ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 20/01585/FUL

Name and address for correspondence:	Applicant name:
Mrs Clare Garfield SLR Consulting Ltd Unit 5 Brindley Court Gresley Road Shire Business Park Worcester WR4 9FD WORCS	Mr Ben WallaceAMP Energy Services Ltd

Part I - Particulars of Application

Date of Application: 5 February 2021

Proposal:	**Construction of a gas powered energy reserve plant (2 no. 2.5MW generators) with associated infrastructure, landscaping, perimeter fencing and provision of new vehicular access**
Location:	**Land On The West Side Of Hanson Street, Middleton, M24 6AG, ,**

Part II - 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:-

- Drawing WHB-01 - Site Location Plan;
- Drawing WHB-02 Rev. C - Proposed Site Layout Plan;
- Drawing WHB-02a Rev. C - Proposed Site Layout Plan;
- Drawing WHB-03 Rev. A - Customer Substation Plan;
- Drawing WHB-03 Rev. B - Customer Substation Elevations;

- Drawing WHB-04 Rev. A - DNO Substation Plan;
- Drawing WHB-04 Rev. B - DNO Substation Elevations;
- Drawing WHB-05 - Gas Kiosk - Plan and Elevations;
- Drawing WHB-06 - Engine Elevations;
- Drawing WHB-07 Rev. A - Combined Oil Storage Tank - Plan and Elevations;
- Drawing WHB-08 Rev. A -Paladin Fence - Elevations;
- Drawing WHB-09 - Transformer - Plan and Elevations; and
- Drawing WHB-10 - Neutral Earth Resistor - Elevations.

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

3 The structures hereby approved, including the boundary fencing, shall be removed from the site and the land shall be restored, in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, on or before 2nd April 2054.

Notwithstanding this requirement, in the event that the gas generators are inoperative and do not generate electricity for a continuous period of 12 months or longer prior to 2nd April 2054, the structures hereby approved, including the boundary fencing, shall be removed from the site and the land shall be restored, in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, within 18 months from the date on which the plant became inoperative.

Reason: In accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework, as the structures are of temporary/modular construction, including the use of containerised generators, and are not of a suitable appearance for permanent retention on site.

4 No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Where the findings of the intrusive site investigations (required by the condition above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

Reason for Pre-Commencement Condition: Coal Mining Legacy investigation and any required mitigation measures will require investigation before the significant disturbance to ground and removal of material.

5 5 No development shall take place (including any site clearance or preparation works) until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. For the avoidance of doubt, this 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 to mitigate the risk of contaminated surface water run-off to the watercourse during site clearance and the breaking-up and removal of the existing concrete surface;
f. measures to protect surrounding sensitive receptors from fugitive dust and debris both during and after the construction phase;
g. hours of construction, including deliveries (which should not take place outside of the hours of 08:00-18:00 Monday to Friday and 09:00-14:00 Saturday, with no work taking place on Sundays or Bank Holidays); and;
h. a survey of the site and surrounding area detailing the presence of invasive species, and in the event that invasive species are discovered, a method statement detailing avoidance, control and eradication measures.

The approved method statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved method statement.

Reason: To minimise the detrimental effects to the natural environment through risks of pollution during the construction phase in accordance with Policies DM1, G7 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance poses a threat to the surrounding natural environment and a scheme therefore needs to be agreed in advance of any works taking place.

6 a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be brought into use 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 policy DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 Notwithstanding the provisions of condition 2 of this permission the drainage scheme for the site and Oil Tank shall be constructed in complete accordance with the details contained within the Drainage Letter issued by SLR Consulting received by the LPA on 05/02/2021 and retained and maintained thereafter for its intended purpose.

Reason: In the interest of drainage and in compliance with policy DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8 Notwithstanding the provisions of condition 2 of this permission, or any other details referenced within this application, No above ground works shall take place until such

time as a detailed scheme for the colour treatment of the containerised engines, the gas kiosk and substation hereby approved has been submitted to and approved in writing by the Local Planning Authority. The equipment shall be colour treated in accordance with the duly approved scheme upon installation and retained as such thereafter.

Reason: In the interests of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9 Notwithstanding the provisions of condition 2 of this permission, or any other details referenced within this application, the boundary treatments shall be erected in complete accordance with drawing reference WH1-08A - Paladin Fence prior to first generation of electricity from the development hereby permitted. The approved boundary treatments are to be finished in RAL6001 Emerald Green, and retained as such thereafter.

Reason: In the interests of amenity and in compliance with Policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10 Noise from plant and equipment at the development hereby approved shall not exceed the following levels:

- 47 dB(A) between 07:00-23:00 when measured 1m from noise sensitive premises at the Nook.
- 48 dB(A) between 23:00-07:00 when measured 1m from noise sensitive premises at the Nook.
- 51 dB(A) between 07:00-23:00 when measured 1m from noise sensitive premises at John Lee Fold.
- 53 dB(A) between 23:00-07:00 when measured 1m from noise sensitive premises at John Lee Fold.
- 43 dB(A) between 07:00-23:00 when measured 1m from noise sensitive premises at Hulbert Street.
- 43 dB(A) between 23:00-07:00 when measured 1m from noise sensitive premises at Hulbert Street.
- 43 dB(A) between 07:00-23:00 when measured 1m from noise sensitive premises at Springvale
- 44 dB(A) between 23:00-07:00 when measured 1m from noise sensitive premises at Springvale.

Reason: In the interests of protecting amenity in accordance with the provisions of Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 The only fuel used to power the generating engines hereby permitted shall be natural gas.

Reason: To ensure that the developments impacts in relation to air quality and amenity are controlled in accordance with the detailed technical reports and so comply with policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement:

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Date Decision Issued 31 March 2021

Daniela Ripa
Interim 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: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:
The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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.

The applicant is reminded of their responsibility to acquire relevant consent(s) or permit(s) from the Environment Agency for the facility; this includes, but may not be limited to, a permit in accordance with the requirements of the Medium Combustion Plant Regulations and permit under the Environmental Permitting (England and Wales) Regulations 2016 for any proposed works or structures, in, under, over or within 8m of the bank of the Whit Brook.

The development should meet Requirement B5 of Approved Document B, Volume 2: Access and facilities for the fire service. The applicant should contact Greater Manchester Fire and Rescue Service in respect of this.