



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01551/FUL

Name and address for correspondence:	Applicant name:
Mr Richard Shepherd Nexus Planning Eastgate 2 Castle Street Castlefield Manchester M34LZ	Rochdale Borough Council

Part I - Particulars of Application

Date of Application: 20 February 2023

Proposal:	Public realm works including: new public square; relocation of taxi rank and car parking spaces; and associated works.
Location:	Rochdale Station Square , Rochdale, OL11 1DR

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans and documents:-

36072-L-91-101 Rev A Landscape Proposals General Arrangement Plan
36072-L-91-050 Rev A Landscape Proposals Illustrative Masterplan
Arboricultural Impact Assessment Report reference 70097916-ARB-001 dated October 2022
Ecology Survey and Assessment dated January 2021

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

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

- 3 Prior to commencement of development, a fully detailed scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The details shall follow the key principles contained within the Design and Access Statement and shall include:

- Hard surfaced areas and materials
- Raised beds, planters and kerbstones
- Finished ground levels
- Planting plans, specifications and schedules (including planting size, species and numbers/densities), tree planting heights and species maximum heights
- Existing plants / trees to be retained
- A scheme for the timing / phasing of implementation works.
- Arrangements for the retention of the café spill out space to the front of the health centre
- Samples of all hard surface materials shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping works shall be carried out in accordance with the approved details, and in accordance with the scheme for timing / phasing of implementation.

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. Any hard surfacing materials shall be retained and should future replacement be necessary, such materials shall be as per those originally approved.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development, and in the interest of protecting the character and significance of heritage assets and their settings, in accordance with policies P2, P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Owing to the nature of the development, it is not considered that the condition could otherwise be made enforceable.

- 4 Prior to the installation of any of the following elements indicated in the approved plans, and notwithstanding the approved details, full design details for all such elements shall be submitted to and approved in writing by the Local Planning Authority.

- Final positions and designs of proposed cycle stands
- Bespoke concrete block benches
- Art sculpture plinth
- Proposed artwork
- Concrete sitting steps
- Proposed signage wall
- Bollards
- Any other signage, fences or enclosures within the scheme

The development shall be undertaken in strict accordance with the approved details.

Reason: Insufficient details have been submitted and in order to ensure a satisfactory appearance in the interests of visual amenity and in the interest of protecting the character and significance of heritage assets and their settings, in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 The development hereby approved shall be undertaken in accordance with the tree protection measures set out in the Arboricultural Impact Assessment Report reference 70097916-ARB-001 dated October 2022.

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

- 6 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The development shall be carried out in accordance with any agreed mitigation strategy.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Construction works on site have the potential to disturb nesting birds from the initial stages and are therefore to be protected prior to works starting on site.

- 7 Prior to the commencement of development, a statement and design details setting out how the approved development will comply with the design guidelines set out in sections 3.3 and 4 of the Crime Impact Statement submitted with the application shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

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

Reason for pre-commencement condition: Owing to the nature of the development, it is not considered that the condition could otherwise be made enforceable.

- 8 Prior to the commencement of development, details of a sustainable surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365 guidance.

(ii) For areas outside the public highway, any discharges to public combined sewer shall incorporate a reduction in the rate of discharge of surface water of at least 50%.

(iii) Levels of the proposed drainage systems including proposed ground levels in AOD.

(iv) A brief Maintenance Document for any SUDs that are included.

(v) Details of Highway Drainage to the public highways that pass through the site, although it is acknowledged that the highway does not require surface water attenuation.

The calculation of the existing surface water runoff from the site shall be based upon the Rational Method, or other similar agreed method. The flow control rate of surface water to public sewer shall be for 50% of the existing Q_{bar} rate. Q_{bar} is the average annual flood event and accepted as the storm event for 1 in 2.3 year return period). The Council's Lead Local Flood Authority Officer can be consulted to agree the calculation method.

It is expected that the proposed sustainable surface water drainage scheme will require the use of attenuation storage. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The approved drainage schemes shall be completed in full in accordance with the approved details prior to the first public opening of the approved development, and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

- 9 No development shall take place (including any site clearance or preparation works) until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the Local Planning Authority. The CMS shall include the following:

- i. the amount of construction vehicles movements and vehicular routes;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii. details of noise reduction measures
- ix. measures for the protection of the natural environment from accidental spillages, dust and debris;
- x. hours of construction, including deliveries; and
- xi. measures for protection of the existing water mains and sewers within the site.

The development shall be carried out in accordance with the approved CMS during the construction period.

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

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of adjacent premises and users, prior to commencement of any works taking place.

- 10 No development shall take place within any phase of development, including any works of excavation or demolition, until a detailed Construction Traffic Management Plan (CTMP) to include the following:

- Construction operating hours and vehicle delivery hours.
- Location of proposed construction compounds and lay-down areas.
- On-site construction vehicle parking and manoeuvring.
- Staff parking arrangements and details of supporting staff /operative travel management initiatives, including encouraging staff travel outside of the traditional AM & PM 'rush hour' periods.
- Off-site construction HGV routing for each delivery phase.

- Driver incentive / disciplinary procedures to ensure suitable HGV routing.
- Construction HGV haulage route signage strategy.
- Construction vehicle cleansing procedures and details of load sheeting / covered load policy.
- Management and procedures for access by abnormal loads.
- Programmed duration and timing of short term material import / export HGV campaigns.
- Programmed temporary road closure / temporary traffic management works and details of supporting information campaigns as relevant.

has been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved CTPM during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will generate a number of vehicular movements an understanding will therefore be necessary of what measures will be put in place to protect the amenity of adjacent premises and users, prior to commencement of any works taking place.

- 11 No external lighting to be used in association with the development hereby approved shall be installed until full design details of such lighting has been submitted to and approved in writing by the local planning authority. The lighting shall be installed, operated and maintained in accordance with the approved details.

Reason: In the interests of amenity in compliance with policies DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

- 12 Prior to commencement of development, details of measures to achieve biodiversity enhancements as part of the approved development, in accordance with the recommendations (Section 4) of the Ecology Survey and Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for the enhancement of the nature conservation value of the site in accordance with Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: Owing to the nature of the development, it is not considered that the condition could otherwise be made enforceable

- 13 No development shall take place 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
 - o Property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes
 - o Adjoining land
 - o controlled waters, ground waters and surface waters
 - o Ecological systems

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

With respect to the potential risks to controlled waters, the risk assessment and remedial measure shall be prepared with reference to the Environment Agency's guidance on managing contamination risks to the water environment set out in their published 'Guiding Principles for Land Contamination'.

Reason: To prevent pollution of the water environment with regard the industrial history of the site, and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Commencing development otherwise may give rise to unacceptable risks arising from land contamination.

- 14 Prior to commencement of development, a statement (and supporting technical details as necessary) setting out how the development hereby approved will ensure an acceptable standard of accessibility for all visitors (including those with disabilities) to premises around the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to support the accessibility objectives of Strategic Objectives SO4 and SO5 and policies T1 and T2 of the adopted Rochdale Core Strategy 2016.

Reason for pre-commencement condition: Owing to the nature of the development, it is not considered that the condition could otherwise be made enforceable.

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 26 July 2023

Daniela Ripa
Interim Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and

problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.