ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 18/01338/FUL

Name and address for correspondence:	Applicant name:
Miss Bethany Kington Enzygo Ltd. The Byre Woodend Lane Wotton-under-Edge GL12 8AA	Mr Phillip Thompson

Part I - Particulars of Application

Date of Application: 19 December 2018

Proposal:	**Construction of a gas powered reserve energy plant (7.56MW) with associated infrastructure, access, landscaping and perimeter fencing - Resubmission of 17/01260/FUL**
Location:	**Land Off Kingsway Business Park, Dig Gate Lane, Milnrow**

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:-

- Power Site Location Plan drawing no. 0139-PL-PN-00-02
- Power Plant Aerial Plan drawing no. 0139-PL-PN-00-01
- Power Plant Existing Plan drawing no. 0139-PL-PN-00-03
- Proposed Site Plan drawing no. 0139-PL-PN-00-04 rev. D
- Power Plant Elevations A-A drawing no. 0139-PL-EL-S-01 rev. F

- Power Plan Elevations B-B drawing no. 0139-PL-EL-W-01 rev. E
- Power Plant Elevations C-C drawing no. 0139-PL-EL-N-01 rev. F
- Power Plant Elevations and Sections drawing no. 0139-PL-EL-SE-01 rev. F
- Power Plant Elevations and Sections drawing no. 0139-PL-EL-SE-02 rev. F
- Power Plant Section B-B drawing no. 0139-PL-SE-01 rev. F
- Power Plant Fencing Detail drawing no. 0139-PL-DT-01 rev. A
- 1.56MW Generator Detail drawing no. PL-401 rev. A
- 2.0MW Generator Detail drawing no. PL-402 rev. A
- Welfare Cabin Detail drawing no. PL-403
- Containerised Electrical Switchgear Room drawing no. PL-404
- Gas Skid Details drawing no. PL-405
- DNO Room Detail drawing no. PL-406 rev. A
- Transformer UT-1 Detail drawing no. PL-407 rev. A
- Transformer PT-1 Detail drawing no. PL-408
- Landscape Strategy Plan drawing no. CRM.361.024.L.D.00.001

and the development shall be carried out in 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 No development shall take place until such time as a detailed scheme for the design, construction and drainage of the new access route to Dig Gate Lane from the site, including construction level drawings, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the duly approved details and the access, parking, loading/unloading and manoeuvring space shall be made available before the energy reserve facility first generates electricity.

Reason: To ensure a satisfactory standard of engineering works and surface treatment in order to achieve appropriate provision for vehicle access, circulation and manoeuvring in accordance with the requirements of Policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: The proposed development and access works require changes to levels and sub-surface infrastructure.

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 for the protection of existing Rights of Way in the vicinity of the site (including a photographic survey of the condition of the Rights of Way prior to commencement of development) and;
g) Measures for the implementation of a buffer zone to the adjacent pond during construction and operational works.

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 prior to commencement of any building or engineering works on site.

5 No development shall take place until such time as a detailed scheme for the disposal of surface and foul water from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this scheme shall include:

- The results of an infiltration test, in accordance with BRE 365 guidance, in the location of the proposed soakaway;
- Construction details of the soakaway, which shall be sized in accordance with the permeability rate established by the test mentioned above;
- Details of how the surface water drainage system will be maintained and managed after completion;
- Details of any containment bunding, where any fuel tank is to be installed;
- Details of proposed foul water drainage;
- Measures for the prevention of any hydrogeological or water quality impacts on the immediately adjacent pond to the east.

The duly approved drainage scheme shall be implemented in full prior to the energy reserve facility first generating electricity.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement: Drainage infrastructure will need to be partially implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

6 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) and the exhaust flues to the generating engines 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 Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 Notwithstanding the provisions of condition 8 of this permission, no development shall take place until such time as a report has been submitted to and approved in writing by the Local Planning Authority containing the results of survey work undertaken by a suitably qualified ecologist to determine the following:

a) A pre-commencement check of the plantation woodland (and surrounding area within 50m) for any recently established badger setts;
b) A pre-commencement check for any amphibians and reptiles which may be present in the area of plantation woodland.

If the survey efforts determine the presence of any such species or habitats, then no development shall take place until a comprehensive method statement has first been submitted to and approved in writing by the Local Planning Authority indicating how such species are to be protected during the course of the development. The duly approved method statement shall be implemented in accordance with the details, recommendations and timescale contained therein.

Reason: To ensure that the development does not affect the favourable conservation status of protected species and to incorporate appropriate biodiversity mitigation in

accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: In order to prevent any habitat disturbance in advance of any survey or mitigation efforts.

8 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 adopted Rochdale Core Strategy and the National Planning Policy Framework.

9 The landscaping works shown on the approved plans shall be carried out in accordance with the approved details and within the first planting season following first electricity generation from the development hereby permitted. 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 P2, P3, G7 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10 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 paladin 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.

11 Notwithstanding the provisions of condition 10 or any details shown on the approved plans, no above ground works shall take place until details of the type, siting, design and materials to be used in the construction of any retaining structures have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the duly approved details 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.

12 Noise from any plant and equipment installed in the development, including the generating engines, shall not exceed 68 dB(A) when measured at a distance of 10m over 1hour between the hours of 0700-2300 and over 15 minutes between the hours of 2300-0700.

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.

13 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 lighting details shall thereafter be fully implemented in accordance with the approved detail and retained as such thereafter.

Reason: In the interests of the conservation of protected species and protecting amenity in accordance with Policies G7, DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

14 The generating engines hereby approved shall be fuelled by natural gas, and no other fuels.

Reason: The permission is granted on the basis of detailed technical reports - any change in fuel could alter the developments impacts in relation to air quality and amenity.

15 The emission stacks to be installed on the generating engines shall not exceed a height of 10m above the approved finished floor level.

Reason: In the interests of visual amenity and in accordance with Policies P2 and P3 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 27 March 2019



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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:

The applicant's attention is drawn to the comments on the proposal provided by the Environment Agency and United Utilities.