

Public Document Pack



Meeting of: Planning and Licensing Committee
Date: Thursday, 9th July, 2020
Time: 6.00 pm.
Venue: Zoom Meeting

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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Planning and Licensing Committee Members

Councillor Shakil Ahmed	Councillor Phil Burke
Councillor Irene Davidson	Councillor Susan Emmott
Councillor Rachel Massey	Councillor Amna Mir
Councillor Shaun O'Neill	Councillor Faisal Rana
Councillor Aasim Rashid	Councillor Peter Rush
Councillor John Taylor	Councillor Shah Wazir
Councillor Peter Winkler	Councillor Sameena Zaheer
Councillor Mohammed Zaman	

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Agenda Item 4

Planning and Licensing Committee Update Report – 9th July 2020

AGENDA ITEM 7 – 19/00956/FUL – land at Stainton Drive, Middleton

UPDATE TO RECOMMENDATION

There is a drafting error in the Agenda Reports Pack; in the interests of clarity, the final recommended condition, on page 46, should be numbered condition 15, not 13.

DRAFT

AGENDA ITEM 8 – 20/00041/FUL - Carr Wood Cottage

UPDATE TO CONSULTATION RESPONSES

Consultation summary – The Greater Manchester Archaeological Advisory Service (GMAAS) has been unable to identify any corroborating evidence that would support the idea that members of the Ashworth family may be buried within the proposed development area. However as a result of the submitted Heritage Statement suggesting that there is potential for there to be archaeological evidence for previous phases of construction GMAAS recommends that a programme of archaeological work should be required by a condition attached to any planning consent.

UPDATE TO RECOMMENDATION

An additional condition has been added requiring a written scheme of archaeological investigations as a result of consultation with the Greater Manchester Archaeological Advisory Service (GMAAS) as a result of representations made about the potential of the Ashworth family being buried in the grounds of Carr Wood Cottage.

The full updated recommendation is therefore as follows:

It is recommended that the Planning and Licensing Committee resolves that it is minded to GRANT planning permission subject to the suggested schedule of conditions:

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:-
 - 552-al(05)-001-[F] Location Plan
 - 1803-101 Rev. P01 Existing Site Plan (Topographical Survey)
 - 531-al(05)-100-[E] Existing Site Plan
 - 552-al(05)-103-[B] Existing Elevations of Main Building
 - 552-al(05)-105-[A] Existing Elevations of Stable Building
 - 552-al(05)-101-[C] Existing Ground Floor Plan
 - 552-al(05)-102-[A] Existing First Floor Plan
 - 552-al(05)-104-[A] Existing Sections
 - 531-al(05)-200-[H] Proposed Site Plan (Amended Plan Received 24.06.20)
 - 552-al(05)-204-[C] Proposed Southern Elevation (A) (Amended Plan Received 24.06.20)
 - 552-al(05)-205-[C] Proposed Western Elevation (B) (Amended Plan Received 24.06.20)
 - 552-al(05)-206-[C] Proposed Eastern Elevation (C) (Amended Plan Received 24.06.20)
 - 552-al(05)-207-[C] Proposed Northern Elevation (D) (Amended Plan Received 24.06.20)

- 552-al(05)-201-[E] Proposed Ground Floor Plan (Amended Plan Received 24.06.20)
- 552-al(05)-202-[E] Proposed First Floor Plan (Amended Plan Received 24.06.20)
- 552-al(05)-203-[E] Proposed Roof Plan (Amended Plan Received 24.06.20)
- 552-al(05)-208-[C] Proposed Section AA (Amended Plan Received 24.06.20)
- 552-al(05)-209-[D] Proposed Section BB (Amended Plan Received 24.06.20)
- 552-al(05)-210-[D] Proposed Section CC (Amended Plan Received 24.06.20)
- 1803-103 P03 General Arrangement – Garden (Amended Plan Received 16.06.20)
- 1803-104 Rev. P01 Boundary Treatment Plan (Amended Plan Received 16.06.20)
- 1803-105 Rev. P02 Sections (Amended Plan Received 16.06.20)
- 1803-106 Rev. P02 Wider Site Proposals (Amended Plan Received 16.06.20)

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 Core Strategy, the Unitary Development Plan and the National Planning Policy Framework.

3. No soft-strip, demolition or development groundworks shall take place until the implementation of a programme of archaeological works has been secured. This is to be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been prepared by the appointed archaeological contractor and submitted to and approved in writing by the Local Planning Authority.

The WSI shall cover the following:

- (a) A phased programme and methodology of fieldwork and recording to include:
 - i. archaeological building recording (Historic England Level 3)
 - ii. intra soft-strip/ demolition archaeological watching brief
 - iii. general archaeological watching brief on development groundworks
- (b) A programme for post fieldwork assessment to include:
 - i. analysis of the site investigation records and finds
 - ii. production of a final report on the significance of the archaeological and historical interest represented.
- (c) Provision for publication and dissemination of the analysis and report on the site investigation.
- (d) Provision for archive deposition of the report, finds and records of the site investigation.
- (e) 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 the significance of any buried archaeological remains, and to make this evidence (and any archive generated) publicly accessible, in accordance with the requirements of Core Strategy Policy P2 and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works it is necessary to record and understand the significance of any buried archaeological remains before the development commences.

4. No development, site clearance (including any demolition) or earthworks shall take place and no material or machinery shall be brought on site until a Construction and Environmental Method Statement, has been submitted to, and approved in writing by the Local Planning Authority, which shall include the following:
 - a. the parking of vehicles of site operatives and visitors;
 - b. loading and unloading of plant and materials;
 - c. storage of plant and materials used in constructing the development;
 - d. the erection and maintenance of security hoarding;
 - e. measures for the protection of the natural environment from accidental spillages, dust and debris including dedicated protection measures (including high visibility fencing) for the protection of the adjacent SBI of Naden Brook both during and after construction;
 - f. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - g. a lighting plan designed to direct any temporary lighting away from the SBI of Naden Brook.

The duly approved Construction and Environmental Method Statement shall be adhered to throughout the construction period.

Reason: To minimise detrimental effects to 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, T2, G7, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require demolition, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents and the SBI prior to commencement of any demolition or building or engineering works on site.

5. No development or works of demolition shall take place until a scheme of works, which shall include a detailed method statement, for the control and disposal of Himalayan Balsam has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme of works and method statement shall be implemented in full throughout the course of the development.

Reason: To secure the satisfactory disposal of invasive species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to spread in the wild, in accordance with Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure an appropriate scheme to control the spread is implemented on commencement and throughout the construction process.

Reason for pre-commencement condition: Construction activity increases the risk of invasive species spreading.

6. No works of demolition of the existing dwellings or stable block on site shall take place until such time as they have been re-surveyed for the presence of bats and the findings submitted to the Local Planning Authority and agreed in writing. If any bats are found to reside within the buildings, no demolition shall take place until an appropriate mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and the approved protection and mitigation measures thereafter fully implemented.

Reason: To safeguard the protected species in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. 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 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 environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies G8 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

8. Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of foul water has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the foul water treatment and disposal system must be in accordance with the UK Septic Tanks and Treatment Plants: Permits and General Binding Rules. The duly approved scheme shall be implemented prior to first occupation of the development hereby permitted and retained as such thereafter

Reason: To ensure satisfactory disposal of foul water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: No drainage information has been submitted. 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.

9. Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of surface water from the site (including surface water from the site access and parking areas), has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, 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) Details of the use of flow attenuation measures, to restrict surface water discharges from the site to 5.35 l/s as outlined in the Site Wide Drainage Strategy provided by the Applicant as part of the Planning Application.
 - (iii) Details of 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 the 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.

10. No development shall take place until such time as a survey of the development site and within 30 metres of it for badger setts has taken place and the findings have been submitted to and agreed in writing by the Local Planning Authority. Should any evidence of badgers be found, no development shall take place until a badger protection and management plan has been submitted to and approved in writing by the Local Planning Authority. The badger protection management plan shall be adhered to throughout the entirety of the construction works and it shall confirm: -

- No use of very heavy machinery (general tracked vehicles) within 30 metres of any entrance to an active sett;
- No use of lighter machinery (generally wheeled vehicles), particularly for any digging operation, within 20 metres;
- Construction activity should be limited to hand digging or scrub clearance within 10 metres;
- The use of noisy plant and machinery in the vicinity of the protection zone should be minimised 2 hours before sunset;
- Security lighting should be directed away from setts;
- Chemicals should be stored as far away from the setts and badger paths as possible;
- Where possible, deep trenches must be covered at the end of the working day, or include a means of escape;
- Any pipe system which is left open for a significant period of time should be capped in such a way as to prevent badgers gaining access.
- Trees should be felled away from setts and must not block badger paths.

Reason: In the interest of species protection, in accordance with the requirements of Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works it is necessary to ensure the protection of any adjacent badger sett.

11. No development shall take place until details of finished floor levels and external ground levels relative to off-site datum has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure a satisfactory relationship between the new dwelling and between the development and surrounding buildings in the interests of residential and visual amenity in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

Reason for pre-commencement condition: These details are required before ground works take place.

12. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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 condition: Protection measures for retained trees are required to be in place prior to commencement of any works on site to ensure no damage is caused.

13. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission no above ground construction works shall take place until samples and / or full specifications 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.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

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 all windows and doors (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 dwelling hereby approved is first occupied and shall be retained as such thereafter.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

15. 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 all rainwater goods including method of support, design and surface finish has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and retained as such thereafter.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

16. 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, height, design, materials and finish of the boundary treatments has been 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 the dwelling is first occupied, and shall be retained as such thereafter.

Reason: In order to ensure boundary treatments are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

17. Notwithstanding the details shown on the approved plans and the requirements of Condition 2 of this permission, and without prejudice to Condition 7 of this permission, no above ground works shall take place until a specification for the design and construction of the driveway, has been submitted to and approved in writing by the Local Planning Authority. The driveway shall be constructed in accordance with the approved details before the dwelling is first occupied, and retained thereafter for the parking of vehicles.

Reason: In the interest of visual amenity to ensure adequate parking provision is provided and maintained clear of the highway and Public Right of Way HeyfP2 in accordance with adopted Rochdale Core Strategy policies DM1 and T and the National Planning Policy Framework.

18. No above ground works shall take place until a Landscape and Ecological Enhancement Plan for the wider site as identified on the 'Landscape Design Proposals' ref. 1803-CWS-PP-L-P01 by CW Studio dated December 2019 and drawing ref. 1803-106 Rev. P02 Wider Site Proposals (Amended Plan Received 16.06.20) has been submitted to and agreed in writing by the Local Planning Authority. The plan shall include:

- Details of any proposed thinning of the canopy
- Details of any Underplanting;
- Details of any Wildflower planting;
- Provision of bird and bat boxes;

- The Utilisation of only native species suitable to the habitat and where available of local provenance;
- Details of any new footpaths and footpath infrastructure;
- Details of any boundary treatment;
- A 5 year management and maintenance plan; and
- A timetable for the implementation of any identified works.

The Landscape and Ecological Enhancement Plan shall be implemented and managed in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to preserve, restore and maintain the woodland and grassland surrounding the site including part of the Naden Brook Site of Biological Importance and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Core Strategy Policies G6 and G7 the National Planning Policy Framework.

19. (a) 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 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), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) 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.

(c) 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 policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

20. No clearance of trees and shrubs or demolition of the existing buildings on site 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. The development shall be carried out in accordance with the approved details.

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.

21. No external lighting shall be installed on the house or elsewhere on the site unless a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented 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 in accordance with Core Strategy Policies P3 and G7 and the National Planning Policy Framework.

22. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the amendment, revocation or re-enactment thereof no development shall take place at the dwelling hereby permitted under Schedule 2, Part 1, Class A, Class B, Class D and Class E of that Order.

Reason: The Local Planning Authority considers it expedient, having regard to the nature of the development proposed in the Green Belt, to regulate any future alterations/extensions, in accordance with adopted Rochdale Core Strategy policies G4, P2 and P3 and the National Planning Policy Framework.