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**UPDATE REPORT**

**FOR DEVELOPMENT CONTROL COMMITTEE**

**MEETING OF 8 NOVEMBER 2016**

**B2. 2016/0334 – Land to rear of Buxton Street, Whitworth**

A technical error has occurred when transferring the planning conditions from the Council’s computer system into the published report, which has resulted in the unedited conditions being copied into the published report, rather than the final version. The correct list of conditions is set out below. Please note that the changes to the conditions are nominal and there are no changes to the recommendation, however it is necessary to bring this matter to Members’ attention.

1. The development hereby permitted shall be begun before the expiration of three years from 09.04.2015.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

1. The development shall be carried out in accordance with the following unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.

- Planning application forms signed and dated 27/11/14

- Drawings: Proposed Site Plan P3751-001 Rev F; Proposed Planting Plan P3751-004 Rev A; Proposed East & West Elevation P3751-302 Rev C; Proposed Ground Floor Plan P3751-002 Rev G; Proposed Lower Ground Floor Plan P3751-003 Rev C; and Proposed North Elevation and South Elevation P3751-301 Rev C.

- Documents: Design and Access Statement; Ecological Assessment; Arboricultural Impact Assessment; and Phase 1 Desk Study.

Reason: To ensure the development complies with the approved plans and submitted details

1. The premises shall only be used for a care home and for no other purpose including any other purposes in Class C2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area.

1. The development shall be carried out in accordance with the following materials (locations of materials shown on approved drawings listed in condition 2):

- Natural stone - Stanton Moor Buff, Natural Stone , Dressed Face, RG1910-D

- Leicester Multi Cream Stock Brick

- HardiPlank Cladding, Cedar Effect - Iron Grey

- Interpon D2525:Bronze YW283F Powder coating

- RAL 7016 UPVC barge boards, rainwater goods, external doors, window frames, and the areas of curtain walling being aluminium (including the long strip windows) also in RAL 7016.

- Natural slate 'Roseleda'

Reason: To ensure the use of appropriate materials, in the interests of the visual amenities of the locality.

1. Prior to the commencement of the development hereby approved locations of hard surfacing areas and their proposed materials shall be submitted to and approved in writing by the Local Planning Authority. The hard surfacing shall be completed in accordance with the agreed details prior to the first occupation of the development hereby approved.

Reason: To ensure the use of appropriate materials and in the interests of the visual amenities of the locality

1. Notwithstanding submitted details, full details of the proposed bike and bin store (including additional landscaping details to screen the building from 1 Rosefield Cottage) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. . The approved scheme shall be implemented prior to first use / occupation of the development hereby approved and thereafter retained.

Reason: In the interests of visual amenity.

1. Notwithstanding submitted details, prior to commencement of development a full scheme of hard and soft landscaping and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include: intended ground levels; details of proposed tree translocation / replanting and subsequent management to create a 'woodland' of mixed structure, with ground flora, understorey and canopy and other habitat creation / management between the ornamental planting and existing woodland / River Spodden corridor such as diversification of grassland, or scrub planting; and full details of which trees are to be retained on or adjacent to the site. Walls / fences / gates / hard-landscaping forming part of the approved scheme shall be completed prior to first occupation of the building, unless otherwise first agreed in writing by the Local Planning Authority. Any planting forming part of the approved scheme shall be undertaken in the planting season thereafter, unless otherwise first agreed in writing by the Local Planning Authority. Any shrubs/trees removed, dying or becoming seriously damaged or diseased within 5 years of planting shall be replaced by plants of a similar size or species, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: Insufficient details have been submitted with the application, and in the interests of visual and neighbour amenity.

1. No vehicles, equipment or materials may enter the site, and no construction work may commence on site until protective fencing has been installed in accordance with the approved Arboricultural Impact Assessment Report Ref TEP.4870.001 Nov 2014. The protective fencing shall be retained throughout the construction period. Within the protected area(s) there shall not be carried out or permitted, during the construction period, any building or other operations, parking or passage of vehicles, or storage of building or other materials or any other object.

Reason: To ensure that the trees on the site are protected during construction works in the interests of local amenity.

1. No external lighting associated with the development shall be installed without the prior approval, in writing, from Rosendale Borough Council. All lighting associated with the development shall be minimal, designed to avoid excessive light spill and shall not illuminate the woodland / woodland edge. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

Reason: To ensure that any bat habitat would not receive light spill.

1. The development shall be carried out in accordance with details submitted on drawing SK\_39 Proposed Bat and Bird Box Locations. The approved works shall be implemented in full before the development is first brought into use.

Reason: To ensure that bird and bat species are protected and their habitat enhanced.

1. All vegetation clearance works, demolition work or other works that may affect nesting birds that is undertaken outside of 1st March and 31st August inclusive, shall be done in accordance with the TEP UK Letter from Lee Greenhough dated 2 June 2016.

Reason: To ensure that birds are protected and their habitat enhanced.

1. Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1700 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of the neighbours amenities.

1. The development shall be carried out in accordance with the approved Construction Method Statement and it shall be adhered to throughout the construction period.

Reason: In the interests of the neighbours amenities.

1. No development shall commence until a Method Statement for the use of a vibrationless pile driving system has been submitted to and approved in writing by the Local Planning Authority. The Statement shall contain the following, and it shall be adhered to in full:
* details of an approved contractor experienced in the use of vibrationless pile driving;
* anticipated levels of maximum peak particle velocities emanating from the site to be proposed with an appropriate monitoring regime;
* the monitoring regime shall include adequate monitoring of the buildings immediately adjacent to the site to establish the pre contract condition and to be monitored during and after the contract period. The scope of monitoring shall include an engineer's inspection with photographic record together with the establishment of real time vibration monitoring to ensure recommended peak particle velocities are not exceeded during the process of the works; and
* the results of the monitoring shall then be submitted to the LPA for approval.

Reason: To protect the amenities of neighbours

1. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

1. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

1. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

1. Notwithstanding submitted details, prior to the commencement of development full details of proposed building slab levels and proposed levels for the adjacent land shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: In the interests of visual and residential amenity.

**Nicola Hopkins**

**Planning Manager**

**08/11/16**