

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00707/FUL	Claire Ringwood	12 th June 2024

Address: Sonoco Industrial Products, Station Road, Milnrow, Rochdale, OL16 4HQ

Proposal: Erection of additional industrial unit (Use Classes B2 general industrial & B8 storage and distribution) and the replacement of canopies to the rear elevation of the existing unit with an extension

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 14 June 2024

SITE

The application site comprises a large triangular plot located to the south east of Station Road in Milnrow. The site is occupied by a large 3 storey flat roof building with pitched roof warehouse units to the side and rear. The site is within close proximity of J21 of the M62 and a Metrolink stop is directly to the west of the site.

The site is currently occupied by Maqio Ltd for manufacture and storage. The land to the rear where the new unit is proposed is currently unused and vacant land and can only be accessed through the existing site. To the north and east of the site is the River Beal, beyond which there appears to be a vacant, previously developed plot. To the south is the Metrolink line and directly north is the existing Maqio unit. There are residential properties surrounding the site but these are some distance away.

The site falls within a Mixed Employment Zone and a Defined Urban Area as defined in Rochdale Borough Council's saved Unitary Development Plan (UDP) Proposals Map. The Butterworth Hall, Milnrow Conservation Area is approximately 142m to the south east of the site.

PROPOSAL

The proposal is for the construction of an irregular shaped warehouse unit to the rear of the existing unit which would be used solely in connection with the main unit on site (secure by condition) and would not be operated as a separate entity. In addition it is proposed to consolidate the existing rear canopies attached to the main warehouse and provide an enclosed structure. The extension to the rear of the existing building measures 15m in depth and 43m in width.

The footprint of the proposed building measures 35.8m x 43.5m x 14.5m x 38m and is irregular in shape to accommodate the narrowing of the site at the rear. The proposed building has a shallow pitched roof and measures 6.6m in height to eaves level and approximately 8.7m at ridge height.

The front elevation would provide 2 roller shutter doors and 1 pedestrian door.

A roller shutter door is proposed to the existing unit where the canopies are to be enclosed alongside a pedestrian door.

A 3m strip is retained around the perimeter of the new building for access and maintenance and the new unit would only be accessed through the existing site.

The materials will consist of silver composite cladding to the walls, Goosewing grey composite cladding to the roof, roller shutters in grey and pedestrian doors anthracite (secure by condition).

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-S1: Sustainable Development
JP-S4: Flood Risk and the Water Environment
JP-J2: Employment Sites and Premises
JP-J4: Industry and Warehousing Development
JP-G7: Trees and Woodland
JP-G8: A Net Enhancement of Biodiversity and Geodiversity
JP-P1: Sustainable Places
JP-C8: Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

E2 Increasing jobs and prosperity
P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
G7 Increasing the value of biodiversity and geodiversity
G8 Managing water resources and flood risk
G9 Reducing the impact of pollution, contamination and land instability
T2 Improving Accessibility
DM1 General Development Requirements

Saved Unitary Development Plan (UDP)

G/D/1 Defined Urban Area
EC/3 Mixed Employment Zones

RELEVANT SITE HISTORY

93/D28937 – Extensions And Alterations To Industrial Premises Including Sprinkler Tank And Dust Extraction Plant. Approved 11/03/1993.

00/D38169 – Erection Of Storage Warehouse And Canopy With New Yard And Turning Circle. Approved 21/02/2001.

06/D47199 - Single Storey Extension To Factory. Approved 19/07/2006.

CONSULTATION RESPONSES

Highways and Engineering

This application is supported by a Technical Note (TN) which will be the main focus of Highway comments.

The application site has a long established industrial use which is accessed via a number of existing access points from the adopted highway. The site also has existing car parking areas within the site edged red and from initial assessment they would appear to have some latent capacity.

The site is in a relatively sustainable location being directly adjacent to a Metrolink stop and close to Milnrow village centre and its local amenities.

The TN has provided some TRICs data to forecast the additional vehicle movements generated by the proposed development and we would not expect that the vehicles generated would have any detrimental impact on highways capacity. Taking into account the expected number of vehicle movements we would not expect that the development would have any detrimental impact on road safety.

We would expect that the proposed development would create some additional parking demand and the TN has used the TRICs data to forecast this demand. Whilst we would say that both current and future parking demand probably exceeds that forecasted figure we can accept that there is adequate parking provision within the site to accommodate parking for the extended unit.

From the submitted swept path analysis within the TN it would appear that the site is accessible to the largest expected service vehicle with an additional turning area provided to the rear of the building.

In conclusion Highways would not raise an objection subject to the following suggested planning conditions are applied;

The turning area and access road identified on the submitted plans must be kept clear of car parking and should not be used for the storage of materials and goods etc.

The parking areas identified on the submitted plans must be clearly marked out and should not be used for the storage of materials and goods etc.

TfGM Metrolink

Whilst Metrolink have no objection to the principle of this development we do have some concerns in relation to the close proximity of the new warehouse building to the Metrolink boundary. These concerns are primarily around the construction of the building that uses large composite cladding panels in close proximity to overhead power lines. However, these concerns should be able to be addressed by agreeing a construction management plan with Metrolink. It should be noted that the applicant may also be requested to enter into an asset protection agreement with Metrolink depending on the construction methods proposed.

The Arboricultural Impact Assessment identifies trees on Metrolink land and it is noted that the root protection areas for these are identified on the constraints plan and that tree protection fencing is proposed. Whilst in the main this seems satisfactory the south east corner of the proposed building line and the tree protection fencing are almost coincident so particular care must be taken in constructing this area and we expect a methodology within the CMP to address this.

In view of the foregoing we request that an appropriate condition is attached to any consent granted in respects of this application.

Transport for Greater Manchester

Colleagues from within TfGM HFAS (Highways Forecasting Analytical Services) have reviewed the Highway Statement issued in support of the proposed development and have provided comments in respect of the relevant sections.

Please note Metrolink have provided comments directly, related to the proximity of the new warehouse building.

I. Trip Generation

The TRICS assessment demonstrates that the development is likely to generate an additional 5 two-way vehicle movements in the AM peak hour and 6 two-way vehicle movements in the PM peak hour. The projected trip generation does not trigger TfGM's threshold for any further highway impact assessment work.

II. Internal Access Arrangements

The site will be served by the existing vehicle access point on Station Road, with a swept path analysis (Drawing Number SK22374-001) which shows a 16.5m articulated vehicle can service the new industrial unit to the rear of the site. The swept path drawings demonstrate that all manoeuvres can be undertaken on site to ensure that service vehicles can enter and exit in a forwards gear.

Site observations confirm that on-street parking occurs along Station Road adjacent to the site access. TfGM therefore recommend that double yellow line TROs are implemented covering the site access and visibility splays to ensure that sightline visibility is unobstructed.

The Highway Statement confirms that the current provision of 55 car parking spaces will remain in place. TfGM would refer to the Local Highway Authority (LHA) to determine whether the proposed access, car parking and servicing arrangements are acceptable.

III. Traffic Regulation Orders

TfGM would suggest that a review is undertaken of the Traffic Regulation Orders in the vicinity of the development, with a view to introducing additional parking restrictions as appropriate, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm.

IV. Other

A robust Construction Traffic Management Plan should be employed as part of the development.

Site Accessibility

I. Public Transport

The nearest bus stops to the site which offer regular services are located on Dale Street, which are around a 4-minute walk from the site access. These stops provide hourly services to Stansfield, Shaw and Rochdale.

II. Active Travel

In order to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks.

To promote active travel and link in with the surrounding environment, the applicant should ensure the provision of continuous 2-metre-wide footways serving the development, as well as reinstating any redundant vehicle crossings which previously

served the site, installing tactile paving at the site access and renewing any substandard footways.

In particular, the internal layout should ensure provision of a safe walkway through the car park, with appropriate lighting surrounding the building.

III. Cycle Parking

It is important to ensure that there are adequate infrastructure and facilities to encourage staff to travel by sustainable modes. The Highway Statement outlines that 14 cycle spaces are provided in the form of 7 cycle parking stands in a covered location. TfGM would recommend that spaces in excess of the minimum are provided to encourage the uptake of active travel modes by staff.

The cycle facilities should be covered and secure, with measures such as the installation of CCTV and appropriate lighting to ensure security. Additionally, appropriate welfare facilities (shower/changing rooms/lockers) should be provided for staff to promote and encourage cycling as an alternative to car travel.

IV. Travel Plan

TfGM recommends that a Staff Travel Plan is produced for the development, if not already in place, with the objective of reducing reliance upon the private car, particularly single occupancy use. The Staff Travel Plan should be designed to raise awareness of opportunities for reducing staff travel by car and should feature a range of measures and initiatives promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

The offer of personalised journey planning for staff is a further measure that could be included in the full Travel Plan for the site. The marketing and communication strategy should communicate the Travel Plan objectives and benefits to potential future business or commercial occupiers of the development, prior to them occupying the development. This should ensure potential business and commercial organisations are able to make informed choices and are more likely to commit to and adopt the Travel Plan.

In order to encourage sustainable journeys to mitigate the traffic impact of the development, through the Travel Plan, incentives should be offered to encourage staff to use public transport and active travel modes through measures such as concessionary bus fares, discounted cycles, journey planning etc.

Should Rochdale Council be minded to approve this application it is suggested that a condition for the development, submission, implementation and monitoring of a Staff Travel Plan within 6 months of occupation be attached to any planning consent.

Drainage & Flooding Officer

The Preliminary Drainage Proposal indicates that the combined sewers will be diverted around the outside of the new building and that the new roof drainage would discharge to river via new outfall.

A revised drawing has more detailed scaling to indicate that excavations for pipework would be more than 2m from the live railway fence.

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.

Environmental Health (Noise)

Where the unit is situated is unlikely to give rise to complaints of noise nuisance and general disturbance as such we would have no objections to the proposals.

Greater Manchester Ecology Unit / Trees

Initial Comments

While some issues can be dealt with through informative information and conditions, some issues will require further information before determination.

Bats

A Preliminary Ecological Appraisal (E3P October 2023) assessed the parts of the building that are due to be modified, for their potential to support roosting bats.

The overall potential for roosting bats in the building has been assessed by the surveying ecologist as low. The habitat surrounding the development has been assessed as providing good potential to support foraging and roosting bats.

In line with good practice guidelines, the ecologist has recommended that for buildings with low roost suitability; one presence/ absence survey is carried out. The survey should be undertaken between May to August. This presence/absence survey has not yet been provided.

The Preliminary Ecological Appraisal suggested that an alternative option would have been for an ecologist to attend site during the initial phases of the works to the warehouse roof, in which works affecting the sensitive areas will be supervised. This would comprise of a search for bats prior to the works commencing, including the crevices in the brickwork and any damaged or lifted roof tiles.

Planning policy guidance recommends that material consideration of protected species is supported by the requirement for survey work to be completed up front. Given that there are a number of other outstanding pieces of information, which will require time to gather, I feel it would be more prudent to carry out the presence/absence survey in May to August of next year. This survey will provide evidence as to whether any further bat surveys will be required.

Lighting and bats

Prior to determination, a "lighting design strategy for biodiversity" for consideration of bats and the maintenance of a dark corridor for commuting and foraging routes along the river and railway shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above

species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

If the lighting plan cannot maintain the dark corridors then further survey work for bats will be required prior to determination, as specified in the ecology report.

Birds

The Preliminary Ecological Appraisal (E3P October 2023) stated that the vegetation adjacent to the site and the building onsite had the potential to support nesting birds.

All British bird's nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Should the group of trees along the western boundary (G1) need to be trimmed to facilitate the construction or the buildings onsite are to be demolished after the 1st of March, I would recommend the following condition be added.

No tree, shrub or brash clearance shall occur or renovation of the buildings occur 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 works and written confirmation provided that no active bird nests are present, which has been agreed in writing by the LPA.

Invasive Species

Himalayan balsam was recorded in the Preliminary Ecological Appraisal (E3P October 2023), at the southern end of the development site. Himalayan balsam is included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

I recommend as a precaution a condition along the following lines is applied to any permission.

Prior to any earthworks, vegetation clearance or demolition a method statement detailing eradication or avoidance measures for Himalayan balsam should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Water course

The development is adjacent to the statutory main river course River Beal.

While the Environment Agency should also be consulted on this application, GMEU would like to see the following condition.

No development, site clearance, or earth moving shall take place or material or machinery brought on site until a method statement via a Construction Environmental Management Plan (CEMP) to protect the River Beal from accidental spillages, runoff, dust and debris has been supplied to and agreed by the LPA. This CEMP must also include guidance on the creation of a suitable buffer between the proposals and the

watercourse, marked out prior to construction. *All measures will be implemented and maintained for the duration of the construction period in accordance with the approved details.*

Otters

The Preliminary Ecological Appraisal (E3P October 2023) assessed the River Beal as having potential to support otter.

Whilst there is only a low risk of otter being present, the applicant is reminded that under the 2019 Regulation it is an offence to disturb, harm or kill otters. If an otter is found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the otter(s). Natural England should also be informed.

Badgers

The Preliminary Ecological Appraisal (E3P October 2023) found evidence of badgers using the site although no setts were found. Recommendation have therefore be made to avoid accidental harm to this species during construction works and to ensure these measures are followed we would advise that the following condition be attached to any permission:

All works shall be carried out in accordance with the details contained in section 4.4.4 of the Preliminary Ecological Appraisal (E3P October 2023), including a pre-commencement walk over survey, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Biodiversity Net Gain

While the Preliminary Ecological Appraisal (E3P October 2023) states that the development will result in the loss of biodiversity, no information on quantified biodiversity losses on the site appear to have been provided. The scheme is currently contrary to the National Planning Policy Framework as it results in a net loss of biodiversity.

Mitigation and compensation will be required and net biodiversity gain should be provided. It is recommend that before determination a statutory Biodiversity Net Gain (BNG) metric spreadsheet should be provided that outlines any potential loss of habitat, along with details of how this loss will be mitigated for.

Details of how the loss can be mitigated for can be provided in a Habitat Management and Monitoring Plan (HMMP) for the onsite and any potential offsite elements of the BNG. This document should be retained and used to inform future monitoring and compliance of the time to target enhancement methods and ongoing management required to maintain the agreed level of habitat distinctiveness and quality.

The HMMP should contain;

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period and for a minimum total period of 30 years).*
- g) Details of the body or organization responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

Additional Comments

For BNG metric calculations, we need to see the original excel spreadsheets that were used to calculate the BNG loss/gain.

If you could obtain these from the consultant that will help us check that the metric has been completed correctly.

Updated Comments - following the submission of a BNG Metric Calculation

No objection - Should refer to the metric in the condition. The metric provided does not meet the habitat trading rules, but is not required to do so in this case. The mitigation proposed is broadly equivalent to the habitat being lost.

Final Comments - following submission of a Bat Survey Report

The survey found no evidence of the building supporting roosting bats. GMEU have no reason to question the finding of the report. The Local Records Centre holds some records of foraging or roosting bats in the area but having assessed the work planned for the building, there is negligible potential for the works to disturb roosting bats and no further surveys are required.

Whilst the works to the property have been assessed as having negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat and the signs of bats is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

We would suggest an informative to this effect be placed on any permission.

United Utilities

ADVISORY - The site overlies the sandstone rock at depth, in a Groundwater Source Protection Zone (SPZ) 2. This forms an aquifer, abstracted at depth by United Utilities for public drinking water supply at nearby Butterworth Hall mineshaft, located 330m to the west. A mineshaft (1914) located on site, close to the new building footprint, provides a deeper connection to the aquifer. The applicant should follow best practice on their use and storage of fuels, oils and chemicals, to remove the risk of causing pollution during construction and operations.

We suspected there is potential for land or groundwater contamination to be present on-site. The mineshaft (1914) located on the site, close to the new building footprint, provides a deeper connection to the Milnrow Sandstone & Helpet Edge Rock aquifer. There is no readily available record of the mineshaft being capped. Workings underlie the site and area to the east towards the Abstraction, providing groundwater interconnections.

We strongly recommend the Environment Agency is consulted on this development, with regards to the risks to 'controlled waters', groundwater and surface waters. We

recommend that the LPA consider placing a condition, relating to the investigation and potential remediation of groundwater contamination.

United Utilities require to be informed, if the contaminated land risk assessment determines that the development shall potentially impact the aquifer and the nearby potable groundwater abstraction at Butterworth Hall mineshaft.

DRAINAGE

Noting this is a Full application, we request that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan prior to determination of this application. Should planning permission be granted without the provision of this information we request a pre-commencement condition for a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted.

Management and maintenance of Sustainable Drainage Systems (SuDS)

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice.

[The applicant has been sent a copy of the United Utilities letter]

Environment Agency

We have no objection in principle to the proposed development, but we would wish to make the following comments.

Contaminated Land

We have reviewed the following document - Phase 1 Geoenvironmental Site Assessment, document reference:17-121-R1-1, dated October 2023, by E3P for the proposed extension to the existing warehouse with a new warehouse in the southeast of the site in the current service yard.

The previous industrial use of the proposed development site presents a risk to controlled waters. We consider that controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary A aquifer and is located within a Source Protection Zone 2. The Phase 1 site assessment has identified that because of the nature of the site there is potential for contaminants to be mobilised leading to a risk to the underlying aquifer.

The information submitted to date by the applicant demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

Considering the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Biodiversity

Development that encroaches on watercourses can have a potentially severe impact on their ecological value.

Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect an 8-metre-wide buffer zone from the bank top around the Sutton Brook. Bank top is defined as the point at which the bank meets normal land levels. The buffer zone scheme shall be free from built development including fencing, lighting, domestic gardens, and formal landscaping.

Conditions: 8m wide buffer zone alongside the river Beal, Remediation Strategy, Verification Report, Piling or any other foundation designs. Informatives relating to model procedures and good practice, waste on-site, waste to be taken off-site, piling and penetrative ground improvement methods, dewatering, regulatory position statements and flood risk.

Environmental Protection

The report and recommendation for a SI is acceptable, suitable condition:

Site Investigation and Assessment

Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. 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:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours. One letter of representation have been received in regards to:

1. Where is the proposed unit to be located [*Officer Note: the proposed unit is to be located at the rear of the existing unit and not in the main car park next to the Metrolink*];
2. Concerns relating to the replacement of neighbouring fencing which was not replaced to a satisfactory standard and worries that this may happen again. [*Officer Note: as the proposed unit is to the rear of the site there should not be any impact on neighbouring fencing*].

ANALYSIS

Principle of use

The application site falls within a mixed employment zone as set out under saved UDP Policy EC/3. Appendix 3 of the adopted Rochdale Core Strategy states that saved UDP Policy EC/3 should be read in conjunction with Policy E2 and E3 of the Core Strategy.

Policy E2 seeks to ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation and retention of successful businesses and increase the number and quality of jobs to create a more prosperous economy. Paragraph 7.39 of Policy E2 states '*The Rochdale Employment Land Study concluded that the majority of employment zones in the UDP are appropriate for continued employment use and should be retained.*'

Saved UDP Policy G/EC/1 states 'the provision of an adequate supply of land and premises for employment generating uses, that meets local needs and contributes to meeting regional needs, will be ensured through: A) the protection of existing industrial and commercial land and premises for continued employment use.....' Policy EC/3 states 'within Mixed Employment Zones development and change of use will be permitted for the following employment generating uses (Use Class Order in brackets):

- a) Business uses (B1);
- b) General industry (B2);
- c) Warehousing and distribution (B8).....'

Paragraph 6.30 of PfE highlights that '*our long term success will partly depend on the ability to continually renew and enhance the supply of accessible industrial and warehousing premises, responding to changing business practices and demands.*'

Given that the proposed unit is complementary to the existing employment generating use on site, subject to an assessment of other development management requirements, the principle of the proposed development is acceptable and in accordance with Policy E2 of the adopted Core Strategy, Policy JP-J4 of PfE, Policy EC/3 of the saved UDP and the NPPF.

Design and Appearance

The NPPF states that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. This is largely reflected

within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The proposed building is designed to be similar in appearance to the existing industrial unit on the site. It would have a shallow pitch roof and approximately 1m lower in height than the main building. Although the proposed unit has been designed to fit into the triangular shape of the site it is much smaller in scale than the existing building and it is intended as an ancillary unit to the main building use. Two roller shutter doors are proposed to the frontage. The site is surrounded by trees which will screen the proposed unit from surrounding viewpoints.

The alterations to the main building are to the rear and involve a new roller shutter door and a pedestrian door. The proposed materials will match the existing building and consolidating the existing rear canopies attached to the main warehouse to provide an enclosed structure will be seen as an extension to the main building and due to its rear location, it will not be highly visible.

Taking the above into consideration, the proposed development is considered appropriate in its setting and would not be harmful to the character and appearance of the area and therefore accords with the requirements of Policies P3 and DM1 of the adopted Rochdale Core Strategy and the NPPF.

Impact on Surrounding Land Uses

Policy DM1 of the Core Strategy requires all new developments to demonstrate that they are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact on the surrounding land uses upon the amenities of future residents/users. Paragraph 135 of the NPPF states that planning policies and decisions should ensure that new developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. The Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

The application site is located within a Mixed Employment Area however, there are residential properties surrounding the site which, other than the properties directly to the north on Equitable Street, are separated by the Metrolink and Elizabethan Way to the south/south-west and the River Beal and land to the south-east of the site. The site, as an existing warehouse and the proposed unit is intended for ancillary warehousing associated with the existing use. Although there will be a visual change in appearance once the proposed unit is constructed, due to the distances between the closest residential properties, there is not considered to be any impact in terms of visual dominance or overbearing effects from the proposed development, loss of privacy or overlooking.

The Council's Environmental Health Officer has reviewed the application and raised no objection to the proposal. Therefore, in light of the above the proposal would accord with Policies DM1 and G9 of the Core Strategy and the NPPF.

Highways

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those which live

or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account the proposed use and location. Paragraph 115 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Council's Highways Officer has reviewed the application and advised that the site has a long established industrial use with its own car parking areas. The site is in a relatively sustainable location being directly adjacent to a Metrolink stop and close to Milnrow village centre and its local amenities.

The Technical Note submitted with the application has provided some TRICs data to forecast the additional vehicle movements generated by the proposed development. Highways Officers do not expect that the vehicles generated would have any detrimental impact on highways capacity or impact on road safety.

The proposed development would create some additional parking demand and the Technical Note submitted has used the TRICs data to forecast this demand. The Council's Highways Officer has advised that there is adequate parking provision within the site to accommodate parking for the extended unit.

The submitted swept path analysis within the Technical Note show the site is accessible to the largest expected service vehicle with an additional turning area provided to the rear of the building. Highways Officers raised no objection subject to conditions relating to the turning area and access road remaining clear and parking areas to be marked out and not be used for the storage of materials and goods etc.

Transport for Greater Manchester recommends that a Staff Travel Plan is produced for the development with the objective of reducing reliance on the private car. However, the use is already established and the proposed unit will be an ancillary addition. Therefore Officers do not consider a Staff Travel Plan is appropriate in this instance.

The Metrolink boundary is within close proximity to the application site and Metrolink have provided comments on the application. The main concerns relate to the construction of the proposed unit using large composite cladding panels in close proximity to overhead power lines. This matter can be addressed by way of condition requiring a Construction Management Plan (CMP) however, the applicant is advised that they may also be requested to enter into an asset protection agreement with Metrolink (include as an informative).

The Arboricultural Impact Assessment also identified trees on Metrolink land. Care must be taken in constructing in this area and a methodology would be required as part any CMP (secure by condition).

Subject to the above conditions the proposal is therefore in accordance with Policy DM1 and T2 of the Rochdale Core Strategy, JP-C8 of PfE and the NPPF.

Drainage

Policy G8 requires that new development does not lead to any form of increased flooding or impeded natural water and flood risk management. In this regard it is important that development includes drainage that is appropriate for the site and that utilised sustainable urban drainage solutions where ever possible. Policy JP-S4 of PfE states that flood risk will be managed by 2) working with natural processes and

adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants; and 3) locating and designing development so as to minimise the impacts of current and future flood risk, including retrofitting or relocating existing development. Infrastructure and places to increase resilience to flooding.

The Council's Drainage Officer has reviewed the application and raised a number of concerns that needed to be addressed. The location of sewers were not accurately shown, United Utilities have easements over these sewers and evidence of discussions to divert or protect these need to be provided, details of existing private surface water infrastructure needed to be submitted along with sustainable drainage provisions.

United Utilities have also provided detailed comments (which has been sent to the applicant's agent) which requires additional information either prior to determination of the application or by way of condition.

The agent submitted additional information on 23rd May 2024 which was reviewed by the Council's Drainage and Flooding Officer who advised the revised drawings has more detailed scaling to indicate that excavations for pipework would be more than 2m from the live railway fence. Subject to a pre-commencement condition for details of a sustainable surface water drainage scheme and a foul water drainage scheme, the proposal would be in accordance with the relevant paragraphs of the NPPF and Policy G8 of the Core Strategy.

Land Contamination

Policy G9 of the Core Strategy requires that any risks arising from contaminated land are appropriately identified prior to any development taking place on the land and that identified actions required to remedy these risks are taken.

The applicant has provided a Phase 1 Geo-environmental Site Assessment. The Council's Environmental Protection Officer has reviewed the assessment and has advised that the report and recommendation is acceptable subject to a Site Investigation and Assessment condition.

The Environment Agency were also consulted and although they raised no objection they advised that the previous industrial use of the site presents a risk to controlled waters. Controlled waters are particularly sensitive at this location because the proposed development site is located upon a Secondary A aquifer and is located within a Source Protection Zone 2. The Phase 1 site assessment has identified that because of the nature of the site there is potential for contaminants to be mobilised leading to a risk to the underlying aquifer.

The information submitted by the applicant demonstrates that it will be possible to manage the risks posed to controlled waters by this development however, further detailed information will be required prior to commencement of development.

Considering the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without these conditions the Environment Agency would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

The Environment Agency also require a condition for the submission of a scheme for the provision and management of a minimum of 8-metre-wide buffer zone alongside the River Beal to ensure the proposed development does not have a potentially severe impact on the ecological value of the watercourse.

Subject to the conditions highlighted above, the proposal would be in accordance with the relevant paragraphs of the NPPF, Policy G9 of the Core Strategy and Policy JP-S4 of PfE.

Ecology and Trees

Policy G7 of the Core Strategy requires developments to protect existing biodiversity including trees and vegetation. The NPPF also requires the planning system to contribute to and enhance the natural and local environment and Policy JP-G8 of PfE states 'through local planning and associated activities a net enhancement of biodiversity resources will be sought.'

An Arboricultural Impact Assessment and Method Statement and a Preliminary Ecological Appraisal Report has been submitted and reviewed by the Council's Ecologist. The Council's Ecologist provided detailed comments in regards to:

1. Bats – one presence/absence survey will be required to be carried out in May to August of next year;
2. Lighting and bats – a lighting design strategy for biodiversity will be required by condition;
3. Birds – a condition is required to restrict tree, shrub or brash clearance during 1st March to 31st August;
4. Invasive species – Himalayan balsam was recorded in the Preliminary Ecological Appraisal at the southern end of the site. As a precaution a condition is required for the submission of a method statement detailing the eradication of avoidance measures for Himalayan balsam;
5. Water course – a condition requiring the submission of a Construction Environmental Management Plan is required to protect the River Beal;
6. Otters – The Preliminary Ecological Appraisal assessed the River Beal as having potential to support otters. Whilst there is only a low risk of otters being present, and informative is required to remind the applicant that under the 2019 Regulation it is an offence to disturb, harm or kill otters;
7. Badgers - The Preliminary Ecological Appraisal found evidence of badgers using the site although no setts were found and a condition is required to ensure all works are carried out in accordance with the details contained within section 4.4.4 of the Preliminary Ecological Appraisal;
8. Biodiversity Net Gain – The Preliminary Ecological Appraisal states the development will result in the loss of biodiversity however, no information on quantified biodiversity losses on the site were provided. A Biodiversity Net Gain Assessment and BNG metric spreadsheet was required to outline any potential loss of habitat, along with details of how this loss will be mitigated for.

The agent provided a BNG Assessment and metric calculation which was reviewed by the Council's Ecologist as acceptable. The metric will need to be referred to in a condition to ensure that the LEMP/HMMP provides mitigation in line with the agreed metric.

A presence/absence survey was required between May and August and prior to the determination of the application. The applicant submitted a Bat Survey Report on 31st

May 2024 which was reviewed by the Council's Ecologist who raised no objection subject to an informative should bats be found.

Subject to the conditions highlighted above, the proposal would be in accordance with the relevant paragraphs of the NPPF, Policy G9 of the Core Strategy and Policies JP-G7 and JP-G8 of PfE.

RECOMMENDATION

GRANT subject to the following conditions:

TIME LIMIT

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).

APPROVED PLANS

2. This permission relates to the following plans:-

Drawing No: PL_002 – Proposed Site Plan
Received 29th June 2023

Drawing No: PL-009 – Proposed New Build Warehouse Plan & Elevations
Received 31st July 2023

Drawing No: PL_000 – Location Plans
Drawing No: PL_004 – Proposed Elevations
Received 7th February 2024

and the development shall be carried out in complete 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 Unitary Development Plan and the National Planning Policy Framework.

MATERIALS

3. Notwithstanding any description of materials in the application, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the development have first been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

TURNING AND ACCESS ROAD

4. The turning area and access road identified on the approved plans must be kept clear of car parking and shall not be used for the storage of materials and goods

etc. The turning area and access road shall be kept available for turning and access at all times thereafter.

Reason: To ensure that the development is provided with adequate turning areas and access facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy T2 of the Rochdale Core Strategy and JP-C8 of PfE.

VEHICLE PARKING

5. The building hereby permitted shall not be occupied until the parking areas identified on the approved plans have been clearly marked out. The parking areas identified shall not be used for the storage of materials and goods etc. The space(s) shall be kept available for parking at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy T2 of the Rochdale Core Strategy and JP-C8 Of PfE.

NO INDEPENDENT USE

6. The proposed development hereby approved shall only be used in connection with the existing premises and shall not be independently occupied.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy T2 of the Rochdale Core Strategy.

CYCLE PARKING

7. The development hereby approved shall not be occupied until a plan showing how a minimum of 14 cycle spaces in the form of 7 (or more) covered and secure cycle parking stands can satisfactorily be provided on site is submitted to, and approved in writing by, the Local Planning Authority.

The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

Reason: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy T2 of the Rochdale Core Strategy and JP-C8 of PfE.

CONSTRUCTION MANAGEMENT PLAN

8. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Rochdale Borough Council (in consultation with Transport for Greater Manchester).

The approved CMP shall include agreed safe methods of working adjacent to the Metrolink boundary and shall be adhered to throughout the construction period. The CMP shall provide for: -

- Construction and demolition methods to be used; including the use of lifting equipment or cranes (which must not oversail the tramway);
- Loading and unloading of plant and materials, demonstrating due cognisance of the proximity of the overhead power cables carrying 750volts;
- Construction method where works are in close proximity to tree protection fencing, protecting Metrolink trees; and
- Measures to control the emission of dust and dirt during construction.

Reason: To safeguard Metrolink infrastructure pursuant to policies and 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.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

SUSTAINABLE SURFACE WATER DRAINAGE SCHEME

9. 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 include:

- (i) Detailed plan of sewer diversions around the new building, which must show clearly that an excavation exclusion zone to the fence of the railway of 2m is provided. Correspondence from United Utilities to confirm that they are in agreement with the diversions.
- (ii) Details of the discharge of the new building's roof drainage to river and headwall arrangement. Although this is a large building, it is not practical to restrict the roof drainage discharge to river to less than 5l/s so a direct connection can be included. Since this is an outfall to main river, the applicant must provide evidence that the headwall complies with EA guidance i.e. points in direction of flow and that the headwall complies with the EA's flood risk exemption requirements:

<https://www.gov.uk/government/publications/environmental-permitting-regulations-exempt-flood-risk-activities/exempt-flood-risk-activities-environmental-permits>

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, Policy JP-S4 of PfE 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.

SUSTAINABLE DRAINAGE MANAGEMENT AND MAINTENANCE PLAN

10. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to, and approved in writing by, the Local Planning Authority (in consultation with United Utilities). The sustainable drainage management and maintenance plan shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- (ii) 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 development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of PfE and the National Planning Policy Framework.

LIGHTING STRATEGY

11. No development shall take place, including any works of demolition, until a lighting design strategy for biodiversity for consideration of bats and the maintenance of a dark corridor for commuting and foraging routes along the river and railway has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

If the lighting plan cannot maintain the dark corridors then further survey work for bats will be required prior to determination, as specified in the ecology report.

Reason: To avoid harm to habitats and species. This accords with Paragraph 175 of the NPPF, Policy G7 of the Rochdale Core Strategy and Policy JP-G8 of PfE.

Reason for pre-commencement condition: As no details of a lighting scheme have been submitted and to ensure there is no harm to habitats and species.

NO TREE, SHRUB OR BRASH CLEARANCE

12. No tree, shrub or brash clearance shall occur or renovation of the buildings occur 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 works and written confirmation provided that no active bird nests are present, which has been agreed in writing by the LPA.

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

METHOD STATEMENT/AVOIDANCE MEASURES OF INVASIVE SPECIES

13. No development shall commence, including any earthworks, vegetation clearance or demolition until a method statement detailing eradication or avoidance measures for Himalayan balsam shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of PfE and to ensure the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread in the wild.

Reason for pre-commencement condition: Construction activity increases the risk of invasive species spreading.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

14. No development shall commence on site (including demolition, preparatory works, earth moving, or materials or machinery brought onto site) until a method statement via a Construction Environmental Management Plan (CEMP) to protect the River Beal from accidental spillages, runoff, dust and debris including a scheme for the provision and management of a minimum of 8-metre-wide buffer zone alongside the river Beal has been submitted to, and approved in writing by, the Local Planning Authority.

All measures will be implemented and maintained for the duration of the construction period in accordance with the approved CEMP. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone shall be free from built development including lighting, domestic gardens, and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)

- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- details of any proposed footpaths, fencing, lighting, etc.

Reason: Land alongside the River Beal is valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity and in accordance with Policy G7 of the Rochdale Core Strategy and Policy JP-G8 of PfE..

Reason for pre-commencement condition: To ensure there is no significant harm resulting from the development which cannot be avoided, adequately mitigated, or as a last resort compensated for.

WALKOVER SURVEY - BADGERS

15. No development shall commence on site (including demolition or preparatory works) until an updated walkover survey has been carried out to identify any new badger setts. The updated walkover survey shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall thereafter be carried out in accordance with the details contained in section 4.4.4 of the Preliminary Ecological Appraisal (E3P October 2023).

Reason: To ensure that badgers are not adversely impacted upon as a result of the development in accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of PfE and the NPPF.

Reason for pre-commencement condition: As badgers have been recorded on the site and to prevent any habitat disturbance to badger setts if present.

HABITAT MANAGEMENT AND MONITORING PLAN

16. Prior to the approved building being brought into use, a Habitat Management and Monitoring Plan (HMMP) for the onsite, and any potential offsite, elements of the Biodiversity Net Gain shall be submitted to, and approved in writing by, the Local Planning Authority. The HMMP must provide mitigation in line with the agreed metric received by the Local Planning Authority on 10th April 2024. This document should be retained and used to inform future monitoring and compliance of the time to target enhancement methods and ongoing management required to maintain the agreed level of habitat distinctiveness and quality.

The HMMP should contain;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period and for a minimum total period of 30 years).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

Reason: In the interests of securing biodiversity enhancement in the long term in accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of PfE and the NPPF.

REMEDIATION STRATEGY

17. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the Phase 1 site assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site and:
 - i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
3. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and Policy G9 of the Rochdale Core Strategy.

Reason for pre-commencement condition: As insufficient information has been submitted with the application and to ensure that the risks associated with contamination are sufficiently dealt with.

VERIFICATION REPORT

18. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework and Policy G9 of the Rochdale Core Strategy.

PILING AND OTHER FOUNDATION DESIGNS

19. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the 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. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling operation and installation, does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection' and in accordance with Policies G8 and G9 of the Rochdale Core Strategy.

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.

Informatives:

Whilst there is only a low risk of otter being present, the applicant is reminded that under the 2019 Regulation it is an offence to disturb, harm or kill otters. If an otter is found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the otter(s). Natural England should also be informed.

Whilst the works to the property have been assessed as having negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat and the signs of bats is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

The applicant is advised to note the comments provided by United Utilities dated 18th December 2023.

The applicant is advised that they may be requested to enter into an asset protection agreement with Metrolink depending on the construction methods proposed. Metrolink should be contacted directly. Further details can be found via the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/working-safely>

Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by: We recommend that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative ground improvement methods:

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk: <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Regulatory position statements If dewatering and discharging into surface water is required during development, the following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.' <https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

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 Beal which, is designated a 'main river'. Some activities are 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: Flood risk activities: environmental permits - GOV.UK (www.gov.uk).