



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01282/FUL

Name and address for correspondence:	Applicant name:
Mrs Deborah Smith Smith & Love Planning Consultants Rational House 32 Winckley Square Preston PR1 3JJ	Sarfaraz AkramZouk Properties Ltd

Part I - Particulars of Application

Date of Application: 27 November 2023

Proposal:	Erection of warehouse unit (Class B8) with creation of new access from Dodgson Street and exit onto Crawford street, 2.4m paladin fencing and double leaf gates and with associated parking and landscaping - Resubmission of 22/01194/FUL
Location:	Site Of Former Venture Precision Engineering, Crawford Street, Rochdale,

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:

Site Location Plan. Drawing no: 7436-FWP-L(01)01
Existing site plan. Drawing no: 7436-FWP-L(02)01
Proposed site plan. Drawing no: 7436-FWP-L(02)02

Proposed roof and ground floor plans. Drawing no: 7436-FWP-L(04)01
Proposed elevations - Sheet 01. Drawing no: 7436-FWP-L(05)01
Proposed elevations - Sheet 02. Drawing no: 7436-FWP-L(05)02
Proposed site sections. Drawing no: 7436-FWP-L(05)03
Swept path analysis plan. Drawing no: 7436-FWP-L(06)01

and the development shall be carried out in accordance with these drawings and documents 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, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage. These are in accordance with the requirements of Core Strategy Policies P1, P2 and P3 and the National Planning Policy Framework.

- 4 No development shall take place until a Construction Environment Management Plan (CEMP), which shall include the following, has been submitted to, and approved in writing by the Local Planning Authority:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from construction works;
- h) hours for deliveries to and construction of the site;
- i) Risk assessment of potentially damaging construction activities;
- j) measures for the protection of the natural environment from accidental spillages, dust and debris;
- k) measures to ensure that any proposed development or other activity on site will not adversely affect the canal;

The approved CEMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CEMP without the prior written permission of the Local Planning Authority.

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 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 the surrounding environment and the functioning of the highway network prior to commencement of any building or engineering works on site.

- 5 Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination

risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority

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

Reason for pre-commencement condition: Contamination investigation and any required mitigation measures will require investigation before the significant disturbance to ground and removal of material.

- 6 No development shall take place until a photographic survey showing the pre-development photographic condition of the adjoining highway along Dodgson Street and Crawford Street has been undertaken and agreed in writing by the Local Planning Authority. The hereby development shall not come into use until a scheme for the resurfacing and/or repair of any the highway surface which has deteriorated in the intervening period (between pre and post development) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to occupation of any dwelling hereby approved.

Reason: Construction traffic associated with the development has the potential to cause further deterioration of the highway surface. The developer is required to undertake works of repair to the highway surface where deterioration arises as a result of its use by heavy construction vehicles in order to facilitate safe and convenient access and circulation for vehicle traffic in accordance with the requirements of Policy T2 of the adopted Core Strategy.

Reason for pre-commencement: To ascertain the level of damage that may be caused by the proposed development.

- 7 Notwithstanding the details shown on the approved plans, prior to first occupation of the hereby approved development, a scheme of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing, numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, protective measures and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with policies G6 and G7 of the Rochdale Core Strategy.

- 8 No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. If any retained tree is removed, uprooted or destroyed or dies (as a consequence of the development), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy G6 of the Rochdale Core Strategy.

- 9 The development hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks are submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 10 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.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PpE and the National Planning Policy Framework.

- 11 Notwithstanding the details shown on the approved plans, prior to first occupation of the hereby approved development, full details of the junction layouts at the access points shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details shall also include construction details. The junctions shall be retained as such thereafter.

Reason: In order to ensure safe and convenient access of the site, pedestrian safety and in the interests of highway safety in accordance with the requirements of policies DM1 and T2 of the adopted Rochdale Core Strategy and National Planning Policy Framework.

- 12 The access road shall be kept clear at all times and shall not be used for the storage of materials, goods or bins. The access road shall be retained for its intended use at all times.

Reason: In order to ensure servicing provision is clear of the highway and in the interest of highway safety in accordance with the requirements of policies DM1 and T2 of the adopted Rochdale Core Strategy and National Planning Policy Framework.

- 13 The development hereby permitted shall not be occupied until all vehicle parking spaces have been provided in accordance with the plans hereby approved. The

parking spaces shall be kept available for parking at all times thereafter and shall not be used for the storage of materials, goods or bins.

Reason: In order to ensure there is adequate provision for vehicles to be parked and adequate turning and servicing provision clear of the highway in order to comply with policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework

- 14 Prior to the occupation of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall be based closely upon the 'Proposed New Warehouse Drainage Strategy Layout (drawing no: 001A1; received by email on 16/02/2024)', and which includes 2no. 5 l/s flow control of surface water to two adjacent combined public sewers.

Reason: To promote sustainable development, manage the risk of flooding and pollution and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 15 The hereby permitted development shall only operate between 07:00 hours and 22:00 hours on all days.

Reason: In the interest of the amenity of neighbour residential uses and to prevent nuisance arising and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 16 Prior to the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. 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 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 in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

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 3 May 2024

Melanie Hale
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.