

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 21/00092/FUL

Name and address for correspondence:	Applicant name:
Don Murphy Paul Butler Associates 31 Blackfriars Road Salford M3 7AQ United Kingdom	Mr Mike Drogan

Part I - Particulars of Application

Date of 11 March 2021
Application:

Proposal:	Partial demolition of former restaurant and bar and conversion and change of use to residential dwelling (C3), and the erection of 5 dwellings (C3), along with access, service routes, hard and soft landscaping and associated works.
Location:	The Crimble Restaurant , Crimble Lane, Heywood, OL11 4AD

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:
- a) Site location plan (ref: L(-1)000 rev02)
 - b) Site layout as proposed (ref: L(-1)002 rev01)
 - c) Proposed dwelling typology 01 (ref: L(-2)002 rev04)
 - d) Proposed dwelling typology 02 (ref: L(-2)003 rev01)

- e) Proposed dwelling elevations 01 (ref: L(-4)002 rev03)
- f) Proposed dwelling elevations 02 (ref: L(-4)003 rev03)
- g) Crimble Hall plans as proposed part 1 (ref: L(-2)103 rev03)
- h) Crimble Hall plans as proposed part 2 (ref: L(-2)104 rev04)
- i) Crimble Hall elevations as proposed part 1 (ref: L(-4)103 rev04)
- j) Crimble Hall elevations as proposed part 2 (ref: L(-4)104 rev04)

and the development shall be carried out in accordance with these drawings/documents 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 Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application or shown on the approved plans listed in Condition 2 of this permission, no development shall take place until full details of the works proposed to Crimble Hall and its attached extensions are submitted to and agreed by the Local Planning Authority. These details shall include:

- o Methodology for demolition of modern extensions and for reinstatement of walls and any other features;
- o Schedule of external repairs and finishes; and,
- o Large scale details of windows and doors, including dormer windows.

Development shall be carried out in accordance with the approved details.

Reason: in order to preserve and enhance features of special architectural and historic interest and to ensure satisfactory appearance, in accordance with Core Strategy Policies P2, P3 and DM1, and the National Planning Policy Framework.

Reason for pre-commencement condition: the suitability of the proposed development relies upon securing heritage benefits to the Non Designated Heritage Asset. It must be demonstrated that these are deliverable.

- 4 Notwithstanding any description of materials in the application or shown on the approved plans listed in Condition 2 of this permission, no above ground construction works shall take place until samples and/or full specification of materials to be used externally on the buildings, 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 prior to the first occupation of the development.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Reason for pre-above ground works: the details of all above ground elements of the proposed development must be agreed prior to installation, in order to ensure satisfactory impact on local character.

- 5 No development shall take place until an investigation and risk assessment to assess the nature and extent of any contamination on the site, whether or not it originates on the site, has been submitted to and approved by the Local Planning Authority. The assessment must be undertaken by competent persons. 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 environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure contamination is appropriately identified and a strategy is in place before works commence on site for the protection of controlled waters and 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.

- 6 No development shall take place (including any site clearance or preparation works) until a Construction Environment Management Plan [CEMP], which shall include the following, has been submitted to, and approved in writing by the Local Planning Authority:

- o the parking of vehicles of site operatives and visitors;
 - o loading and unloading of plant and materials;
 - o storage of plant and materials used in constructing the development;
 - o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - o wheel washing facilities;
 - o measures to control the emission of dust and dirt during construction;
 - o a scheme for recycling/disposing of waste resulting from construction works;
- o hours for deliveries to and construction of the site.

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

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works, it is therefore necessary to demonstrate suitable measures to protect the amenity of nearby residents the surrounding environment and the functioning of the highway network prior to commencement of any building or engineering works on site.

- 7 No demolition (excluding a 'soft strip') or development works shall take place until a Written Scheme of Investigation [WSI] has been submitted to and approved by the Local Planning Authority.

The WSI shall cover the following:

- o A phased programme and methodology to include:
 - a) a historic building survey (Historic England Level 2/3);
 - b) an archaeological evaluation through trial trenching;
 - c) pending results of the above, targeted open-area excavation and recording.
 - o A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records and finds;
 - b) production of a final report on the significance of the heritage interest recorded.
- o Deposition of the final report with the Greater Manchester Historic Environment Record.

- o Dissemination of the results of the site investigations commensurate with their significance.
- o Provision for archive deposition of the report, finds and records of the site investigation.
- o Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

The development shall be carried out in accordance with the approved WSI.

Reason: In accordance with NPPF policy 16, paragraph 205: to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.

- 8 No development shall take place until a condition survey of the flanking walls and carriageway surface of Crimble Lane (between the B6222 and the site entrance) is submitted to an approved by the Local Planning Authority. The flanking walls and carriageway surface shall be returned to the condition demonstrated in the approved survey, prior to the occupation of any dwelling hereby approved.

Reason: In the interests of highway safety and to protect the visual amenity of the surrounding area, in accordance with Core Strategy Policies G6, G7, G8, T2, and DM1, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement: in order to ensure that the current condition of the lane and flanking walls is properly recorded prior to any activity associated with the development that may risk causing damages takes place.

- 9 No development, excluding site clearance, remediation and ground preparation works, shall take place until a foul water drainage scheme has been submitted to and approved by the Local Planning Authority. The development shall take place in accordance with the approved scheme.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of foul 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 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.

- 10 No development shall take plan until a surface water drainage scheme including surface water from access road, parking areas and buildings has been submitted to and approved in writing by the local planning authority. The drainage scheme for the development shall be in accordance with the National Planning Policy Framework (NPPG) hierarchy, in the following order of priority:
- o into the ground (infiltration);
 - o to a surface water body;
 - o to a surface water sewer, highway drain, or another drainage system;
 - o to a combined sewer.

The surface water drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Policy Framework (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design;
- (iii) Details of the use of flow attenuation measures. Details shall include construction details for permeable paving, if this forms part of the sustainable drainage system; and
- (iv) Provision of a Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

The duly approved scheme shall be implemented prior to the first occupation of each dwelling hereby permitted and shall be retained as such thereafter.

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, saved Policy EM/7 of the adopted Rochdale Unitary 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.

- 11 No development shall take place until the proposals for protecting retained trees as described in the Arboricultural Impact Assessment and Method Statement (dated May 2022) have been implemented in full. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS 3998 (Tree Work). If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during construction and to protect and enhance the appearance and character of the site and locality.

- 12 No development, other than site clearance, remediation and ground preparation works, shall take place until a landscaping scheme which includes details of replacement tree, has been submitted to and approved by the Local Planning Authority. The areas which are soft landscaped shall be retained as landscaped areas thereafter. Should any trees, shrubs or grassed areas be removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced by vegetation of similar size and species to those originally required to be planted. The development shall be carried out in accordance with the approved scheme.

Reason: In order to achieve a satisfactory level of landscaping in the interests of the amenities of the area in accordance with adopted Core Strategy policy P3 and the National Planning Policy Framework.

Reason for pre-commencement: to satisfy the Local Planning Authority that the new trees will be sufficient protect and enhance the appearance and character of the site and locality.

- 13 No development shall take place until either of the following has been submitted to and approved by the Local Planning Authority:
a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead; or,
b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a license.

Reason: In the interests of enhancing biodiversity and in order to protect bats, in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: In order to satisfy legal requirements as they relate to the protection of bats.

- 14 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 by the Local Planning Authority. 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 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.

- 15 No external lighting shall be installed on the site unless a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the full lighting calculations, the position and height of means of lighting on the building or site and its lux plot and luminance, angle of installation and any hoods to be fixed to the lights. The approved scheme shall be implemented prior to occupation of the dwellings and in accordance with the approved details and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason. To prevent habitat disturbance of protected species, to limit visual impacts on the landscape and to ensure a satisfactory standard of development in accordance with Policies P3, G7 and G9 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 16 No dwelling hereby approved shall be occupied until a scheme for the installation of electric vehicle charging points with a minimum power rating of 7Kw, universal sockets and at least mode 3 or equivalent, has been submitted to and approved by the Local Planning Authority. The approved car charge point scheme shall be implemented prior to occupation of each dwelling.

Reason: In the interests of air quality management in accordance with Core Strategy Policy T2 and the National Planning Policy Framework.

- 17 No part of the development shall be occupied until a detailed specification for the design and construction of the associated parking areas, including detail of the surface water drainage strategy and surfacing materials, has been submitted to and approved by the Local Planning Authority. The parking areas shown on the approved plans shall be shall be constructed in accordance with the approved details before the associated development is first occupied, and shall be retained thereafter for their intended purpose.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of highway safety and the free flow of traffic and to ensure the suitable disposal of surface water in order to comply with the requirements of policies T2, DM1 and G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 18 The development shall be carried out in accordance with the physical security measures specified in the Crime Impact Statement Addendum (dated 18th August 2022) with the exception of matters relating to boundary features and external lighting.

Reason: In order to ensure that the development is safe to use and access and to reduce the risk of crime, in accordance with Core Strategy Policy C3 and the National Planning Policy Framework, without compromising landscape character and ecological considerations, in accordance with Policies P3, G7 and G9 of the adopted Rochdale Core Strategy.

Procedure Statement:

Date Decision Issued 1 July 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.

