

29<sup>th</sup> June 2023

Our Ref: 9901.002



**Juan Murray** is dealing with this matter  
Direct Dial: **07767 161345**  
email: [JuanMurray@tep.uk.com](mailto:JuanMurray@tep.uk.com)

Genesis Centre  
Bilchwood Science Park  
Warrington  
WA2 7BH

Tel: 01925 844004  
Fax: 01925 844002  
[tep@tep.uk.com](mailto:tep@tep.uk.com)  
[www.tep.uk.com](http://www.tep.uk.com)

Other Offices:

Market Harborough | Gateshead | London | Cornwall

Development Management  
Rochdale Borough Council  
Number One Riverside  
Smith Street  
Rochdale  
OL16 1XU

PLANNING | DESIGN | ENVIRONMENT

Dear Sir/Madam,

## NOTIFICATION TO UTILISE PERMITTED DEVELOPMENT FOR REPLACEMENT OF A SUBSTATION ON OPERATIONAL LAND AT LITTLEBOROUGH SUBSTATION, LITTLEBOROUGH, ROCHDALE, OL15 8JP.

TEP are writing on behalf of Electricity North West Ltd (ENWL) who wish to demolish the existing substation and erect a replacement substation under permitted development rights at William Street, Littleborough, Rochdale, OL15 8JP. Existing and proposed site layouts and elevations are submitted alongside this letter for the purposes of gaining the council's prior approval for the detailed replacement substation design.

### Land Ownership

The land is owned by Electricity North West Ltd and the full land ownership boundary is shown in the enclosed 'Existing Site Layout' plan. The land is classed as operational land.

### Planning History

There is no recent planning history on the site. However, there are a number of applications dating from the late 1970s, 1980s and early 1990s which relate to the nearby industrial buildings. For example, relating to the erection of an industrial unit (87/D21081), change of use (82/D13470 and an extension to an existing factory (79/D09954). The red line boundaries of a number of these applications cover part of the Littleborough Substation site area. There are no recent applications relating to the substation itself.

### Proposed Development

The Proposed Development seeks to demolish the existing substation and erect a replacement substation in a phased approach, orientating the plant and buildings within the site to reflect the operational requirements. The new development comprises a new 6.6kV switch house,



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two new transformer compounds, a new single WC building and the relocation of the site entrance on a non-classified road.

The site currently comprises a brick building (a switch house) in the western half of the site and attached WC building, with two transformer compounds to the east of the building. The site boundary is formed partly by the brick wall of the building and transformer compounds and partly by metal fencing. William Street is to the north of the site and Butterworth Street to the east. There are commercial land uses to the east, south and west, there is housing to the north.

It is anticipated that works will commence on site in September 2023 with the construction of the new switch house. The existing building will be demolished around January 2025 to make space for the new transformer compounds.

## Legislation

### *Operational Land*

The definition of operational land is outlined in the Town and Country Planning Act 1990. In relation to statutory undertakers, operational land is defined in Section 263 as:

*‘(a) Land which is used for the purpose of carrying on their undertaking; and*

*(b) Land in which an interest is held for that purpose’*

Sub-paragraph (a) of Section 264(1) states that land is not operational land when the interest was acquired on or after the 6<sup>th</sup> December 1968. Electricity North West’s interest in the land pre-dates this, with the North Western Electricity Board seeking planning permission for the Littleborough substation in 1964. The site has been in ENWL continual ownership since 1964 and therefore constitutes operational land.

### *Permitted Development*

## Plant and Buildings

*Part 15, Class B – Electricity Undertakings* of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO) states that the following is permitted development (emphasis added):

*B. Development by statutory undertakers for the generation, transmission, distribution or supply of electricity for the purposes of their undertaking consisting of-*

*(a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line*

The demolition and erection of new switch house and transformers amounts to the replacement of transforming or switching stations or chambers reasonably necessary in connection with an electric line. These works therefore fall to permitted development.

Part 15, Class B, sub-paragraph (f) of the GPDO states that the following is permitted development:

*(f) any other development carried out in, on, over or under the operational land of the undertaking.*

Except where, it would consist of or include *(B.1 Development not permitted)*:

*(i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected, or*

A new single WC building will be built, replacing the existing WC currently attached to the existing switch house. This is essential for the safe maintenance of the substation. This falls to permitted development, as it represents the reconstruction or alteration of the existing WC building (in a different location within the site), with little material change to the external appearance (a small brick building).

## Bat Survey

### Preliminary Bat Roost Assessment

A preliminary roost assessment was undertaken in accordance with the Bat Conservation Trust (BCT) Good Practice Guidelines (Collins, 2016). The survey was undertaken by TEP Ecologist Tom West (Bat Licence reference (level 4): 2022-10876-CL20-BAT) on 27<sup>th</sup> March 2023. The building was surveyed externally for characteristics that may be used by roosting bats. Potential access points into internal voids were noted as well as any crevices that would provide any roosting opportunities. Direct evidence of the presence of bats was also gathered, including first-hand sightings, droppings, urine stains, odour, scratch marks, grease stains and feeding remains.

The building is located within an urban environment, however it is located within approximately 60m of open greenspace, which is further connected to a range of habitats (including grasslands, woodland, waterbodies and hedgerows), all within the core sustenance zone of UK bat species that may roost at the substation. The substation offers multiple features suitable for crevice dwelling species of bat (including vent bricks and mortar gaps), however the noise and vibration from the transformers limits suitability. Overall, the substation is considered to offer moderate suitability for summer roosting bats.

### Further Bat Surveys

Further Bat Surveys (dusk emergence/dawn re-entry surveys) are currently being carried out to determine whether or not bats are using the site. These surveys will be completed and the findings presented to Rochdale Borough Council prior to any works taking place.

## Summary

As outlined above, the site is Operational Land as defined by the Town and Country Planning Act 1990 and ENWL are a Statutory Undertaker that benefit from Permitted Development Rights.

Part 15 Class B of the GDPO states that statutory undertakers can replace transforming or switching stations or chambers reasonably necessary in connection with an electric line. The reconstruction of buildings on operational land where design or external appearance are not materially affected is also permitted development.

We trust this letter and supporting information contains sufficient information for you to determine the prior approval application.

Yours faithfully,



Juan Murray  
Associate Director  
TEP

Encl.

- Existing Site Layout (304884-00091-002)
- Proposed Site Layout (304884-00092-002)
- Existing Site Elevations (304884-00093-002)
- Proposed Site Elevations (304884-00094-002)
- Preliminary Bat Roost Assessment (9901.001)