

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01015/FUL

Name and address for correspondence:	Applicant name:
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Part 1 - Particulars of Application

Date of Application: 27 November 2023

Proposal:	Change of use and conversion of part of existing barn to one dwellinghouse (use class C3), alterations to fenestration, and associated works including installation of new boundary treatment, alterations to access and hard and soft landscaping
Location:	New Platt Farm , Carriage Drive, Littleborough, Rochdale, OL15 9JY

Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

Part 3 - 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 location plan.
- Drawing number: 21.2445.55D. Issue: D. Existing site plan. Received by email on 23/09/2024.
- Drawing number: 21.2445.56D. Issue: D. Proposed site plan. Received by email on 23/09/2024.
- Drawing number: 21.2445.50A. Issue: A. Existing floor plans & sections 1 & 2.
- Drawing number: 21.2445.51. Existing elevations.
- Drawing number: 21.2445.53D. Issue: D. Proposed first floor plan, proposed roof plan and proposed section 1-1. Received by email on 06/02/2025.
- Drawing number: 21.2445.52C. Issue: C Proposed ground floor plan. Received by email on 23/09/2024.
- Drawing number: 21.2445.54C. Issue: C. Proposed elevations. Received by email on 06/02/2025.

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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy, the adopted Places for Everyone Joint Development Plan Document and the National Planning Policy Framework.

- 3 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 use of appropriate materials which are sympathetic to the non-designated heritage asset and the surrounding area, and in the interests of visual amenity and heritage. And in accordance with policy DM1, P2 and P3 of the adopted Rochdale Core Strategy, policy JP-P2 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 4 Notwithstanding the details shown on the approved plans and the requirements of condition 2, full details of the windows and doors are to be submitted to and agreed in writing with the Local Planning Authority prior to their instatement. Details shall include product specifications; large scale drawings including longitudinal and cross-sections and elevations; details of the depth; details of surrounds including cill, lintel, jamb and mullion detailing; means of opening and finished treatment. The windows and doors shall be installed in accordance with the approved details before the development is first brought into use and thereafter so maintained.

Reason: In order to ensure use of appropriate materials which are sympathetic to the non-designated heritage asset building and the surrounding area, and in the interests of visual amenity and heritage. And in accordance with policy DM1, P2 and P3 of the adopted Rochdale Core Strategy, policy JP-P2 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 5 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 their curtilage under Schedule 2, Part 1, Classes A, AA, B, C, D, and E and Schedule 2, Part 2, Class A of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers of neighbouring properties and in preserving the historic significance of the non-designated heritage asset and in accordance with policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No construction works shall commence during the bird nesting season (1st March and 31st August) unless a detailed bird nest 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-G8 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 7 The dwelling hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be situated externally on, or integrated to the fabric of the dwellings hereby approved 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, policy JP-G8 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 8 No external lighting shall be installed on the dwellings hereby approved unless and until a detailed scheme for the same has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall be duly implemented in accordance with the approved details and retained as such thereafter.

Reason: In the interests of ensuring the conservation of protected species in accordance with policy G7 of the adopted Rochdale Core Strategy, policy JP-G8 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 9 No development (including any demolition, site clearance or preparation works) shall take place until such time as an updated Bat Survey has been submitted to and agreed in writing by the Local Planning Authority.

Should any protected species be identified, no development shall take place until such time as a reasonable avoidance measures statement for the protection of their habitat and an appropriate mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and the approved protection / mitigation measures thereafter fully implemented in accordance with the approved details.

Reason: In order that the development does not prejudice the favourable conservation status of protected species in accordance with the requirements of policy G7 of the adopted Rochdale Core Strategy, policy JP-G8 of the adopted Places for Everyone

Joint DPD, the National Planning Policy Framework and the provisions of the Wildlife & Countryside Act 1981 (as amended)

Reason for pre-commencement condition: The development will include site clearance, demolition works, ground works and engineering works. The existing report requires updating prior to any development taking place on the site so it can be understood what measures will need to be put in place to protect any protected species prior to commencement of development.

- 10 No development (including any demolition, site clearance or preparation works) shall take place until such time as a scheme for the protection of the retained trees, hedgerows and shrubs, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: In order to protect existing trees, hedgerows and shrubs on the site and ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P2, P3, G6, G7 and DM1 of the adopted Rochdale Core Strategy, policies JP-G7 and JP-G8 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

Reason for pre-commencement condition: The development will include site clearance, demolition works, ground works and engineering works. There are protected trees within close proximity of the development site. It is therefore required that the trees are protected from any harm and it is necessary to understand what measures will be put in place to protect the amenity of the natural environment and the area in general, prior to commencement of any works taking place.

- 11 Notwithstanding the details shown on the approved plans and the requirements of condition 2, 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 details of materials to any hard surfaced areas, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants to be retained and a scheme for the timing / phasing of implementation works.

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.

Any 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 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, heritage, character and the nature of the proposed development and in accordance with policies DM1, P2, P3, G6 and G7 of the adopted Rochdale Core Strategy, policy JP-P2 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 12 Notwithstanding the details shown on the approved plans and the requirements of condition 2, no part of the development shall be occupied until details including elevations 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 the interests of visual and residential amenity, and to protect the historic character of the non-designated heritage asset, and in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, JP-P2 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 13 If any works consisting of breaking ground are found to be required as a part of the hereby approved development, prior to any breaking of ground, an investigation and risk assessment must be submitted to and approved in writing by the Local Planning Authority. The assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. 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:
 - 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 archeological 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.

Reason: To prevent pollution of the water and ground environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with adopted Rochdale Core Strategy Policy G9, saved UDP Policy EM/8, policy JP-S4 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

- 14 No internal works shall take place until the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. Informed by the updated North West Historic Environment Research Framework, a phased programme and methodology of investigation and recording to include:
 - a) historic building survey to Historic England Level 2
 - b) soft-strip watching brief to enable recording of concealed historic fabric and evidence of phasing, and to enable identification of timbers suitable for dendrochronological dating
2. A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records
 - b) production of a final report on the significance of the archaeological and historical interest represented.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible in accordance with the requirements of adopted Rochdale Core Strategy policy P2 and the National Planning Policy Framework, and to make this evidence (and any archive generated) publicly accessible.

- 15 The development hereby permitted shall not be occupied until the measures identified in the plan 'Proposed Access Road Details (drawing number: 21.2445.57B)' have been implemented.

Reason: In the interests of road safety in accordance with adopted Rochdale Core Strategy Policy T2, Places for Everyone Joint Development Plan and the NPPF.

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.

Date Decision Issued 6 March 2025

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: £43.00 for householder applications and £145.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk) In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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.

INFORMATIVE:

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately and an ecologist/LPA should be contacted.

INFORMATIVE:

The Greater Manchester Fire and Rescue Service has advised that it strongly supports the installation of sprinkler systems as a positive measure to protect persons. The provision of a sprinkler fire suppression system would have significant benefits for the development. It would ensure that any fire would be quickly controlled and would significantly reduce any fire damage to the building. This is particularly important as business continuity following a fire as an important factor in the ongoing viability of an organisation.

INFORMATIVE:

The applicants are advised that they will have to ensure that the legitimate use of the public rights of way network in the area are available to the general public and there are no risks whilst exercising this right. It should be noted that it is an offence to obstruct a public right of way. Any work to alter the formal route of a public right of way will need to be undertaken through a separate application. The applicant is advised to contact the Council's public rights of way officer for further guidance.

INFORMATIVE:

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of Town House Brook which, is designated a 'main river'. Some activities are excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: Flood risk activities: environmental permits - GOV.UK (www.gov.uk).

The Environment Agency prefers structures set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course. Any works which are within 8metres of statutory main river will require

an appropriate ecological survey to be conducted by experienced ecologists at an appropriate time of year using recognised techniques.

The proposed development could be an ideal opportunity to utilise Sustainable Drainage Systems, (SuDS) which can protect local freshwater resources from the effects of pollutants and enhance biodiversity. They include options such as retention ponds, reedbeds, swales and porous pavement. The developer must assess the feasibility of incorporating SuDS within this development. More information can be found at: <https://www.local.gov.uk/topics/severe-weather/flooding/sustainable-drainage-systems>.

The Environment Agency have advised that there are records of invasive non-native species (Wildlife & Countryside Act, Schedule 9) Himalayan Balsam; Japanese Knotweed and Rhododendron in vicinity of working area, all works should adhere to good environmental practice (<http://www.nonnativespecies.org>) to reduce the risk of spreading seeds/root fragments and ensure safe working through 'check, clean and dry' biosecurity.