ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 20/01193/FUL

Name and address for correspondence:	Applicant name:
Nigel Longshaw A.J.COCKER ASSOCIATES New Century House 176 Drake Street Rochdale OL16 1UP	Mr Chris GrievesHallmark Developments (NW) Ltd.

Part I - Particulars of Application

Date of Application: 26 November 2020

Proposal:	**Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 10 industrial units (E and B2 Use Classes), together with the creation of a service yard, car parking and substation; the erection of 2 dwellings (4 bedroom semi-detached units), together with the creation of parking areas for existing units and parking for proposed units and the alteration of the existing access -Resubmission of 19/00804/FUL**
Location:	**Dexine Rubber Co Ltd , Spotland Road, Rochdale, OL12 0AU**

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 the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2 This permission relates to the following plans:

Location plan
Proposed site layout (dwg.no.H332/021 N)
Proposed development plan (dwg.no. H332/021/P)
Proposed sections (dwg.no.H332/019 DE)
Proposed floor plans, elevations - Units 9-10 (dwg.no.H332/026C)
Proposed floor plans, elevations - Units 11-12 (dwg.no.H332/024C)
Proposed floor plans, elevations - Units 13-18 (dwg.no.H332/025C)
Revised house type A (dwg.no.H332/023 F)
Proposed substation (dwg.no. H332/030)

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 and the National Planning Policy Framework.

3 The remaining site clearance, and construction works shall take place in complete accordance with the Construction Method Statement prepared by Guardian Construction Ltd dated 12 December 2014, which was approved under application 20/00011/DOC.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance, disturbance and to mitigate against air pollution during the construction of the development in accordance with the requirements of Core Strategy Policy G9, and the National Planning Policy Framework.

4 No further development (other than the demolition of the mill to ground level and site clearance) shall take place until a Construction Environment Management Plan (CEMP: biodiversity), focussing on the potential impacts to the River Spodden, to include the following, has been submitted to and approved in writing by the Local Planning Authority:

a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment during the construction phase in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 The development shall be carried out in accordance with the remediation requirements set out in the Structural Inspection Report (SIR) carried out by TJ Booth Associates) dated 3 January 2020, which was approved under application 20/00011/DOC, prior to first occupation of the industrial units hereby approved.

Reason: To ensure the structural integrity of the river wall, in accordance with the requirements of Core Strategy policy G8 and G9 and the National Planning Policy Framework.

6 Within one month of the date of this planning permission, an investigation and risk assessment (in addition to any assessment provided with the planning application) shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site. The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any further development takes place. The submitted report shall 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 or 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) shall form a remediation strategy for the site. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Mitigation shall accord with the measures set out at Section 8 of the the Coal Mining Risk Assesment: ep-tjba-hallmark-dexine-CMRA-221020

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment, to mitigate against geo-technical risk associated with past coal mining activities, and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy policy G9 and the National Planning Policy Framework.

7 Within one month of the date of this planning permission, a foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The site shall be developed with separate systems for foul and surface water and only combined at the site's final outfall manhole, if necessary, in accordance with Building Regulations Part H5 (2010).

The duly approved scheme shall be implemented prior to the first occupation of the dwellings and business units hereby permitted and shall be retained as such thereafter.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Core Strategy Policy G8 and the National Planning Policy Framework.

8 Within one month of the date of this planning permission, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority.

The surface water drainage scheme must include:
(i) A restricted rate of discharge of 124 l/s from the site to the river Spodden - calculated as 50% reduction in the existing calculated brownfield runoff rate for a 1 in 1 year storm.
(ii) Outfall structures to the river Spodden shall be in accordance with the Environment Agency's standard guidance for outfall structures.
(iii) a drainage management and maintenance document - for future maintenance purposes.

No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority.

The duly approved scheme shall be implemented prior to the first occupation of the dwellings and business units hereby permitted and shall be retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development, to ensure satisfactory disposal of surface water from the site, and to ensure no unacceptable risk to controlled waters, in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

9 Within one month of the date of this planning permission, a programme of archaeological works and its implementation shall be secured.
The programme of archaeological works shall be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

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

i) Targeted evaluation trenching
ii) (where justified by the evaluation results) Targeted open area excavation and recording
2. A scheme for public engagement to include making the fieldwork investigations open and providing public interpretation. The scheme should consider what can be done during the fieldwork and what could be designed and left as a public legacy.
3. A programme for post investigation assessment to include:
- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological, architectural and historical interest represented.
4. Provision for publication and dissemination of the analysis and report on the site investigation. Publication may include production of a contribution in the Greater Manchester's Past Revealed series, as well as more academic articles.
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: In accordance with NPPF paragraph 199, to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

10 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied 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:

(a) 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 in accordance with Core Strategy policy P3 and G7 and the National Planning Policy Framework.

11 The development shall be carried out in complete accordance with the recommendations for ecological enhancement as set out in section 5 of the Updated Ecological Survey and Assessment ref. 2020-066

Reason: To ensure biodiversity enhancements across the scheme in accordance with Core Strategy policy G7 and the National Planning Policy Framework.

12 The external materials of the commercial units (9-18), shall accord with the details set out on the approved plans and elevation drawings:
- Proposed floor plans, elevations - Units 9-10 (dwg.no.H332/026C)
- Proposed floor plans, elevations - Units 11-12 (dwg.no.H332/024C)
- Proposed floor plans, elevations - Units 13-18 (dwg.no.H332/025C)

Reason: In the interests of visual amenity in accordance with Core Strategy policies P2 and DM1 and the National Planning Policy Framework.

13 Within one month of the date of this planning permission, full details of the provisions for the storage and recycling of refuse and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Such provisions shall be made/constructed prior to first occupation of the industrial unit buildings and shall thereafter be made available for the occupants of the building.

Reason: In the interests of waste management, sustainable travel and visual amenity in accordance with Core Strategy policies DM1, T1 and the National Planning Policy Framework.

14 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, prior to the erection of any boundary fencing within or surrounding the application site, details of the siting, height, design, materials and finish of boundary treatments to the site, and phasing of the implementation of such boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in accordance with the approved details and implemented in accordance with the phasing scheme.

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

15 No external lighting shall be installed on the approved units 9-18 (as shown on approved site layout H332/021/N) or within the car parking areas, unless and until a detailed scheme of lighting design has first been submitted to and approved in writing by the local planning authority. The scheme shall include the position and height on the building, luminance, angle of installation, hours of luminance and any hoods to be fixed to the lights. The external lighting shall be installed in complete accordance with the approved scheme and shall be retained as such thereafter.

Reason: In the interests of visual and neighbour amenity P3, G9 and DM1 of the Core Strategy, and the National Planning Policy Framework.

16 Within one month of the date of this planning permission, full details of the de-marcation for car parking and motor-cycle parking areas, and locations of refuse stores, cycle stores and manoeuvring areas for commercial units 9-18, shall be submitted to and approved in writing by the local planning authority. The aforementioned areas shall then be marked out in complete accordance with the approved details prior to first occupation of each unit, and retained as such thereafter. None of the units 9-18 shall be occupied until all of the car parking spaces for neighbouring occupiers have been marked out and made fully available in accordance with the details shown on the Proposed Site Layout (dwg.no.H332/021 F) and these spaces shall remain available for their specified use at all times thereafter.

Reason: In order to ensure adequate and appropriate parking, manoeuvring and waste provision and to comply with the Rochdale accessibility hierarchy in accordance with Core Strategy policiesT2 and DM1 and the National Planning Policy Framework.

17 The mitigation and design/construction requirements set out in the Noise Impact Assessment (ref. ARR/PPN/C/3103/01 Rev B) shall be carried out in full in order to achieve the following internal and external noise levels in the approved dwellings:

- 35 dB(A) Leq 16hr in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 8hr in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 35 dB(A) Leq 16 hr in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- 40dB(A) Leq 16hr in other habitable rooms with windows shut and other means of ventilation provided at all times.
- The Noise in external amenity areas shall not exceed 55 dB(A).

Upon completion of the development, verification testing shall be carried out to demonstrate the required internal and external levels have been met. The test site(s) and methodology shall be representative of the site and condition and shall be submitted in writing to the Local Planning Authority and agreed prior to first occupation of the dwellings.

Reason: In order to ensure an appropriate level of sound insulation in the interests of residential amenity in accordance with Core Strategy policy DM1 and the National Planning Policy Framework.

18 Prior to first occupation of any individual plots (Units 9-18 as shown on approved layout H332/021N), and unless otherwise agreed in writing by the Local Planning Authority, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the following noise parameters will be achieved in respect of any building or from plant and machinery used in connection with any building:
- Point 1, rear of homes 201-211 Spotland Road to the Northern boundary of the site. Between 07:00-23:00 44 dB(A) leq 15 minute, between 23:00-07:00, 34 dB(A) Leq 5 minute.
- Point 2, rear of homes 32-42 Primrose Street to the eastern boundary of the site. Between 07:00-23:00, 40 dB(A) leq 15 minute, between 23:00-07:00, 36 dB(A) Leq 5 minute.
- Point 3, rear of homes 44-54 Primrose Street to the eastern boundary of the site. Between 07:00-23:00, 40 dB(A) leq 15 minute, between 23:00-07:00, 32 dB(A) Leq 5 minute.
- Point 4, rear of homes 56-70 Primrose Street to the south eastern boundary of the site. Between 07:00-23:00, 36 dB(A) leq 15 minute, between 23:00-07:00, 31 dB(A) Leq 5 minute.

The approved Noise Impact Assessment shall be implemented in full prior to first occupation and the set parameters shall not be exceeded at any time.

Reason: In order to ensure an appropriate level of sound insulation in the interests of residential amenity in accordance with Core Strategy policy DM1 and the National Planning Policy Framework.

19 No part of Units 9-18 (as shown on approved site layout H332/021N) shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain measures for promoting a choice of transport mode and a monitoring regime with agreed mode share targets. In addition the Plan shall set out the monitoring procedures and mechanisms that are to be put in place to ensure that it remains effective and shall be reviewed within a framework approved by the Local Planning Authority. The initiatives contained in the approved Plan shall be implemented prior to first occupation of any of the industrial units and shall continue to be implemented thereafter.

Reason: To encourage people to use more sustainable modes of transport other than the motor car, in accordance with Core Strategy policies T1 and T2 and the National Planning Policy Framework.

20 No goods, materials, waste products or containers shall be stored within any of the external service yards hereby approved.

Reason: In order to ensure a satisfactory appearance and in the interests of neighbor amenity in accordance with policies P3 and DM1 of the Core Strategy and the National Planning Policy Framework.

21 There shall be no deliveries to any of the approved units 9-18(as shown on approved site layout H332/021/N) outside of the hours of 0700 to 2000.

Reason: In the interests of residential amenity in accordance with Core Strategy policy DM1 and the National Planning Policy Framework.

22 Notwithstanding the provisions of the Town and Country Planning (Use classes) Order 1987, (as amended), the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020, and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any equivalent Order following the revocation and re-enactment thereof, the Units 1-12 (as shown on the approved site layout H332/021F), shall only be used for E (g), (i),(ii),(iii) and/or B2 purposes within Classes B and E of the above Order, and for no other purpose.

Reason: In the interests of amenity and highways safety in accordance with Core Strategy policies DM1 and T2 and the National Planning Policy Framework.

23 Units 9-18 (as shown on approved site layout H332/021N), shall only be open for trade or business between the hours of 0700 hours and 2000 hours Monday to Saturday and between 0900 hours and 1600 hours on Sundays and Bank Holidays.

Reason: In the interests of residential amenity in accordance with Core Strategy policy DM1 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 18 March 2021



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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 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.