ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/00662/FUL

Name and address for correspondence:	Applicant name:
Mrs Heather Arnell Williams Gallagher Somerset House 37 Temple Street Birmingham B2 5DP	Heref Heywood Park Property Unit Trust c/o Harbert Management Corporation (Europe) LLC

Part I - Particulars of Application

Date of Application: 17 May 2022

Proposal:	**Engineering works including demolition of depot building (plot M5), breaking up of existing hardstanding, removal of existing services including lighting columns, ground remediation, earthworks to provide levelled site and off-site drainage**
Location:	**Plots M400 And M5 Heywood Distribution Park Moss Hall Road Heywood OL10 2TR**

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:
- HDP1-ASA-00-EX-SI-D-A-0040_(S0-P2) - Site Location Plan
- HDP1-ASA-00-EX.SI-D-A-0037_(S0-P3) - Existing Character Areas Plan
- HDP1-ASA-00-EX.SI-D-A-0039_(S0-P2) - Existing Site Layout

- 5986-JPG-ZZ-ZZ-DR-C-1210-S2 -P01 Enabling Works Approximate Finished Formation Levels
- 5986-JPG-ZZ-ZZ-DR-C-1211-S2-P01 - Enabling Works Cut Fill Analysis
- 5986-JPG-ZZ-ZZ-DR-C-1212-S2-P01 - Enabling Works Site Sections

and the development shall be carried out in accordance with these plans 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 Excluding the demolition of Building 1 (B1) as identified in Plots M400 & M5 - Heywood Distribution Park: Protected Species Report by FPCR Environment and Design Ltd dated August 2022, no development shall take place until an Ecological Design Strategy (EDS) addressing compensation measure for Skylark and Reed Bunting has been submitted to and approved in writing by the Local Planning Authority.

The EDS shall include the following.

a. Purpose and conservation objectives for the proposed works.
b. Review of site potential and constraints;
c. Detailed design(s) and/or working method(s) to achieve stated objectives;
d. Extent and location/area of proposed works on appropriate scale maps and plans;
e. Type and source of materials to be used where appropriate, e.g. native species of local provenance;
f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
g. Persons responsible for implementing the works;
h. Details of initial aftercare and long-term maintenance;
i. Details for monitoring and remedial measures; and
j. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to ensure adequate protection of birds and to achieve appropriate biodiversity enhancements as part of the development in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: To ensure adequate protections measures for birds will be maintained during site clearance works.

4 Excluding the demolition of Building 1 (B1) as identified in Plots M400 & M5 - Heywood Distribution Park: Protected Species Report by FPCR Environment and Design Ltd dated August 2022, no development shall take place until the proposals for protecting retained trees as described in the Aboricultural Assessment (FPCR Environment and Design Ltd, dated May 2022) have been implemented in full. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies within a period of 5 years after planting, another similar size and species of tree shall be planted in the vicinity of the original tree in the next planting season.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: Protection measures for trees to be retained are required to be in place prior to commencement of development to ensure no damage is caused.

5 The demolition of Building 1 (B1) as identified in Plots M400 & M5 - Heywood Distribution Park: Protected Species Report by FPCR Environment and Design Ltd dated August 2022, shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

i. a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorising the specified activity/development to go ahead; or
ii. a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

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

6 No removal of or works to any hedgerows, trees, shrubs or other vegetation or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the vegetation or structures are cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to 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.

7 The approved remediation scheme (as described in the Remedial Strategy Report by JPG ltd dated January 2022) must be carried out in accordance with its term prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a detailed Completion Scheme that demonstrates the effectiveness of the remediation carried shall be submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future site occupiers, and of the environment, in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8 The development shall be carried out in full accordance with the Site Waste Management Plan (Ref: SWMP01 Issue 2 dated 24/04/22), Outline Method Statement and the Construction Environmental Management Plan (Ref: E07 Issue 2 dated 24.04.22).

Reason: In order to ensure that appropriate measures are put in place to limit noise and dust nuisance and disturbance to adjacent occupiers and to limit ecological impacts, in accordance with policies DM1, G7 and G9 of the Rochdale Core Strategy and 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 7 October 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:
Natural England's generic advice on other natural environment issues is set out at Annex A of its consultation response.

INFORMATIVE:
Your attention is drawn to the comments from Greater Manchester Police Design for Security, Greater Manchester Fire Service and Network Rail.

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.