ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 19/01147/FUL

Name and address for correspondence:	Applicant name:
Mr Lee Searles Enzygo The Byre Woodend Lane Cromhall GL12 8AA	Mr Alex Mitchell

Part I - Particulars of Application

Date of Application: 5 November 2019

Proposal:	**Construction of a battery energy storage facility including 2.4m high boundary fencing, gates, car parking and landscaping**
Location:	**Land Rear Of The Royal Toby Hotel, Manchester Road, Rochdale, OL11 3HF**

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:-

- 21225-0200 P11 - Planning Arrangement 1-200
- 21225-0201 P11 - Planning Arrangement 1-500
- 21225-0203 P11 - Location Plan
- 21225-0300 P4 - Site Elevation
- 21225-0301 P4 - Site Elevation Black and White

- 21225-0402 P3 - 2.4m High Palisade Fence
- 21225-0403 P3 - 2.4m High Palisade Gate
- CRM.348.003.L.D.045.001.E - Landscape Strategy

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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) 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 a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 No development (including any site clearance or preparation works) shall take place until such time as a detailed Construction Management Plan (CMP), 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 including decorative displays and facilities for public viewing, where appropriate;
e) wheel washing facilities;
f) measures to control the emission of dust and dirt during construction;
g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
h) measures for the protection of the natural environment from accidental spillages, dust and debris;
i) hours of construction, including deliveries;
j) measures for protection of the existing utility mains within and adjacent to the site; and
k) measures for the protection of existing Rights of Way which crosses the site;

has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMP without the prior written permission of the Local Planning Authority.

Reason: To minimise detrimental effects to 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, P3, T2, G8 and G9 of the emerging Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: 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 amenity prior to commencement of any building or engineering works on site.

5 No development shall take place until a scheme for the disposal of surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions. The development shall be completed, maintained and managed in accordance with the approved details at all times.

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 the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

6 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be first used until full details of a hard and soft Landscaping Scheme and an Ecology Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The details of the Landscaping Scheme 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. The Ecology Mitigation Plan shall include -

a) Details of measures to be taken to retain and protect important habitats during construction, including trees
b) Details of new woodland, tree, shrub and wildflower planting and establishment
c) Management prescriptions and a management schedule for new and retained habitats and landscape features
d) Persons responsible for implementing the works
e) Details of monitoring and provision for remedial measures

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.

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.

7 The boundary treatments shown on the approved plans shall have been erected in accordance with the approved details prior to first generation of electricity from the development herby permitted. Notwithstanding any detail shown on the approved plans, the palisade fencing shall be colour treated Green (RAL 6005) upon installation and retained as such thereafter.

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

8 No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented and retained as such thereafter.

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

9 The acoustic fencing shall be erected in full accordance with drawing No. '21225-0300 - Revision P4' and the 'Noise Assessment' report (CRM.348.003.NO.R.001) prior to first use or operation of the facility hereby permitted and retained as such at all times thereafter.

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

10 No works, including any demolition works and the clearance of trees and shrubs, 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.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 Noise from the plant hereby permitted shall not exceed the following levels at any time (at locations as identified in the Enzygo Noise Assessment Report ref. CRM.348.003.NO.R.001):

- The background noise level at measurement points A1 (Gipsy Lane) and A2 (Roylelands) between 19:00 and 23:00 hours on any day; and
- 40dB at measurement points A1 (Gipsy Lane) and A2 (Roylelands) between 23:00 and 07:00 hours on any day, in accordance with the World Health Organisation recommended Night Noise Guidelines for Europe.

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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 barriers as detailed in the submitted 'Arboricultural Survey, Impact Assessment and Method Statement' referenced 'CRM.348.003.AR.R.001.E' and in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The protective barriers 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 policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The trees should be protected to prevent any harm during the development including early site preparation.

13 No part of the development shall be operational until a specification for the design and construction (including surface treatment and drainage) of the car park and access road has been submitted to and approved in writing by the Local Planning Authority. The car park and access road shall be constructed in accordance with the duly approved details before the development becomes operational, and retained thereafter at all times for the access and parking of vehicles.

Reason: In order to ensure there is adequate provision for vehicles to be parked clear of the highway and to achieve an appropriate surface treatment for parking areas in order to comply with the requirements of Policy DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

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.

Date Decision Issued 20 March 2020



.....
Signed on behalf of the Council

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 - BATS
Although the trees to be removed have been assessed as having low-negligible potential to support roosting bats, bats can be found in unexpected places. If bats are found at any time during works then work must cease and advice sought from a suitably qualified person about how best to proceed. All UK bats and their resting places are protected under the terms of the Wildlife and Countryside Act 1981 (as amended).