

APPLICATION NUMBER: 24/00253/VRCON

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00253/VRCON

CASE OFFICER

Tom Hiles

DETERMINATION DATE 07.05.2024 **EXT OF TIME** 28.08.2024

Address: Land To Rear Of Astra Centre, Royal Barn Road, Rochdale

Proposal: Section 73 application to vary conditions 2 (Plans), 3 (Drainage Pre-Commencement), 5 (Planting) and 7 (Acoustic Fencing) of planning permission 21/01098/FUL to amend the site layout and infrastructure amendments

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	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/A
	Neighbour comments received?	N

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

RECOMMENDATION

Approve with conditions

CHECKED AND SIGNED OFF BY:

LA

DATE: 27.08.24

SITE

The application site relates to land positioned between Royle Barn Road and Manchester Road in Rochdale, which is subject of an existing approval ref 21/01098/FUL, which was for:

Construction of 40MW energy storage facility (with an operational limit of 35MW), with associated control and auxiliary equipment, parking, boundaries, and landscaping. Creation of associated vehicular access on to Royle Barn Road

PROPOSAL

The application seeks to amend elements of the approved scheme by varying conditions on the approved scheme, as follows:

- Condition 2 – approved plans
- Condition 3 – drainage
- Condition 5 – planting
- Condition 7 – acoustic fencing

The application notes that the changes to the scheme would change the arrangement of batteries to be single stacked (which were double-stacked on the original approval), with a reduced acoustic fence height, and other elements re-arranged around the site. This includes repositioning of the access gate and updated landscape details including additional native buffer planting and tree planting, and reductions to the heights of the approved site fence and gates. The application is supported by an updated noise impact assessment and amended drainage details. The drainage details were further amended during determination in response to comments from the drainage arrangement. The submitted landscape plan was also amended during determine to reinstate bird boxes which had been included on the previously approved plans.

RELEVANT PLANNING POLICY

National

National Planning Policy Framework (NPPF) – December 2023
National Planning Practice Guidance (NPPG)

Overarching National Policy Statement for Energy (EN-1)

The National Policy Statements (NPS) sets out national policy for energy infrastructure and is a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended).

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 nine authorities covered by the plan on 21st March 2024. The following policies are relevant:

- | | |
|-------|--------------------------------------|
| JP-S1 | Sustainable Development |
| JP-S2 | Carbon and Energy |
| JP-S4 | Flood Risk and the Water Environment |
| JP-G9 | Biodiversity and Geodiversity |

Local

Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
DM1	General development requirements
SO1	Delivering a more prosperous economy
E2	Increasing jobs and prosperity
E3	Focusing on economic growth corridors and areas
SO3	Improving design, image and quality of place
P1	Improving image
P3	Improving design of new development
SO4	Promoting a greener environment
G3	Renewable and low carbon energy developments
G6	Enhancing green infrastructure
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
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Rochdale Unitary Development Plan (UDP):

A number of policies contained within the Unitary Development Plan have been saved following the adoption of the Core Strategy. The following saved policies are relevant:

G/D/1	Defined Urban Area
EC/2	Primary Employment Zones
EC/8	Development Sites in Employment Zones

RELEVANT SITE HISTORY

21/01098/FUL - Construction of 40MW energy storage facility (with an operational limit of 35MW), with associated control and auxiliary equipment, parking, boundaries, and landscaping. Creation of associated vehicular access on to Royle Barn Road. Approved, 10.02.2022

23/00422/DOC - Submission of details to comply with condition 9 (nesting birds) on planning permission 21/01098/FUL. Approved, 26.07.2023

22/00843/DOC - Submission of details to comply with condition 3 (drainage) on planning permission 21/01098/FUL. Approved, 12.09.2023

CONSULTATION RESPONSES

Environmental Health (Noise): No objections

United Utilities: No objections.

Lead Local Flood Authority/Drainage: Proposed drainage arrangements are acceptable

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a notice was displayed within the vicinity of the site.

One comment was received from an adjacent site owner querying when the application may be determined.

No public objections or other representations were received.

ANALYSIS

Principle of Development

The principle of development was established by the existing permission, which is still extant. The planning policy context has changed with the subsequent adoption of Places for Everyone, but it is not considered that there are any relevant changes to policy which change the acceptability of the proposal in principle. Accordingly, it is considered that the principle of the development remains acceptable.

Design

Core Strategy policies P1 *Improving image* and P3 *Improving design of new development* set out the Council's expectations for achieving high-quality design (including landscaping) in new developments.

The current application would involve changes to the layout of the scheme and design of individual elements, but given the industrial and utilitarian appearance of the approved development (and of surrounding development) these changes are not considered to give rise to any additional considerations in terms of design policy. The amended landscaping details are considered to be acceptable.

Flood Risk and Drainage

Policy G8 sets out the Council's approach to managing water resources and flood risk in new development.

The original approval was subject to a condition for further approval of a scheme of surface water disposal. The current application includes such a scheme, which has been reviewed by the Council's drainage officer. The submitted details were amended during determination in response to feedback and queries from the drainage officer, who has indicated that the finalised details are acceptable. As such, the proposal is considered to be acceptable in terms of managing surface water and flood risk.

Residential Amenity

Core Strategy policy DM1 *General development requirements* notes that all development proposals should not adversely affect the amenity of residents or users through impacts including visual intrusion, overbearing impact, overshadowing or loss of privacy. The amendments are not considered to give rise to any additional considerations in terms of residential amenity.

Noise

The approved scheme was supported by a Noise Impact Assessment proposing the installation of a 6m high acoustic fence to prevent adverse noise impacts from the development. The current application includes an amended drawing indicating that the height of the fence would be reduced to 3m, and a technical note as an update to the original NIA, which indicates the layout of the acoustic fence within the revised scheme. The technical note explains that an updated assessment of the revised scheme shows that predicted noise levels during the day are well below background noise levels, and noise levels at sensitive receptors meet relevant noise standards. The Council's noise officer has been consulted on the amendment application and has raised no objection to the amendments.

Access, Highways and Parking

Core Strategy policy DM1 sets out the Council's expectations in relation to vehicular access, adequate parking, manoeuvring, and servicing arrangements.

Access arrangements onto the highway would be unchanged and the proposed amendments are not considered to give rise any additional considerations in terms of vehicle access and highways safety.

Ecology

Core Strategy policy G7 sets out the Council's approach for protecting and enhancing biodiversity.

The original approval was subject to a number of conditions relating to ecology, including the implementation of an approved landscaping scheme to include areas of native shrub and meadow grass planting and three new trees, and indicating the installation of two bird boxes to existing trees on-site. The current application is supported by updated landscaping details which reposition the new trees and more extensive native shrub planting around three sides of the site. These updated details were amended during determination to reinstate bird boxes which were indicated on the landscape details previously approved. The amended details are considered to be acceptable in terms of their ecological benefits and the application is therefore considered to remain acceptable in terms of policy G7.

CONCLUSIONS AND RECOMMENDATION

The development as amended would remain acceptable in principle and would not give rise to any additional considerations in terms of design, ecology, amenity, surface water management and flood risk, highways safety, or any other planning considerations.

The proposal is therefore considered to be acceptable in terms of the relevant policies of the development plan, and therefore to comprise sustainable development. Accordingly, the application is recommended for approval, subject to the following conditions.

Procedural note:

It is understood that the existing permission has commenced and as such the commencement deadline condition (1) on the original permission is no longer required.

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS:

1. This permission relates to the following plans and report:-

- Location Plan (ref: 23191-0201 rev P1)
- MAS008-PL-01 - Royle Barn Road site layout plan Rev P5 (1:1000)
- MAS008-PL-02 - Royle Barn Road site layout plan Rev P1 (1:500)
- 001 - TX + MV Skid
- 002 – Auxiliary Transformer Elevation
- 003 - Envision Liquid-Cooled BESS DC Side
- 004 - DNO Control Room Elevation
- 005 - BESS Switchroom + Control Room
- 006 - Battery Cabinet Elevation
- 007- Fence
- 008 - Welfare
- 009 – Battery Inverter
- 010 – Gate
- 1330/01 Rev B (09/08/24) - Landscape Proposals
- ROY-PPC-00-XX-DR-C-0211 Rev P5 - External Works Drainage Strategy
- SD-01 3m Acoustic Fence
- Battery Energy Storage Site, Royle Barn Road, Rochdale – Noise

and the development shall be carried out in complete accordance with these drawings and the report 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 Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

2. The development shall be undertaken in accordance with the drainage details indicated in approved drawing ref ROY-PPC-00-XX-DR-C-0211 Rev P5 - External Works Drainage Strategy and in the email received by the Local Planning Authority from Enzygo on 15.08.2024

Reason: 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 the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. The development shall be carried out in complete accordance with the recommendations contained within the Construction Management Plan (ref: SHF.349.013 dated July 2021) approved under the original planning permission ref 21/01098/FUL.

Reason: To minimise detrimental effects to 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 emerging Core Strategy and the National Planning Policy Framework.

4. The development hereby permitted shall not be brought in to use until the planting shown on the Landscape Proposals (ref: 1330/01 Rev B dated 09/08/24) has been implemented in full, including the installation and the positioning of the bird boxes. 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.

5. The development hereby permitted shall not be brought in to use until the boundary treatments shown on the approved plans have been erected in accordance with the approved details. Notwithstanding any detail shown on the approved plans, the palisade fencing shall be colour treated Green (RAL 6005) upon installation and retained as such thereafter.

Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The acoustic fencing shall be erected in full accordance with drawing titled Figure 1 – Site Layout contained within the submitted Enzygo technical note dated 7th March 2024 and as shown on the approved drawing ref SD-01 3m Acoustic Fence prior to first use or operation of the facility hereby permitted and retained as such at all times thereafter.

Reason: In the interests of amenity and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. Other than lighting shown on the approved plans, no external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented and retained as such thereafter.

Reason: In the interests of amenity and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. No works, including any demolition works and the clearance of trees and shrubs, 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.

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

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.

Report Author Tom Hiles