



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 19/00104/FUL

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| Name and address for correspondence: Mr Drew Farren Tsiantar Architects 4 Springfield Road Altrincham WA14 1HE | Applicant name: Bloor Homes North West |
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Part I - Particulars of Application

Date of Application: 18 February 2019

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| Proposal: | Residential Development - erection of 4 two storey dwellings |
| Location: | Land Off Buckley Hill Lane, Milnrow |

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:-

- Proposed Floor plans, elevations, location map and site plan. Drawing No. 851-PA-01, Rev. F.
- Proposed and existing street scenes. Drawing No. 851-PA-02, Rev. D.
- Proposed floor plans, Elevations for plots 2 and 3. Drawing No. 851-PA-03
- Proposed floor plans, Elevations for plots 1 and 4. Drawing No. 851-PA-04 received 05/08/20019

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

- 3 Notwithstanding any description of materials in the application no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the dwellings have 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 prior to the occupation of each dwelling.

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

- 4 No part of the development shall be occupied until a specification for the design and construction (including surface treatment and drainage) of the driveways has been submitted to and approved in writing by the Local Planning Authority. The driveways shall be constructed in accordance with the duly approved details before each associated dwelling is first occupied, and retained thereafter at all times for the parking of vehicles.

Reason: In order to ensure there is adequate provision for vehicles to be parked clear of the highway and to achieve an appropriate surface treatment for parking areas in order to comply with the requirements of Policy DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 5 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, and E 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 dwellings hereby approved shall not be extended or altered and no buildings shall be erected within their curtilages.

Reason: To ensure that the Local Planning Authority retains control over any future extensions to the dwellinghouse in order to prevent overdevelopment of the site and to safeguard the amenity of future occupiers of the proposed dwellings in accordance with the requirements of the Council's Supplementary Planning Document 'Guidelines and Standards for Residential Development', Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

- 6 No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 09:00 hours and 14:00 hours on Saturdays.

Reason: In order to safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours in accordance with the requirements of Policy G9 of the adopted Core Strategy and the National Planning Policy Framework.

- 7 No development shall take place until a foul and surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions and inclusive of how the scheme shall be managed after completion, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, foul and surface waters shall be drained on separate systems and the surface water drainage scheme shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority. The drainage scheme shall be planned to avoid damage to existing tree roots and drainage infrastructure sited outside the Root Protection Areas. The development shall be completed, maintained and managed in accordance with the approved details at all times.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

- 8 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 and the National Planning Policy Framework.

- 9 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, the development shall not be occupied until a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs as well as details of both temporary and permanent root protective surfaces. The two off-site highway trees T2 (cherry) and T4 (whitebeam) to be removed shall be replaced by tree planting at a 2 for 1 basis (2 new trees per tree removed). 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 removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced 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 to secure biodiversity enhancement in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 10 No development shall take place until the trees to be retained to the front of the site (trees T1, T3, T5) have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction'. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees adjacent to the site in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Preparatory and ground works have the potential to damage trees and therefore protective measures must be in place before any development takes place.

- 11 No development shall take place until the highway trees on the grass verge opposite the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction'. The fencing shall be retained during the period of construction and no work, excavation, tipping, parking of vehicles or stacking/storage of materials shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees adjacent to the site in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Preparatory and ground works have the potential to damage trees and therefore protective measures must be in place before any development takes place

- 12 No development shall take place until an 'Arboricultural Method Statement' for the removal of the tree stump indicated as 'STUMP' on the approved Drawing No. 851-PA-01, Rev. E has first been submitted to and approved in writing by the Local Planning Authority.

Reason: Due to the proximity of the stump to other existing retained trees to avoid damage, severance or disturbance of their roots in accordance with policy G6 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The removal of the tree stump has the potential to cause damage to the highway therefore measures must be in place before any development takes place.

- 13 No development shall take place until a site investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall 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 archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to inform a remediation strategy for the site.

If the risk assessment includes a remediation strategy for the site, no dwelling shall be occupied until a verification report for that plot has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise and to accord with Policies DM1 and G9 of the adopted Rochdale Core Strategy.

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 Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: This condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

- 14 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of the siting, design and materials to be used in the construction of walls or fences for boundaries, screens or retaining walls have been submitted to and approved in writing

by the Local Planning Authority. The approved boundary treatments shall be erected before each dwelling hereby approved is first occupied.

Reason: In the interests of amenity and in compliance with Policies P3, P2 and DM1 of the adopted Rochdale Core Strategy of the Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

- 15 Notwithstanding the provisions of Schedule 2, Part 1, Class A 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, no further window openings shall be inserted into the side elevations of the dwellings hereby approved and prior to each dwelling being brought into use, the windows in the side elevations of the properties shall be fitted with textured glass whose obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and shall be non-opening below a height of 1.7 metres above the floor level of the room they serve. The windows shall be retained as such thereafter.

Reason: To ensure the development does not allow the unacceptable overlooking of neighbouring residents and to protect residential amenity in accordance with the requirements of the Council's Supplementary Planning Guidance Note "Guidelines and Standards for Residential Development", Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

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 2 September 2019



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Signed on behalf of the Council

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.

INFORMATIVE:

Ash dieback (*Hymenoscyphus fraxineus*): The Plant Health (Forestry) (Amendment) Order 2012 prohibits all imports of ash seeds, plants and trees, and all internal movement of ash seeds, plants and trees. Alternative native trees should be used. Source: LI Technical Advice Note 01/19.

INFORMATIVE:

All drainage and service works should be planned and implemented in accordance with the Streetworks Guidance (formerly NJUG - National Joint Utility Group), in particular, Volume 4 Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees: Issue 2 (November 2007), available from and its companion document, Volume 4 Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees: Issue 2 Operatives Handout (November 2007), both available from <http://streetworks.org.uk/resources/publications/>.

United Utilities has abstraction boreholes used for public water supply in the vicinity of this application which could be affected. The prevention of pollution to drinking water supplies is critical. The Environment Agency has a series of published position statements documenting their approach to managing and protecting groundwater. These are outlined in The Environment Agency's approach to groundwater protection. Table 1 in this document indicates the position statements (including restrictions or extra controls) applicable to certain activities within a Source Protection Zone 1 (SPZ1) of a groundwater source, which are designed to protect groundwater intended for human consumption. SPZs identify the groundwater catchment areas of sources of potable water and show where they may be at particular risk from polluting activities on or below the land surface.

The discharge of clean roof water to ground is acceptable both within and outside SPZ1, provided that all roof water down-pipes are sealed against pollutants entering the system from surface runoff, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground. No permit is required, if the above criteria can be met.

Together with the Environment Agency, United Utilities supports the principles of sustainable drainage systems (SuDS) for new discharges. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater.