ROCHDALE BOROUGH COUNCIL

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Date: 29 April 2021

Miss Anne Hargreaves
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29 King Street
Leeds
LS1 2HL

Dear Sir/Madam,

DETERMINATION ON APPROVAL OF DETAILS REQUIRED BY A CONDITION

Application No:	**21/00185/DOC**
Application Type:	**Approval of detail reserved by condition**
Proposal:	**Submission of details to comply conditions 9 (Archaeological Written Scheme of Investigation), 11 (Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS), 14 (Badger Sett Resurvey), 16 (Invasive Species Survey), 17 (Construction Management Plan), 18 (Biodiversity Mitigation), 19 (Site Investigation and Risk Assessment) and 21 (Ground and Floor Levels) of planning permission 20/00912/OUT**
Location:	**Land To The East Of Heywood Old Road, Middleton, OL10 2QL**

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

Conditions and Reasons:

9 With the exception of the access stub-road hereby approved, no development, including site preparation works, shall take place until the implementation of a programme of archaeological works has been secured, in accordance with a Written Scheme of Investigation (WSI) prepared by the appointed archaeological contractor and submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

a. A phased programme and methodology of fieldwork and recording to include:

i. geophysical evaluation survey
ii. evaluation trenching as required
iii. targeted open area excavation as required
b. A programme for post fieldwork assessment to include:
i. analysis of any site investigation records and finds
ii. production of a final report on the significance of the archaeological and historical interest represented.
c. Provision for publication and dissemination of the analysis and report on the site investigation.
d. Provision for archive deposition of the report, any finds and records of the site investigation.
e. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

The development shall be carried out in accordance with the approved WSI.

Reason: To protect the significance of any archaeological remains on the site in accordance with Policy P2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: There is a risk of disturbance to below ground features of archaeological importance on commencement.

Officer Response: The application is supported by a Written Scheme of Investigation (WSI) (Ref: LP3750C-A_WSI-v1.4). Greater Manchester Archaeological Advisory Services have been consulted and accept the WSI which allows for a partial discharge of Condition 9. Further archaeological investigation is required in the form of a strip, map, sample (SMS) excavation and scheme of evaluation trenching as a first phase of works. The results of the SMS and evaluation will be used to determine whether an additional phase of targeted excavation will be required on the site which will need to be reported, disseminated and archived to meet the full requirements of Condition 9.

11 With the exception of the access stub-road hereby approved, prior to the commencement of development (including site preparatory works), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS include:

a) Locations of retained trees and root protection areas of these trees
b) A specification for protective fencing to safeguard retained trees during groundworks and construction phases and a plan indicating the location and alignment of the protective fencing
c) Specifications of signage clearly defining tree protection areas
d) Location and installation of services/ utilities/ drainage
e) Methods of ground clearance which may be required within the root protection areas (RPA as defined in BS 5837: 2012) of the retained trees
f) Details of any required construction within the RPA or that may impact on the retained trees
g) A full specification for the installation of boundary treatment works which may affect trees
h) A methodology for Arboricultural site supervision and inspection by a suitably qualified tree specialist
i) An approach to reporting of inspection and supervision

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

Reason: To safeguard the trees, and to conserve biodiversity value in accordance with Policies G6, G7, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Protection measures for retained trees are required to be in place prior to commencement to ensure no damage is caused.

Officer Response: The application has been supported by a Trees and Construction BS5837:2012 Tree Survey; Arboricultural Implications Assessment & Method Statement (ref: Edgar Wood Academy/A3, dated 18/12/20). Greater Manchester Ecological Unit has been consulted and confirmed no objection to the discharge of the condition. The development shall be implemented in strict accordance with the approved details.

14 With the exception of the access stub-road hereby approved, prior to the commencement of development (including site preparatory works), a re-survey of the site for badger setts shall be undertaken and the survey report shall be submitted to and approved in writing by the Local Planning Authority. The survey should incorporate recommendations, mitigation measures and timescales for implementation should badger setts be found. The development shall be carried out in full accordance with the approved details.

Reason: In the interests of species protection in accordance with Core Strategy policy G7 and the National Planning Policy Framework.

Reason for pre-commencement: No ground disturbance should take place without this work taking place.

Officer Response: The application is supported by a Badger and Water Vole Survey (ref: 20799/E1) which confirms that there are no evidence of badgers on the site. Greater Manchester Ecological Unit has been consulted and have confirmed the survey is valid and that as long as earthworks commences in the near future the condition can be discharged.

16 With the exception of the access stub-road hereby approved, no development (including site preparatory works) shall take place, until a survey for himalayan balsam and other invasive species, along with a scheme of works and timetable for the associated management / treatment of any invasive species identified, has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme of works and method statement shall be implemented in full throughout the course of the development.

Reason: 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 cause to be spread, and in accordance with the provisions of Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

Officer Response: The application has been supported by an Invasive Species Survey (ref: 20799/E6 dated 27/02/21). Greater Manchester Ecological Unit (GMEU) has been consulted and have confirmed that whilst Himalayan Balsam is present along the Whittle Brook, none is present on the site or within 7m of the site. GMEU have no objection to the discharge of Condition 16. The recommendations of the Invasive Species Survey must be implemented throughout the course of the development.

17 No development shall take place (including any site clearance works) in relation to each of the access stub-road works, the main site works, and the works to meet the requirements of Condition 3 until a Construction Management Plan (CMP) for the relevant works has been submitted to and approved in writing by the Local Planning Authority. Each CMP shall include details of the following:

a. the parking of vehicles of site operatives and visitors
b. loading and unloading of plant and materials
c. storage of plant and materials to be used in construction
d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
e. wheel washing facilities
f. Dust Management Plan to control the emission of dust and dirt during construction and an associated Construction Dust Assessment in accordance with IAQM guidance

g. a scheme for recycling/disposing of waste resulting from construction works
h. noise reduction measures
i. measures for the protection of the natural environment, including the Whittle Brook, from accidental spillages, dust and debris
j. hours of construction, including deliveries

Each approved CMP shall be adhered to throughout the relevant construction period unless the prior written permission of the Local Planning Authority has been sought and provided.

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

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 the commencement of the relevant construction works.

Officer Response: The application is supported by a Construction Management Plan (CMP, dated 14 April 2021) and a Dust Management Plan (DMP, ref: DMP-22257-21-61, dated Feb 21) for the main site works. Greater Manchester Ecological Unit and the Council's Environmental Protection Team and Highway Services have been consulted. All consultees accept the contents and recommendations of the CMP and DMP. The approved CMP and DMP shall be adhered to throughout the relevant construction period.

18 With the exception of the access stub-road hereby approved, no development shall take place until a scheme of biodiversity mitigation and enhancement measures, and a timetable for implementation, have been submitted to the Local Planning Authority for their approval. As part of the biodiversity enhancement, measures will be supplied that demonstrate (as far as relevant):

- Mitigation for loss of hedgerows, seasonal ponds and scrub
- Mitigation for loss of low ecological value grassland
- Mitigation for loss of bird nesting habitat

The development shall be carried out in full accordance with the approved details and timescales.

Reason: To ensure that the development provides biodiversity mitigation measures in accordance with Core Strategy policy G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure satisfactory details for development which will enhance nature conservation and biodiversity.

Officer Response: The application has been supported by a Biodiversity Mitigation and Enhancement Scheme (ref: 20799/E7 dated 08.04.21). Greater Manchester Ecological Unit has been consulted and have confirmed they have no objection to the discharge of the condition. The development shall be carried out in full accordance with the approved details and timescales.

19 With the exception of the access stub-road hereby approved, prior to commencement of development, a further targeted investigation and risk assessment 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 submitted to and approved in writing by the Local Planning Authority before development commences (with the exception of the access stub-road hereby approved). 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:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
o adjoining land,
o ground water and surface water,
o ecological systems,
o 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.

Reason: To ensure the safe development of the site in the interests of the amenity of existing residents and future site occupiers, and of the environment, in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

Officer Response: The application has been supported by a Phase 2 Ground Investigation (ref: EWA-CWR-00-XX-RP-GE-001 P03, dated 26 January 2021). The Council's Land Contamination Officer has been consulted and confirmed that the supplied report and recommendations are acceptable. The development shall be completed in full accordance with the approved recommendations of the report.

21 With the exception of the access stub-road hereby approved, no development shall take place until details of existing and finished ground levels across the site and finished floor levels of the buildings, relative to agreed off-site datum point(s), have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

Reason for pre-commencement condition: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

Officer Response: The application has been supported by an Outline Levels Plan (ref: EWA-ALA-00-XX-DR-L-0033-S3 P03). These levels are acceptable and subject to the development being completed in accordance with the submitted plan, Condition 21 is satisfied.

Yours faithfully,

MR Rose

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Signed on behalf of the Council