



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01538/FUL

Name and address for correspondence:	Applicant name:
Mr Daniel Connolly Connollys Kingfisher Business Centre Burnley Road Rossendale BB4 8EQ	Mr M Pedley MSM Aerospace Fabricators

Part I - Particulars of Application

Date of Application: 10 March 2023

Proposal:	Erection of one industrial unit (Use Class B2) and two starter units (Use Classes B2 & B8) with associated access, parking and servicing infrastructure.
Location:	Land Off Hanson Close, Middleton

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 and documents:

22.135_01_008_A - Location Plan
22.135_01_002 Rev O - Proposed Site Layout
22.135_01_003 Rev E - Proposed Floor Plans (new facility)
22.135_01_004 Ref F - Proposed Elevations (new facility)

22.135_01_005 Rev C - Proposed Floor Plans Units 1-3
22.135_01_005 Rev C - Proposed Elevations Units 1-3

Noise Impact Assessment ref 50-777-R1-3 dated July 2024

Flood Risk Assessment ref 22227-PWA-00-XX-RP-C-1000 P03 dated November 2022

Air Quality Assessment ref 103049 dated July 2023

Crime Impact Assessment ref 2023/0079/CIS/01 dated March 2023

Arboricultural Report and Arboricultural Impact Assessment ref 19349/PH/V2

Phase 2 Geo-Environmental Assessment ref 19060-PWAG-00-XX-RP-G-2000-P01
dated January 2020

Coal Mining Risk Assessment ref 19060-PWAG-00-ZZ-RP-G-1000-P01 dated May
2019

Transport Statement ref 301335 dated November 2022

And the development shall be carried out in complete accordance with the approved drawings and documents unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 The development shall be constructed in accordance with the materials set out on the approved plans.

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

- 4 The development hereby approved shall be undertaken in accordance with the recommended dust mitigation measures set out in Appendix D of the submitted Air Quality Assessment dated July 2023.

Reason: In the interest of protecting public health and avoiding environment nuisance arising from dust, in accordance with Rochdale Core Strategy policies DM1 and G9 and Places for Everyone policy JP-P6.

- 5 The development shall be undertaken in accordance with the crime-prevention design measures set out in the submitted Crime Impact Statement. None of the units hereby approved shall be occupied until the relevant unit has achieved Secured by Design accreditation.

Reason: In the interests of public safety and security in accordance with Core Strategy Policy P3, and the National Planning Policy Framework

- 6 The development shall be undertaken in accordance with the tree protection measures set out in the submitted updated Arboricultural Impact Assessment. Any physical tree protection measures shall be in place prior to commencement of development, including any demolition or other site preparation works.

Reason: In the interest of protecting trees in accordance with Rochdale Core Strategy policy G6.

- 7 Prior to commencement of development, a Construction Management Statement / Construction Traffic Management Plan (to include traffic management details) shall be submitted to and approved in writing by the Local Planning Authority. The construction phase shall then be undertaken in accordance with the approved statement.

Reason: In the interest of highways safety in accordance with Rochdale Core Strategy policy DM1

Reason for pre-commencement condition: The condition relates to the construction phase of development.

- 8 Prior to commencement of development and where the site characterisation has identified unacceptable risks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall have been submitted to and approved in writing by the Local Planning Authority. This shall include measures to address ground gas, including mine gas, as set out in the Ground Gas Risk Assessment letter from PWA Geo Environmental dated 03.04.2020, submitted with the application.

The approved remediation scheme shall thereafter be fully implemented. There shall be no variation of the approved remediation scheme unless otherwise approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme and prior to the commencement of the permitted use/development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and 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: In the interest of protecting the health of future occupants and the wider public from land contamination in accordance with Rochdale Core Strategy policy G9.

Reason for pre-commencement condition: In order to ensure that mitigation measures which relate to the construction phase and the completed development are implemented.

- 9 No development (excluding site clearance) shall commence until;
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interest of managing the risk of land stability in accordance with Rochdale Core Strategy policy G9.

Reason for pre-commencement condition: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

- 10 Prior to commencement of development, a Construction and Environmental Management Plan (to include details on measures to be taken if historic drainage is unearthed that could discharge to the River Irk) shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall be undertaken in accordance with the approved details.

Reason: In order to prevent an adverse impact on the natural environment in accordance with Policies DM1 and G7 of the Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The condition relates to the construction phase of development

- 11 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall be based upon the conclusions of the Flood Risk Assessment & Drainage Strategy by Paul Waite Associates doc ref. 22227-PWA-00-XX-RP-C-1000 P02 (revised within updated Flood Risk Assessment ref 22227-PWA-00-XX-RP-C-1000 P03).

The following details shall be included in the application to discharge the drainage condition(s):

- (i) Construction details of any attenuation that is required for the sustainable drainage design.
- (ii) Details of any new outfall to the river Irk and a copy of correspondence with the EA regarding an application for a new outfall to the river Irk for surface water discharge.
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD.
- (iv) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- (v) Construction details for permeable paving including sub-base details e.g. cross-section, if this type of paving forms part of the sustainable drainage system.
- (vi) Provision of a Management and Maintenance Document explaining how the surface water scheme will be maintained and managed after completion for the lifetime of the development. The document shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The proposed scheme should reflect the findings of investigations into, and remediation and mitigation of, ground conditions associated with coal mining, as required by condition 9 above. This should incorporate a proper assessment of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. 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 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.

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

- 12 Prior to commencement of any above-ground works, a fully detailed scheme of soft and hard landscaping, to include details of all tree and shrub planting (including types,

numbers, their distribution on site, and those areas to be seeded, paved or hard landscaped, details of any ground level changes and proposed levels), shall be submitted to and approved in writing by the Local Planning Authority. The planting scheme shall be implemented in full no later than the first planting season following the first occupation of any of the buildings hereby approved. Any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of achieving high-quality landscaping in accordance with the Rochdale Core Strategy policies DM1 and P1.

- 13 Prior to commencement of above-ground works, full details of provision of secure cycle storage (to include CCTV and security lighting) for employees of the approved scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In order to encourage the uptake of active travel modes by staff in accordance with Rochdale Core Strategy policies T1 and T2

- 14 Prior to commencement of any above-ground works, a biodiversity mitigation and enhancement plan including mitigation for loss of trees and bird nesting habitat shall be provided to and agreed in writing by the Local Planning Authority (to include timescales for implementation and replacement / replanting). The approved details shall be implemented in full prior to first occupation of any of the buildings hereby approved.

Reason: In the interest of protecting and enhancing biodiversity in accordance with the Rochdale Core Strategy policies G6 and G7 and Places for Everyone JP-G8.

- 15 No above-ground works shall take place until a scheme of highway works to secure the provision of no waiting at any time restrictions along Hanson Close either side of the site entrance, including timescales for their implementation, has been submitted to and approved in writing by the Local Planning Authority. The waiting restrictions and the minor highway works required shall be implemented in accordance with the approved scheme and timescales.

Reason: In order to ensure safe and convenient access and circulation for vehicle traffic to prevent traffic conflict in the interests of highway safety, in accordance with the requirements of Policy T2 of the Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 16 Prior to commencement of any above-ground works, details of sustainable building methods to be incorporated into the development hereby approved, to include an assessment of the use of solar panels to be incorporated into the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and recommendations of the assessment.

Reason: In the interest of reducing greenhouse gas emissions and reducing energy use in accordance with Places for Everyone policy JP-S2.

- 17 No works to trees or shrubs shall occur or earthworks commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason: In the interest of protecting biodiversity in accordance with Policies DM1 and G7 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 18 Prior to any commencement of any earthworks to be undertaken as part of the development hereby approved, a survey for invasive plant species including Japanese knotweed and Himalayan balsam will occur and the finding supplied to and agreed in

writing to the LPA. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be supplied to and agreed in writing by the LPA, prior to any earthworks being undertaken. Any earthworks required as part of the development shall be undertaken in accordance with the approved details.

Reason: In the interest of protecting biodiversity in accordance with Policies DM1 and G7 of the Rochdale Core Strategy and the National Planning Policy Framework.

- 19 Prior to commencement of any works to the site entrance, details confirming the provision of tactile paving and dropped kerbs across the entrance shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interest of pedestrian safety in accordance with Rochdale Core Strategy policies P3, T1 and T2.

- 20 Prior to the first occupation of any of the buildings hereby approved, a detailed scheme of internal and external boundary treatments, including the design and layout of all gates and fences, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented no later than within one month of the first occupation of any of the approved buildings.

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

- 21 Prior to first occupation of any of the buildings hereby approved, details of external lighting to the pedestrian walkways within the development site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interest of encouraging the uptake of sustainable modes of transport, in accordance with Rochdale Core Strategy policies T1 and T2.

- 22 No building hereby approved shall be occupied until a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development has been submitted to the Local Planning Authority and approved in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interest of managing the risk of land stability in accordance with Rochdale Core Strategy policy G9.

- 23 Prior to occupation of any of the buildings hereby approved, a scheme for the inclusion of electrical vehicle charging points at each unit shall be submitted to and approved in writing by the Local Planning Authority, to achieve a ratio of one charging point per five car parking spaces. These charge points must have a minimum power rating output of 7Kw and fitted with a universal socket that can charge all types of electric vehicles currently on the market and meet safety and accessibility requirements. These charge points must be at least mode 3 or equivalent. The charging points shall then be implemented in accordance with the approved details at each unit, prior to the first occupation of that individual unit.

Reason: In the interest of supporting the uptake of electric vehicles and reducing greenhouse gas emissions and air pollution in accordance with Places for Everyone policies JP-S2 and JP-P6 and Rochdale Core Strategy policy DM1.

- 24 Prior to first occupation of any of the buildings hereby approved, a Staff Travel Plan (to include details of implementation and monitoring) shall be submitted to the Local Planning Authority and approved in writing. Once approved, the Staff Travel Plan shall be complied with thereafter.

Reason: In the interest of reducing reliance on the private car and encouraging the uptake of sustainable modes of transport, in accordance with Rochdale Core Strategy policies T1 and T2.

- 25 All parking and turning areas as indicated on the approved site plans shall be permanently retained in this use and not used for any other purposes including but not limited to materials storage.

Reason: In the interest of highways safety in accordance with Rochdale Core Strategy policy DM1.

- 26 Subject to any required further assessment and noise mitigation), any fixed plant items should be located within the site and not on facades that are orientated towards noise sensitive receptors.

Reason: In the interests of protecting a satisfactory standard of residential amenity for nearby occupiers in accordance with adopted Rochdale Core Strategy policies DM1 and G9 and the National Planning Policy Framework.

- 27 The resultant rating level from the cumulative impact of all proposed fixed plant items must not exceed the existing background sound levels set out below:
- Between 07:00-23:00 46db(A)
- Between 23:00-07:00 38dB(A)

Reason: In the interests of ensuring a satisfactory standard of residential amenity for nearby occupiers in accordance with adopted Rochdale Core Strategy policies DM1 and G9 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 23 July 2024

Melanie Hale
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:

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.

OTHER INFORMATIVES:

1. The applicant will be required to enter into a Section 278 agreement with the Local Highways Authority to secure the delivery of the waiting controls referred to in condition 15 above.
2. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the River Irk which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.
3. Greater Manchester Fire and Rescue Service have provided advice on Building Regulations matters in relation to fire safety, which the developer should review. These are provided in their consultation response to the application.
4. The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property.
5. United Utilities have provided advice on United Utilities property, assets and infrastructure, and on water and wastewater supplies, which should be reviewed by the applicant prior to undertaking the development hereby approved.