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, Policy JP-G9 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 The development shall be carried out in complete accordance with the approved Construction Management Strategy (LB/230570/TN01 - Rev C).

Reason: To minimise detrimental effects to the amenity of surrounding residential occupiers and dangers to highway safety during the construction phase in accordance with Policies DM1, T2, and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 No development shall commence on site including demolition and any preparatory works until an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i. a survey of the extent, scale and nature of contamination
- ii. an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii. where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

Any identified remedial works necessary must include a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term

monitoring of pollutant linkages, maintenance and arrangements for contingency action. This verification plan shall be submitted to and approved in writing prior to occupation of the development.

Reason: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy G9 of the Core Strategy and the NPPF.

Reason for pre-commencement condition: Due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

- 6 Piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activity does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

- 7 No development (other than works of site preparation) shall take place until further details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall include:

- (i) A plan of the drainage system, including invert levels of manhole chambers to confirm gravitational connections.
- (ii) Construction details for the attenuation tanks, the flow control chambers and the headwall for the outfall to the Ordinary Watercourse, which can be prefabricated or of masonry construction.
- (iii) The Causeway® model of the drainage design, if requested by the LLFA Officer.
- (iv) Details of agreements with landowners regarding drainage pipework easements, if such apply.
- (v) Construction details for permeable paving including sub-base details e.g. cross-section, if this paving forms part of the sustainable drainage system.
- (vi) Provision of a short Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. 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, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: 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.

- 8 No above ground works shall take place until such time as a detailed specification of materials to be used externally in the construction of the development 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. The development shall be carried out in accordance with the duly approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 9 Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 10 Notwithstanding the details shown on the approved plans, prior to first occupation of the dwellings hereby approved, a scheme of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate). The scheme shall also include full details of the proposed retaining structures and boundary treatments proposed, including details of climbing and/or screening planting. The scheme shall include a management plan which shall be provided to residents prior to occupation.

Planting shall be carried out in accordance with the approved details prior to occupation of the dwellings hereby approved. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped having regard to the impact on the streetscene, outlook for future residents, and the amenity value of users of the nearby path in accordance with Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 11 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird and bat boxes and/or bricks, and Hedgehog Highways has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 12 No works shall commence in relation to the construction of the hereby approved extension until a dilapidation survey photographic survey showing the pre-development photographic condition of the immediate highway surrounding the building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Construction traffic associated with the development has the potential to cause further deterioration of the road's 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.

- 13 No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.

Reason: To ensure that any lighting to be installed on the site does not cause a nuisance to surrounding occupiers in accordance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 14 No development shall take place until a scheme of works, which shall include a detailed method statement, for the control and disposal of the invasive plant species "Japanese Knotweed" within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme of works and method statement, as agreed, shall be implemented in full throughout the course of the development with any variation to that scheme first being agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory disposal of this species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to be spread in the wild.

- 15 Construction works and associated deliveries shall only take place between 0800 hours and 1800 hours Mondays to Friday, 0800 hours to 1300 hours on Saturdays and not at any time on Sundays or public holidays.

Reason: To protect the amenities of the nearby residents from unreasonable disturbance during the implementation of the development hereby approved.

- 16 Construction and delivery vehicles associated with the implementation of the development hereby approved are limited to the hours controlled by Condition 15 and they shall not, at any time, wait on Rudman Street.

Reason: Rudman Street provides the sole access to the site, it is very narrow with on-street parking. The condition is necessary to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission, and to prevent congestion on this highway.

Procedure Statement:

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would on balance accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement of the NPPF.

Date Decision Issued 5 September 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.

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 for a quotation for your development.