

Appendix E – Suggested Conditions

TIME LIMIT

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).

APPROVED PLANS

This permission relates to the following plans:

Location Plan

Drawing No: 04 Rev PP1 date Dec 2022 – Ground & First Floor Plans

Drawing No: 21 Rev PP1 date Dec 2022 – Site Plan

Drawing No: 25 Rev PP1 date Dec 2022 – Elevations and Sections

Drainage Strategy Report by PLUVIAM Environmental, ref: PN0051-PEL-DS-01 Rev 1.2, date 16/12/2022

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and the development shall be carried out in 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 adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

METHOD STATEMENT/AVOIDANCE MEASURES OF INVASIVE SPECIES

No development shall commence, including any earthworks, vegetation clearance or demolition until, a method statement detailing control and biosecurity measures for Himalayan Balsam and Monbrietia has been submitted to, and approved in writing by, the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.

Reason: To ensure the invasive species are treated and eradicated to prevent them from spreading into the adjacent woodland habitat in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: It is important that measures to deal with invasive species are determined prior to the commencement of works to ensure that any site works do not result in the spread of these species.

HABITAT ENHANCEMENT SCHEME (TO BE APPROVED)

No development shall commence on site (including demolition or preparatory works) until, details of a habitat enhancement scheme have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide, but not limited to, one house sparrow terrace and one bat box, holes in fencing for hedgehogs and wildlife friendly planting. The scheme shall also include a programme for implementation and ongoing maintenance. The

habitat enhancement scheme shall thereafter be implemented and adhered to in accordance with the agreed programme.

Reason: Details are required prior to commencement as insufficient information was submitted with the application and in order to avoid harm to habitats and species whilst securing biodiversity enhancement in the long term. This accords with the NPPF, Policy G7 of the Rochdale Core Strategy and JP-G8 of PfE.

Reason for pre-commencement condition: As insufficient information has been provided and to ensure adequate habitat enhancement can be provided prior to construction.

DRAINAGE SCHEME

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme will need to also confirm that the diameter of the hydrobrake will be greater than 75mm.

The drainage scheme shall be based upon the details provided in Appendix D of the Drainage Strategy Report by PLUVIAM Environmental, PN0051-PEL-DS-01, Revision 1.2, date 16.12.22 - Drawing No: PN0051/PEL/XX/XX/DR/Y/0001/P02 dated 16.12.22.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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 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.

CONSTRUCTION MANAGEMENT PLAN

No development shall take place until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CMP shall include details of the following:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding;
- v) measures for the protection of the natural environment from accidental spillages, dust and debris including dedicated protection measures (including high visibility fencing) for the retained trees during and after construction;
- vi) a lighting plan designed to direct any temporary lighting away from the retained trees and hedgerow during and after construction;

- vii) noise and vibration;
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- ix) wheel washing facilities; and
- x) any external lighting of the site.

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

Reason: To minimise detrimental effects to the neighbouring amenities, 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 Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require 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 prior to commencement of any building or engineering works on site.

BOUNDARY TREATMENT (DETAILS TO BE SUBMITTED)

No development shall commence until details of the proposed boundary fencing to all boundaries (if applicable) has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include retained, repaired and replaced fencing, height, materials and any additional measures/specifications. The details shall include any proposed gates within the site.

Reason: To safeguard the amenities of the adjoining neighbouring properties from overlooking and loss of privacy and in the interests of visual amenity and the character of the area in accordance with Policy P3 of the Rochdale Core Strategy.

Reason for pre-commencement condition: Boundary treatment 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.

MATERIALS

Notwithstanding any description in the application, no above ground works shall take place until samples and/or full specification of materials to be used in the construction of the external surfaces of the development hereby permitted 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. The development shall be carried out in accordance with the approved details before the development is first brought into use and thereafter maintained in accordance with the details approved.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

OPENING HOURS

The retail store hereby approved shall not be open to members of the public outside the hours of 06:00 to 23:00 Monday to Sunday including Bank Holidays.

Reason: In the interest of the amenity of adjacent residential uses and to prevent nuisance arising and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

DELIVERY TIMES

The hours of delivery for the development hereby approved shall take place only between the hours of 0900 to 1600 and 1800 to 2000 Monday to Sunday including Bank Holidays.

Reason: To protect neighbouring residents from any undue levels of noise and disturbance and ensure that there are no deliveries in peak hours in the interests of highway safety and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework.

NOISE FROM FIXED PLANT

Noise from the fixed plant hereby approved shall not exceed 32dB(A) between the hours of 23:00-07:00.

Reason: In order to protect the amenities of occupiers of nearby premises from noise and disturbance in accordance with Policies G9 and DM1 of the Rochdale Core Strategy.

HOURS OF WORKING

No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs to 1400hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

SUSTAINABLE DRAINAGE MANAGEMENT AND MAINTENANCE PLAN

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to, and approved in writing by, the Local Planning Authority (in consultation with United Utilities). The sustainable drainage management and maintenance plan shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of PfE and the National Planning Policy Framework.

REPORT OF UNEXPECTED CONTAMINATION

A watching brief for contamination shall be maintained when carrying out the approved development. If during any works on site contamination is suspected or found or contamination is caused, the Local Planning Authority shall be notified immediately. A suitable investigation and/or risk assessment and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority. If contamination is not suspected, found or caused during development this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

DEMOLITION ASBESTOS SURVEY

Prior to any demolition on the site, a Demolition Asbestos Survey shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: As there is potential for asbestos to have been used in the fabric of the buildings on the site and in order to protect the amenities of occupiers of nearby premises in accordance with Policies G9 and DM1 of the Rochdale Core Strategy.

SCRUB CLEARANCE

No scrub removal shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

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.

VEHICLE AND SERVICING ARRANGEMENTS

The car parking, servicing and other vehicular access arrangements shown on the approved plans shall be made fully available prior to the development first being brought into use and shall be retained thereafter. The size of vehicles servicing the site shall be limited to no larger than **10.675m**.

Reason: To ensure that the site is served by sufficient parking, access and servicing facilities in the interests of highway safety in order to comply with Policy T2 of the adopted Rochdale Core Strategy, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

NO WAITING AND NO LOADING AT ANY TIME

Before the development is first brought into use, the existing No Waiting at Any Time restriction on Smithy Bridge Road from its junction with Milnrow Road to its junction with Shaftesbury Avenue should be amended to No Waiting and No Loading at Any Time.

Reason: To ensure that reasonable steps have been taken to reduce delay on the network caused by service vehicles using the road instead of the loading bay, given the demonstrated difficulties of access and egress from the site and to accord with policy DM1 of the adopted Rochdale Core Strategy.

DELIVERY AND SERVICING PLAN

Prior to first occupation of the development hereby approved, a Delivery and Servicing Plan to manage how vehicles shall access the development without creating safety concerns and congestion based on the anticipated number of vehicle trips associated with delivery and servicing vehicles for the development shall be submitted to the Local Planning Authority for approval in writing.

Thereafter deliveries and servicing will be carried out in accordance with the approved Delivery and Servicing Plan.

Reason: To ensure that service vehicles are able to enter and exit the site in forward gear and such that servicing does not take place from the highway in the interest of pedestrian and highway safety in accordance with Policy T2 of the adopted Rochdale Core Strategy.

LANDSCAPING SCHEME

Notwithstanding the details shown on the approved plans, prior to first occupation of the building hereby approved, a scheme of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy G6 of the Rochdale Core Strategy.

BIN STORAGE

The development hereby approved shall not be occupied until such time as the proposed bin storage areas as indicated on the plans hereby approved have been provided and made available for use. The facilities shall thereafter be retained for its intended purpose.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

CYCLE STORAGE

The development hereby approved shall not be occupied until the bicycle parking facility for the building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar and to ensure the storage is secure in accordance with Policy T2 of the adopted Rochdale Core Strategy.

ACCESS CLOSURE AND REINSTATEMENT

The existing access(es) to the site shall be stopped up and abandoned immediately after the new access has been brought into use. The footway(s) and verge shall be reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway in accordance with Policy T2 of the adopted Rochdale Core Strategy.

ACCESS DOOR AND USE OF FLAT ROOF

The first floor maintenance door to the north-west elevation hereby approved shall only be used to access the external plant and the use of the flat roof shall only be used for the location and maintenance of the external plant and for no other purpose.

Reason: In the interest of the amenity of adjacent residential uses to ensure there is no loss of privacy and overlooking and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

EXTERNAL LIGHTING

Prior to first occupation of the development hereby approved, details of any external lighting shall be submitted to, and approved in writing by, the local planning authority. The approved scheme shall thereafter be maintained and operated in accordance with the approved details.

Reason: In order to protect the privacy and amenity of adjoining and future occupiers and enhance the appearance of the development in accordance with Policy DM1 of the adopted Core Strategy.

REMOVAL OF PD RIGHTS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall be used for Class E (a) only and for no other purpose within Class E, except with the prior written approval of the Local Planning Authority.

Reason: Another alternative use of the premises which may otherwise be permitted by virtue of the above Orders could be harmful to residential amenity and/or highway safety in accordance with Policies DM1 and T2 of the adopted Rochdale Core Strategy and the NPPF.

INFORMATIVES

Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.