

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/01214/FUL

Name and address for correspondence:	Applicant name:
Project Landscape Architect Yuan-Yin Hsieh Planit-IE 2 Back Grafton Street Back Grafton Street Altrincham WA14 1DY United Kingdom	Senior Project Officer Preena Mistry

Part 1 - Particulars of Application

Date of Application: 10 December 2024

Proposal:	Redevelopment of existing civic square including hard and soft landscaping, installation of street furniture, lighting and associated works.
Location:	Heywood Civic Square, Lcpl Stephen Shaw Mc Way, Heywood, OL10 1LW

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 and documents:-

Proposed Site Location Plan - 3546-PLA-XX-XX-DR-L-0002 - Rev P01

Received by the Council on the 10/12/2024

Tree retention and removal plan - 3546-PLA-XX-XX-DR-L-2001 P02 - received by the Council 10/12/2024

Street Furniture Arrangement Plan - 3546-PLA-XX-XX-DR-L-4000 - P02 - received by the Council 10/12/2024

Lighting Strategy - 3546-PLA-XX-XX-DR-L-4001 - Rev P02 - received by the Council 10/12/2024

Existing and Proposed Sections ½ - 3546-PLA-XX-XX-DR-L-8000 - Rev P01 - received by the Council 10/12/2024

Existing and Proposed Sections 2/2 - 3546-PLA-XX-XX-DR-L-8001 - Rev P01 - received by the Council 10/12/2024

Proposed Network Calculations - Drainage

Existing Network Calculations - Drainage

Proposed Drainage Alterations - Rev P03

Typical Rain Garden Details - Rev P01

Amended Levels General Arrangement Plan Rev P05

Amended Edging General Arrangement Plan Rev P04

Amended General Arrangement Plan Rev P05

and the development shall be carried out in complete 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 The development hereby approved shall not be occupied until such time as the site-wide drainage has been installed in accordance with the following drawings and documents:

Proposed Network Calculations - Drainage

Existing Network Calculations - Drainage

Proposed Drainage Alterations - Rev P03

Typical Rain Garden Details - Rev P01

Amended Levels General Arrangement Plan Rev P05

Amended Edging General Arrangement Plan Rev P04

Amended General Arrangement Plan Rev P05

The drainage measures shall be 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, Policy JP-S4 of the

adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 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, including material specifications, 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) 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 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 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.

- 5 No development (other than demolition, site clearance or preparation works) shall take place until details of street furniture, boundary treatments and retaining walls have been submitted to and approved in writing by the Local Planning Authority. Any submission shall include details of elevations, specifications and materials and any fixtures.

Reason: In the interest of ensuring a satisfactory visual appearance and in the interest of ensuring the satisfactory drainage of surface water in accordance with Policies P3, G8 and DM1 of the adopted Rochdale Core Strategy, Policies JP-S4 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework

- 6 The development hereby approved shall be carried out in accordance with the details and recommendations in the submitted Arboricultural Impact Assessment and Method Statement, prepared by Appletons, dated November 2024, received by the Council 10/12/2024. The development shall be carried out by a suitably qualified professional.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, Policies JPP1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Procedure Statement:

Date Decision Issued 7 April 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 -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

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.

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

BIODIVERSITY NET GAIN

Irreplaceable Habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and,
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.