

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00917/FUL

Name and address for correspondence:	Applicant name:
ELG Planning Gateway House 55 Coniscliffe Road Darlington DL3 7EH United Kingdom	Root Power (North) Limited

Part 1 - Particulars of Application

Date of Application: 4 October 2024

Proposal:	Battery Energy Storage System (BESS) with associated access, landscaping and ancillary works
Location:	Land At Ellenroad Farm, Bentgate Street, Milnrow, OL16 4NU,

Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

Part 3 - 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 and documents:
 - o ELLEN-BESS-001.4 Rev 2 - Site Location Plan
 - o ELLEN-BESS-001.5 Rev 3 - Site Layout Plan
 - o ELLEN-BESS-001.6 Rev 3 - Elevations Plan
 - o YLM-BESS-GEN-001.10 Rev A - 132/33kV Substation Transformer
 - o YLM-BESS-GEN-001.11 Rev A - Water Tanks
 - o YLM-BESS-GEN-001.1a Rev A - 33kV DNO Substation
 - o YLM-BESS-GEN-001.2 Rev A - 33kV Switchroom
 - o YLM-BESS-GEN-001.3 Rev A - Site Cabin / LV Switchroom
 - o YLM-BESS-GEN-001.4 Rev A - 33kV/415V Site Supply Transformer
 - o YLM-BESS-GEN-001.5 Rev A - BESS Transformer c/w Inverters
 - o YLM-BESS-GEN-001.6 Rev A - BESS Battery Cluster
 - o YLM-BESS-GEN-001.7 Rev A - V-Mesh Fence
 - o YLEM1500-11 - Soft Landscape Proposals
 - o Noise Impact Assessment
 - o Flood Risk and Drainage Strategy
 - o Heritage Impact Assessment
 - o Traffic Management Plan
 - o Transport Statement
 - o Biodiversity Impact Assessment
 - o Construction Traffic Management Plan
 - o Outline Battery Safety Management Plan Issue 2 November 2024
- 3 The use of the BESS facility hereby permitted shall cease on or before 40 years from the date when the site first becomes operational. Written notification of the commencement of operation of the BESS facility shall be submitted to and confirmed in writing by the local planning authority within 14 days of its occurrence.
Reason: To ensure that the application site is returned to its original open condition and character once the use of the development hereby approved is no longer required, and in order to mitigate the impact of the development upon the Green Belt, in accordance with policy DM1 of the Rochdale Core Strategy, policy JP-G9 of the Places for Everyone joint development plan, and the National Planning Policy Framework
- 4 No later than 12 months prior to the expiration date of this permission as noted at condition 3 above, a decommissioning and restoration scheme shall be submitted to and approved in writing by the local planning authority. This statement shall include details of the timescale and management of the decommissioning works; the removal of all equipment and all other associated structures and the reinstatement of the land to its former condition. The decommissioning and restoration of the site shall thereafter be undertaken in accordance with the approved scheme and within the agreed timescale.

Reason: To ensure that the application site is returned to its original open condition once the use of the development hereby approved is no longer required, in accordance with Policy DM1 Rochdale Core Strategy, Places for Everyone JP-G9, and the National Planning Policy Framework
- 5 Prior to commencement of the development hereby approved, full details of completed ground levels and contours shall be submitted to and approved in writing by the local planning authority, in liaison with National Highways. The development shall be undertaken in accordance with the approved details.

Reason: In order to assess and control the appearance of the completed development in the interests of protecting visual amenity and the landscape character in compliance with policies P2, P3 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework, and in the interests of protecting the safety of the strategic highways network.

- 6 Prior to commencement of the development hereby approved, full details of any retaining walls, earthworks and any other structural or engineering elements required as part of the development shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In order to assess and control the appearance of the completed development in the interests of protecting visual amenity and the landscape character in compliance with policies P2, P3 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 7 Prior to any above ground construction related to the development hereby approved, full samples and/or external material specification details for each of the following parts of the development shall be provided to the Local Planning Authority for approval:

- Battery Storage Units
- DNO Substation
- Switch room
- Welfare Cabin
- Water Tanks
- Inverter Units
- Fencing and gates
- Any hard surface materials

Such details shall include the type, colour and texture of materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the character of the local area and the landscape character in compliance with policies P2, P3 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 8 Prior to any above ground construction related to the development hereby approved, full design details of the proposed access track shall be submitted to and approved in writing by the Local Planning Authority. These details shall include construction details, surface materials, any drainage arrangements, and entrance arrangements onto Bentgate Street. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of protecting visual amenity and the landscape character in compliance with policies P2, P3 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 9 No external CCTV equipment shall be installed on or within the application site unless a scheme for such CCTV equipment has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented in accordance with the approved scheme.

Reason: in the interests of visual amenity having regard to Policies P3 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 10 The approved landscaping details shall be implemented in full no later than the end of the first planting season following the approved development first being brought into use. Any trees, shrubs or hedgerow planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become severely diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedge planting of a similar size and species (or another suitable species) to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its sensitive location and the nature of the proposed development and in accordance with Rochdale Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

- 11 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 Rochdale Core Strategy and the National Planning Policy Framework

- 12 Prior to commencement of development, details of a precautionary method of works in relation to reptiles shall be 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 the interest of protecting biodiversity in accordance with policy G7 of the Rochdale Core Strategy.

- 13 The development hereby approved shall not commence until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the off-site land adjacent to the application site indicated for biodiversity net gain (in the report titled Biodiversity Impact Assessment) has been registered as a habitat bank on the Biodiversity Gain Sites Register.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 14 The development hereby approved shall not commence until a Habitat Management and Monitoring Plan (the HMMP) for any habitat areas to be provided on-site in accordance with the Biodiversity Gain Plan approved pursuant to the statutory biodiversity gain condition has been prepared in accordance with the approved Biodiversity Gain Plan and including:

- a non-technical summary;
- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved BNG Plan;
- the management measures to maintain habitat in accordance with the approved BNG Plan for a period of 30 years from the completion of development; and
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority;

has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be undertaken in accordance with the approved HMMP.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 15 Notice in writing shall be given to the Council when the:
- HMMP has been implemented; and
Habitat creation and biodiversity enhancement works set out in the HMMP have been completed.
- Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework
- 16 Total noise levels arising from the development hereby approved shall not exceed 40 dB(A) measured 1m from the façade of noise sensitive receptors.
- Reason: To safeguard the living conditions of nearby occupants and residents in accordance with Core Strategy Policy G9 and the National Planning Policy Framework.
- 17 No external lighting shall be installed as part of the development hereby approved prior to the written approval by the Local Planning Authority of full design and technical details for any such lighting. Such details should be designed to avoid impacts on nocturnal animals. The development shall be undertaken in accordance with the approved details.
- Reason: In the interests of controlling light pollution in the interest of residential amenity, nature conservation and highways safety in accordance with Rochdale Core Strategy policies DM1, T2 and G9 and the National Planning Policy Framework.
- 18 Prior to commencement of any part of the development hereby approved that requires the importation of material onto the site, a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall include:
- Details of the volumes and types of material proposed to be imported or reused on site
 - Details of the proposed source(s) of the imported or reused material
 - Details of the chemical testing for ALL material to be undertaken before placement onto the site
 - Include the result of the chemical testing which must show the material is suitable for use of the development
 - Include confirmation of the chain of evidence to be kept during the material movement, including material importation and removal from and to the development
- All works shall be undertaken in accordance with the approved document
- Reason: To ensure that no unsuitable material is brought onto the site and in accordance with Policy G9 of the adopted Rochdale Core Strategy.
- 19 (a) Prior to commencement of above ground works, a full condition survey of the public rights of way in the vicinity of the site (specifically, those numbered MilFp351, MilFp355, MilFp356, MilFp357 and MilFp358) shall be undertaken and submitted to the Local Planning Authority for assessment.
- (b) Within 3 months of first operation of the use hereby approved, a full condition survey of the public rights of way proximate to the site shall be submitted to the Local Planning Authority for assessment by the Local Planning Authority in conjunction with the Local Highway Authority. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority and Local Highways Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason: In the interests of protecting the safety of users of nearby public rights of way, in accordance with Rochdale Core Strategy policies T2, DM1 and the National Planning Policy Framework.

- 20 Prior to commencement of the development hereby approved, full details of any engineering works including retaining walls and embankments adjacent to the public right of way (MilFp358) running to the immediate north of the site shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of protecting the safety and utility of users of nearby public rights of way, in accordance with Rochdale Core Strategy policies T2, DM1 and the National Planning Policy Framework.

- 21 Prior to the commencement of any excavation works and landscaping works, geotechnical submissions in accordance with Design Manual for Roads and Bridges Standard CD622 or its successor shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the M62 motorway).

No development pursuant to this application shall commence until a detailed Construction Design Plan and working Method Statement relating to site earthworks has been submitted to and approved by the Local Planning Authority (in consultation with the Highway Authority for the M62 motorway).

Construction of the development shall then be carried out in accordance with the agreed Construction Design Plan and working Method Statement.

Reason: To mitigate any adverse impact from the development on the M62 motorway in accordance with DfT Circular 01/2022.

- 22 Prior to commencement of development, an updated Construction Traffic Management Plan (CTMP) confirming construction working hours and setting out how the safety and convenience of users of public rights of way adjacent to the application site (specifically, those numbered MilFp351, MilFp355, MilFp356, MilFp357 and MilFp358) will be protected during the development phase, will be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved updated CTMP.

Reason: In order to protect the safety of users of nearby Public Rights of Way, in accordance with Rochdale Core Strategy policies T2, DM1 and the National Planning Policy Framework.

- 23 The development hereby approved shall be undertaken in accordance with the drainage details and maintenance arrangements set out in the approved Flood Risk Assessment/Drainage Strategy Rev 3 dated January 2025 by Andrew Moseley Associates, except as may be varied by the requirements of the following condition 24.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. 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 Rochdale Core Strategy, saved Policy EM/7 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 24 Prior to the development first being brought into use, the following additional drainage details shall be submitted to and approved in writing by the Local Planning Authority:
- Confirmation of infiltration rates from site testing and any resulting changes to the design.
 - Updated details of sustainable urban drainage maintenance arrangements addressing maintenance of attenuation storage, permeable paving and firewater storage tank
 - Arrangements for disposal of foul water

The approved updated maintenance details shall be adhered to for the lifetime of the development. The development shall be undertaken in accordance with any additional approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. 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 Rochdale Core Strategy, saved Policy EM/7 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 25 The development permitted by this planning permission shall be carried out in accordance with the approved non-mains drainage assessment including the following specific mitigation measures detailed therein:

- Soakaways to be constructed to BS6297:2007
- No connection to watercourse or land drainage system and no part of the soakaway system is within 10 metres of any ditch or watercourse
- No siting of any septic tank/package sewage treatment plant within 50 metres or upslope of any well, spring or borehole used for private water supply

Reason: The river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact will cause deterioration of a quality element to a lower status class and/or prevent the recovery of and/or cause deterioration.

- 26 The development shall be undertaken in accordance with the fire safety design measures set out in the Outline Battery Safety Management Plan submitted with the application.

Reason: In the interest of ensuring safe access for emergency vehicles in accordance with Rochdale Core Strategy policy P3 and the National Planning Policy Framework.

- 27 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and;
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Metropolitan Borough Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans)

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of

the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity

value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

"original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 modifies the general biodiversity condition for planning permissions which are phased development. Instead of the standard approach for the Biodiversity Gain Plan:

- o an Overall Biodiversity Gain Plan must be submitted to and approved by the planning authority before any development can begin; and
- o a Phase Biodiversity Gain Plan for each phase must be submitted to and approved by the planning authority before the development of that phase can begin.

The Overall Biodiversity Gain Plan for a phased development (which is not related to a section 73 permission) must include the following matters:

- o information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- o the pre-development biodiversity value of the entire onsite habitat;
- o any registered offsite biodiversity gain allocated or proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;
- o any biodiversity credits purchased or proposed to be purchased for the entire development; and
- o the post-development biodiversity value of the onsite habitat for the entire development and each phase of development*

*The post-development biodiversity value of the onsite habitat for the entire development and each phase is a projection of the biodiversity value at the completion of the entire development (not after the completion of each phase). Where firm proposals for development and habitat enhancement on each phase have yet to be finalised, assumptions about the likely development and habitat enhancements should be used to determine this post-development value. This value will set the expectations about the biodiversity value of onsite habitats, and the final value will need to be set out in later Phase Biodiversity Gain Plans.

The content of a Phase Biodiversity Gain Plan is intended to be more limited in scope than an Overall Biodiversity Gain Plan, instead of detailing the overall strategy (like the Overall Plan), the Phase plan focusses on a phase's contribution to biodiversity net gain and confirming progress towards the overall biodiversity gain objective for the entire development. It must include the following matters:

- o the post-development biodiversity value of the onsite habitat for the phase of the development (which is the subject of the Plan);
- o the post-development biodiversity value of the onsite habitat for each other phase of development (whether begun or otherwise);
- o any registered offsite biodiversity gain allocated to the entire development and the biodiversity value of that gain for the development prior to submission of the phase plan;
- o any registered offsite biodiversity gain which is proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;
- o any biodiversity credits purchased for the entire development prior to submission of the phase plan; and
- o any biodiversity credits proposed to be purchased for the entire development

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

The development is directed to the advice received from United Utilities in relation to UU property, assets, and infrastructure, which is available in the consultation response to the application, available on the Council's webpage for the application.

The development is directed to the advice received from Greater Manchester Fire and Rescue Service in relation to fire suppression, which is available in the consultation response to the application, available on the Council's webpage for the application.

Date Decision Issued 14 March 2025

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: £43.00 for householder applications and £145.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk) In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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.