ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/00336/FUL

Name and address for correspondence:	Applicant name:
- LRW Architects Leach Rhodes Walker Ground FLoor West 50 Dearmans Place Manchester M3 5LH United Kingdom	Willmott Dixon Construction Limited

Part I - Particulars of Application

Date of Application: 14 March 2022

Proposal:	**Application for enabling works comprising site clearance, site remediation, required archaeological investigations, temporary means of access(es) and temporary means of enclosure, installation of substation, installation of utility and drainage infrastructure, estate roads and associated works along with piling works, in order to prepare the site for comprehensive redevelopment.**
Location:	**Central Retail Park, Richard Street, Rochdale, ,**

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 The development hereby permitted shall be carried out in accordance with the following drawings and documents:
Site Location Plan - LRW-8148-;(00)69 B
Tree Constraints Plan - D8435.001

Tree Survey Data Sheet - X8435.001
Utilities Plan - PA1533-NHRH-TAC-XX-XX-DR-ME-90001 Rev P2
Archaeology Report - LP3403C-DBA v1.2, dated December 2020, prepared by LP Archaeology
Earthworks Specification - NHRH-CUR-XX-SP-C-9100, prepared by Curtins
Ecology Report - 8435.001 dated October 2020, prepared by TEP
Flood Risk Assessment and Drainage Statement - NHRH-CUR-00-XX-RP-C-92001, prepared by Curtins
Interim Phase 2 Site Investigation Report - 075228-CUR-00-XX-RP-GE-001, prepared by Curtins
Remediation Statement - TE1583-TE-00-XX-RP-GE-002-V01, prepared by Tier Environmental
Waste Clarification Letter - 075882-CUR-00-XX-RP-GE-00004-P01, prepared by Curtins

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 No hoarding or fencing of the works site shall be erected until details of the design and external appearance of any hoarding / fencing has been submitted to and approved in writing by the Local Planning Authority. The hoarding and fencing shall be erected as approved before the commencement of any groundworks or clearance works.

Reason: In the interests of visual amenity and the setting of adjacent statutory and non-statutory heritage assets in accordance with policies P2 and DM1 of the Core Strategy.

4 No clearance of trees and shrubs shall take place during the bird nesting season (March to September, inclusive) unless a suitably qualified ecologist has surveyed to determine the presence or absence nesting birds prior to any vegetation works or clearance, and a Report of that survey has been submitted to and approved in writing by the Local Planning Authority. If any bird nests are present a method statement that sets how the nest is to be protected until young have fledged shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Core Strategy G7 and the NPPF.

5 No development shall take place, except for erection of site hoarding and site compound and the breaking of ground for purposes of archaeological investigation, until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing be the Local Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

a) an archaeological evaluation through trial trenching

b) pending results of above, targeted open-area excavation and recording and/or a watching brief during remediation works

2. A programme for post investigation assessment to include:

a) analysis of the site investigation records and finds

b) production of a final report on the significance of the heritage interest recorded

3. Deposition of the final report with the Greater Manchester Historic Environment Record

4. Dissemination of the results of the site investigations commensurate with their significance, including the installation of a permanent information panel.

5. Provision for archive deposition of the report, finds and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible, in particular, before their disturbance by the enabling ground works in accordance with the provisions of the National Planning Policy Framework and Core Strategy policy P2.

Reason for pre-commencement condition: To ensure that archaeological investigation is undertaken before any possible loss or damage resulting from other groundworks.

6 No development, except for erection of site hoarding and site compounds and the breaking of ground for purposes of archaeological investigation, shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application to assess the nature and extent of any contamination on the site, whether or not it originates on the site, has been submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

i. A survey of the extent, scale and nature of contamination
ii. An assessment of the potential risks to:
o human health,
o property (existing and proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o archaeological sites and ancient monuments;
iii. Where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)
iv. 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. A Verification Report will be submitted demonstrating the completion of works set out in the approved remediation strategy.
The development shall thereafter be completed in full accordance with the approved recommendations.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unexpected contamination shall be dealt with and this shall be approved in writing by the Local planning authority and shall be carried out as approved.

Reason: To prevent pollution of the environment and protect underlying aquifers and to ensure the safe development of the site in the interests of the amenities of future occupants and any users of the land in accordance with Core Strategy Policy G9 and provision of the National Planning Policy Framework.

Reason for pre-commencement condition: The proposed development of the previously developed urban land could result in the release of contamination; to ensure contamination is appropriately identified and treated before groundworks commence on the site for the protection of controlled waters, to prevent pollution of the water environment and to ensure the safe development of the site in the interests of satisfactory development and the interests of the amenities of future occupiers.

7 Piling using penetrative methods shall not be carried out other than with the prior written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling does not harm groundwater resources in line with the provisions of the National Planning Policy Framework.

8 No development shall take place within the easement of combined sewer identified as 0903 on United Utilities Sewer Records (Flood Risk Assessment and Drainage Strategy, Appendix B prepared by Curtins reference (075882) NHRH-CUR-00-XX-RP-

C-92001), until details of the means of ensuring the combined sewer that is laid within the site boundary is protected from potential damage as a result of the development have been submitted to and approved in writing by the Local Planning Authority. The details shall outline the potential impacts from construction activities and the impacts post completion of the enabling works development on the combined sewer that crosses the site and identify mitigation measures to protect and prevent any damage to the pipeline both during construction and post completion of the enabling works development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and safety and to ensure protection of essential services in accordance with objectives of Policy G9 of the Rochdale Core Strategy

9 Notwithstanding the details of the submitted Rochdale Neighbourhood Enabling Works - Construction Management Plan, prepared by Willmott Dixon, dated February 2022, no development shall commence until a revised Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, to provide amended details of the proposed Gate 2 access which shall includes details of swept path drawings for the access and details of any widening works to accommodate said access. The approved Construction Management Plan shall be adhered to throughout the duration of the enabling works unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the adjacent premises and users during the works and manage traffic to and from the site in the interests of highway safety, in accordance with the requirements of Core Strategy Policy G9, and the National Planning Policy Framework.

Reason: In order to ensure that highways safety is considered from the outset of any works.

10 No development involving the diversion of the Metrolink drainage at Drake Street shall take place until a scheme to divert the Metrolink drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage diversion works shall be carried in accordance with the approved details.

Reason: In the interests of safeguarding the Metrolink infrastructure and drainage infrastructure pursuant to policies G8, T1 and T2 of the Core Strategy.

11 No development shall take place within 20 metres of the Metrolink Hazard Zone until a Construction Management Plan (Metrolink Working) to include detailed method statements of construction and risk assessments relevant to safe methods of working adjacent to the Metrolink Hazard Zone, has been submitted to and approved in writing by the Local Planning Authority. The CMP (Metrolink Working) shall include:

o The retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
o construction methods to be used; including the use of cranes (which must not oversail the tramway);
o the erection and maintenance of security hoarding,
o provision of a "mock up" security hoarding, if required, to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection
o Confirmation that there are no Electro Magnetic Compatibility impacts from the proposed enabling works development. The developer shall be responsible for any Electro Magnetic Compatibility protection measures that are found to be required as a result of the enabling works development.
The Construction Management Plan (Metrolink Working) shall be implemented upon commencement and adhered to at all times during the development.
Reason: To safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of

working to meet the safety requirements of working above and adjacent to the Metrolink system.

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 21 July 2022

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
This planning permission does not give consent to excavations to be carried out greater than 1m deep within 1m of the Metrolink operational boundary or any piling works within the zone of influence without notifying Metrolink in advance and obtaining its technical approval for such works. Any such works may require track monitoring to be carried out as agreed with Metrolink and at the cost to the developer.

INFORMATIVE
The applicant is advised to liaise with both the Shelters team (shelters@tfgm.com) regarding any changes to the bus stop and the Bus Station Operations Team (BusStation.Operations@TFGM.com) regarding any impacts upon the use of the stop during construction. The bus stop should be retained and in use at all times, unless prior agreement has been reached with the relevant Officers at TfGM.