



PLANNING AND DEVELOPMENT

Melanie Hale
Head of Planning Services

Number One Riverside, Smith Street,
Rochdale, OL16 1XU

Telephone: 0300 303 8873
Email: Claire.Ringwood@Rochdale.Gov.Uk
Our ref: 24/01119/DOC & 24/00719/DOC
Enquiries to: Claire Ringwood
Direct Line: (01706) 925844
Date: 9 April 2025

Miss Shannon Cooke
Kellen Homes
103 Dalton Ave
Birchwood Park
Warrington
Cheshire
M26 2GL
England

Dear Sir/Madam,

DETERMINATION ON APPROVAL OF DETAILS REQUIRED BY A CONDITION

Application No:	24/01119/DOC & 24/00719/DOC
Application	Approval of detail reserved by condition
Type:	
Proposal:	Discharge of conditions 6 (piling), 8 (site investigation), 10 (coal mining) and 28 (acoustics) on planning permission 23/00070/VRCON
Location:	Hexpol Tpe Ltd, Don Street, Rochdale, Middleton, M24 2GG,

Your application for approval of details reserved by condition(s) has been dealt with and the details are set out below:-

Conditions and Reasons:

- 6 No piling or any other foundation designs using penetrative methods shall take place unless details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling activity does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework.

Officer Response: The Pile Design Contaminated Land Risk Assessment by e3p, Reference: 14-554-R7-1, Date: March 2023, received by the Local Planning Authority on 13th November 2024, has been reviewed and is considered acceptable. The approved assessment shall be implemented in complete accordance with the approved details in order to comply with the requirements of the condition.

- 8 No development shall take place in any phase of development until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:
- i. a survey of the extent, scale and nature of contamination

- ii. an assessment of the potential risks to:
 - o human health,
 - 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) to form a remediation strategy for the site.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure contamination is appropriately identified and a strategy is in place before works commence on site for the protection of controlled waters and to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers.

Officer Response: The Supplementary Assessment by e3p, Date: 18th January 2023, Ref: 14-554-L-5-2, received by the Local Planning Authority on 8th January 2025, the Validation Report by e3p, Reference: 14-554-R8-3, Date: February 2025, Version 3 including the Remediation and Enabling Works Validation Report, received by the Local Planning Authority on 14th February 2025 and the Response to Comments on Don Street by e3p, Date: 10th February 2025, Ref: 14-554-L7-1, received by the Local Planning Authority on 10th February 2025 have been reviewed and are considered acceptable.

Based on the above information, the Environment Agency are satisfied the site has been remediated in accordance with the remediation strategy and verification plan and has been successful in mitigating the risks to controlled waters at this time. Given this, they have no objection to the discharge of condition 8 in respect of controlled waters.

However, in regards to the Materials Management Plan, the validation report documents in RE29 'Provision of subsoil' that an additional 16000m3 of subsoil will need to be imported to complete the development which will require additional sampling and testing to confirm its suitability for use. Whilst it is stated that an updated MMP will be provided to include the future import of clean naturally occurring soils, the Environment Agency have stated that the applicant should be advised in any future response to discharge condition 8 that an updated MMP will be required. The Council's Contaminated Land Officer is satisfied that this response is reasonable to allow the condition to be discharged.

10 No development shall commence until;

- i. a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- ii. 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 safe and stable for the development proposed.
- iii. A report documenting the drill and grouting requirements for worked coal measures has been submitted to, and approved in writing by, the Local Planning Authority

The intrusive site investigations and remedial works shall be carried out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

No part of the development 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 for approval 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: To address any issues of unstable land and ensure safety and stability of new development whilst preventing groundwater contamination in accordance with policies DM1 and G9 of the Adopted Rochdale Core Strategy.

Reason for pre-commencement: The undertaking of remedial measures, prior to the commencement of development, is considered to be necessary. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

Officer Response: The Validation Report by e3p, Reference: 14-554-R8-2, Date: November 2024, received by the Local Planning Authority on 4th December 2024 and the Supplementary Assessment by e3p, Date: 18th January 2023, Ref: 14-554-L-5-2, received by the Local Planning Authority on 8th January 2025, have been reviewed and are considered acceptable.

The Mine Workings Stabilisation Completion Report by e3p, Reference: 14-554-R5-2, Date: June 2023, Version 2 and the Specification for the Consolidation of Abandoned Mine Workings by e3p, Reference: 14-554-R6-Rev 2, Date Issued: February 2023, received by the Local Planning Authority on 13th February 2025, have been reviewed and are considered acceptable.

The Environment Agency (EA) advised in a letter dated 20th February 2025 that they have previously been provided with a copy of the 'Specification for the Consolidation of Abandoned Mine Workings' report dated June 2021 (Ref: 14-554-R6) and recommended discharge of condition 10iii. In view of this, they revised their comments. Having reviewed the Mine Workings Stabilisation Completion report dated June 2023 (Ref: 14-554-R5-2) the EA are satisfied the grouting works have been completed in line with the requirements detailed in the Specification for the Consolidation of Abandoned Mine Workings report and have no requirements for further works at this time in respect of controlled waters. Given this, the EA have no further objection to the discharge of condition 10iii. However, they have stated their comments in relation to 10iii only relate to the protection of controlled waters and not stability aspects given these lay outside of the remit of the Environment Agency.

The Coal Authority confirmed in their letter dated 20th December 2024 that on the basis that commentary on page 48 of the Validation Report (November 2024 by e3p) confirms that the previously identified shallow coal mine workings

underlying the site have been consolidated and recommended the discharge of condition 10.

- 25 Notwithstanding the details shown on the approved plans, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Officer Response: Drawing No: P.1580.21.03 Rev A - Landscape Layout 1/2, Drawing No: P.1580.21.03 Rev A - Landscape Layout 2/2, Drawing No: P.1580.22.04 Rev B - Planting Plan (1 of 8), Drawing No: P.1580.22.04 Rev B - Planting Plan (2 of 8), Drawing No: P.1580.22.04 Rev B - Planting Plan (3 of 8), Drawing No: P.1580.22.04 Rev B - Planting Plan (5 of 8), Drawing No: P.1580.22.04 Rev B - Planting Plan (5 of 8), Drawing No: P.1580.22.04 Rev B - Planting Plan (6 of 8), Drawing No: P.1580.22.04 Rev B - Planting Plan (7 of 8) and Drawing No: P.1580.22.04 Rev B - Planting Plan (8 of 8), received by the Local Planning Authority on 12th February 2025, has been reviewed and is considered acceptable. The approved landscaping shall be implemented in complete accordance with the approved details in order to comply with the requirements of the condition.

- 26 No part of the development shall be occupied until a sustainable drainage management and maintenance plan for the lifetime of the development is submitted to and approved in writing by the local planning authority. The sustainable drainage management and maintenance plan 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 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.

OFFICER Response: The Sustainable Drainage and Landscape Management Plan by Kellen Homes, received by the Local Planning Authority on 12th

February 2025, has been reviewed and is considered acceptable. The approved sustainable drainage management and maintenance plan shall be implemented in complete accordance with the approved details in order to comply with the requirements of the condition.

- 28 Notwithstanding the approved Noise & Vibration Assessment (P21-051-R01v6), no part of the development shall be occupied until full details of any noise mitigation measures have been submitted to and approved by the Local Planning Authority. These measures shall include:
- i. Acoustic barriers to residential gardens; and
 - ii. Glazing, external walls, and ventilation specifications

A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwelling requiring upgraded acoustic mitigation measures.

Reason: To safeguard the living conditions of future residents in accordance with Core Strategy Policy G9 and the National Planning Policy Framework.

Officer Response: The Noise Mitigation Verification by Kellen Homes, received by the Local Planning Authority on 4th December 2024, the Noise Mitigation Verification by e3p, Date: 12th March 2025, received by the Local Planning Authority on 12th March 2025 and the following drawings, received by the Local Planning Authority on 8th April 2025 have been reviewed and are considered acceptable.

Drawing No: CAS 13757 _01 Rev A - ACACIA 959
Drawing No: CAS 13757 _02 Rev A - ADU 835
Drawing No: CAS 13757 _03 Rev A - ADU 1009
Drawing No: CAS 13757 _04 Rev A - CEDAR 959
Drawing No: CAS 13757 _05 Rev B - CHERRY 1221
Drawing No: CAS 13757 _06 Rev A - CYPRESS 994
Drawing No: CAS 13757 _07 Rev A - EION 649
Drawing No: CAS 13757 _08 Rev A - ELDER 998
Drawing No: CAS 13757 _09 Rev A - ELDER CT 998
Drawing No: CAS 13757 _10 Rev A - EMERSON 1064
Drawing No: CAS 13757 _11 Rev A - GARTH 908
Drawing No: CAS 13757 _12 Rev A - GORM 912
Drawing No: CAS 13757 _13 Rev A - HAZEL 1082
Drawing No: CAS 13757 _14 Rev A - HICKORY 767
Drawing No: CAS 13757 _15 Rev A - KATRINE 854
Drawing No: CAS 13757 _16 Rev A - KINDORD 854
Drawing No: CAS 13757 _17 Rev A - LAUREL 1036
Drawing No: CAS 13757 _18 Rev B - LAVENDER 1259
Drawing No: CAS 13757 _19 Rev A - LOYNE 857
Drawing No: CAS 13757 _20 Rev A - MAPLE 912
Drawing No: CAS 13757 _21 Rev A - OLIVE 770
Drawing No: CAS 13757 _22 Rev B - ROTH 764
Drawing No: CAS 13757 _23 Rev A - ROWAN 1028
Drawing No: CAS 13757 _25 Rev A - TEAK 994
Drawing No: CAS 13757 _26 Rev A - WALNUT 912
Drawing No: CAS 17111 _02 Rev A - SPRUCE 1020 - ROCH

The approved measures shall be implemented in complete accordance with the approved details in order to comply with the requirements of the condition.

Yours faithfully,
Melanie Hale
Head of Planning Services