



Town and Country Planning Act 1990

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 14/00562/FUL

Name and address for correspondence: Mr Ian Whitworth Progressive Design and Build The Office Marsden Gate Farm Sowood Halifax West Yorkshire HX4 9LD	Applicant name: Mr John Pessagno
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Part 1 - Particulars of Application

Date of Application: 8 May 2014

Proposal:	Erection of 4 detached dwellings including associated access and landscaping.
Location:	Site Of 124 Manchester Road, Heywood, OL10 2NN

Part II - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that planning permission has been **Granted subject to conditions** for the carrying out of the development referred to in Part 1 above.

In pursuance of its powers under the above Act, and in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the development was considered to comply with the relevant policy(ies) and/or proposal(s) contained within the Development Plan.

The Council hereby permits the above development in accordance with the details given on the application form and submitted plans subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission relates to the following plans:

Drawing no. 01 Rev 02 – Location plan (amended plan received 9th July 2014).

Drawing no. 05 Rev 03 – Proposed site plan.

Drawing no. 10 Rev 02 – Proposed house layouts.

Drawing no. 15 Rev 02 – Proposed elevations.

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, 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 been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Unitary Development Plan Policies BE/2 and H/3, and the National Planning Policy Framework.

- 4 Notwithstanding any 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 all windows and doors to be used on the external surfaces of the dwellings (including their materials, finishes, recesses and opening profile) have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the duly approved details before the dwellings hereby approved are first occupied and retained as such thereafter.

Reason: In order to ensure use of appropriate materials and finishes which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Unitary Development Plan Policies BE/2 and H/3, and the National Planning Policy Framework.

- 5 No development shall take place until an 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:
 - 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) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

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 Unitary Development Plan policies EM/4, EM/8 and BE/2, and the National Planning Policy Framework.

- 6 Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish to be used in the construction of boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before any of the dwellings hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance in the interests of visual amenity and to provide adequate levels of privacy between neighbouring dwellings in accordance with the requirements of Unitary Development Plan policies BE/2 and H/3, and the National Planning Policy Framework.

- 7 Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping and provision of adequate private garden space for the dwellings in accordance with Unitary Development Plan policies H/4, BE/2 and BE/8, and the National Planning Policy Framework.

- 8 Before any of the dwellings hereby approved are first occupied, a scheme for the design and construction of their associated parking and hardstanding areas, including their surface treatment and provision for the drainage of surface water from them, shall be submitted to and approved in writing by the Local Planning Authority. The parking and hardstanding areas shall be constructed in accordance with the duly approved details before each associated dwelling is first occupied, and retained as such thereafter.

Reason: In order to ensure that there is adequate provision for vehicles to be parked clear of the highway, appropriate surface treatment of hardstanding areas and the suitable disposal of surface water in accordance with the requirements of Unitary Development Plan policies H/3, BE/2 and A/10, and the National Planning Policy Framework.

- 9 No development shall take place until a scheme for the design, construction and drainage of the private shared driveway for the dwellings shown on drawing no. 05 Rev 03 has been submitted to and approved in writing by the Local Planning Authority. The private shared driveway shall be provided and made available for use in accordance with the duly approved scheme before any of the dwellings hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure a satisfactory standard of engineering works and surface treatment in order to achieve appropriate provision for vehicle access, circulation and manoeuvring in accordance with the requirements of Unitary Development Plan policies BE/2, A/8 and A/9.

- 10 No development shall take place until a scheme for tree protection measures (both above and below ground) to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include:

- Details of a construction exclusion zone (including any protective fencing) to be formed around the root protection areas of those trees identified as being retained on drawing no. 05 Rev 03;

- Details of any excavation to take place within the root protection areas of those trees identified as being retained on drawing no. 05 Rev 03;
- Details of the construction (including foundations) of any hardstandings and boundary treatments within the root protection areas of those trees identified as being retained on drawing no. 05 Rev 03.

The development shall thereafter be carried out in strict accordance with the protection measures contained within the duly approved scheme throughout the construction period.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the health of trees located within and outside the site which are to be retained as part of the development (including those protected by preservation orders) in order to preserve their amenity value in accordance with the requirements of Unitary Development Plan policies NE/7, NE/8 and BE/2.

- 11 Other than those specimens identified on drawing nos. 4708.01 (forming part of the tree survey by 'tba landscape architects' – ref MG/4708/TSR/MAR14) and 05 Rev 03, no trees shall be lopped, topped or felled without the prior written approval of the Local Planning Authority.

Reason: To protect existing trees within and outside the site which are to be retained as part of the development and to limit the extent of tree removal in order to preserve the amenity value of these specimens and the street scene in accordance with the objectives of Unitary Development Plan Policies BE/8, NE/7 and NE/8, and the National Planning Policy Framework.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

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 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. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

Date of Decision 28 August 2014



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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 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: £28.00 for householder applications and £97.00 in all other cases.

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. 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. Property specific summary information on coal mining can be obtained from The Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com.