

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01281/FUL	Claire Ringwood	6 th June 2024

Address: Land rear of 8 Buckley Road, Rochdale, OL12 9DJ

Proposal: Erection of a detached commercial unit with mezzanine floor together with associated parking

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

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 13 June 2024

SITE

The application site relates to a vacant parcel of land that sits between, and to the rear of, 8 Buckley Road and Unit 1 Buckley Brook Mill. Buckley/Hey Brook runs to the south and east. Historically the area was covered by Buckley Brook Mill and Park Mill, as well as a terrace of back-to-back workers housing. Only a small portion of Buckley Brook Mill remains in the south western-corner of the site which is identified as a non-designated heritage asset.

The application site has been cleared although there are a number of trees that line the eastern end of the site which are outside the application boundary. There are residential properties opposite which are separated from the site by Buckley/Hey Brook. The surrounding area is predominantly industrial/commercial in nature comprising large brick and metal clad units.

The site is within Policy EC/2 (Primary Employment Zones) and Policy EC/8 (Development Sites in Employment Zones) and is within the Defined Urban Area (Policy G/D/1) and an SSSI Impact Risk Zone as identified in the Proposals Map of the saved UDP.

PROPOSAL

The application is for the erection of a 700sqm commercial unit which includes a mezzanine floor.

Access to the site is via the existing access between 8 Buckley Road and Unit 1 Buckley Brook Mill with the access road running along the southern boundary of the site. The proposed building would be to the north of the site with parking, bin and cycle storage to the east. The proposed unit would measure 52m in depth and 14m in width. It would have a shallow pitched roof measuring 8.75m to eaves level and 10m in height at its highest point.

The materials will consist of a 2.2m high brick base with metal sheet cladding above. Large roller shutter doors, windows and doors are all proposed at ground floor level. There is a two storey cargo lift element and a two storey enclosed staircase to the eastern elevation. 16 rooflights are also proposed.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

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

JP-S1 Sustainable Development
JP-S4 Flood Risk and the Water Environment
JP-J1 Supporting Long-Term Economic Growth
JP-J2 Employment Sites and Premises
JP-J4 Industry and Warehousing Development
JP-G1 Landscape Character
JP-G3 River Valleys and Waterways

JP-G7 Trees and Woodland
JP-G8 A Net Enhancement of Biodiversity and Geodiversity
JP-P2 Heritage
JP-C8 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

E2 Increasing jobs and prosperity
P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
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
T2 Improving accessibility
DM1 General development requirements

Unitary Development Plan (UDP):

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

RELEVANT SITE HISTORY

12/55717/FUL - Use of site for vehicle de-pollution, dismantling and storage including sale of car parts from integral trade counter, car sales, erection of 20 three-tier vehicle storage racks, formation of additional hardstanding areas, removal of roof to existing building, conversion of building to site office, and installation of 2.5 metre high fencing to western site boundary and 3 metre high railings to eastern site boundary. Approved 05/12/2012.

CONSULTATION RESPONSES

Environment Agency

No comments received.

Highways

Initial comments

The traffic generated by this proposal should not be problematic on the wider network. Adequate parking for this proposal is available on site. We have some concern about the suitability of the site access and request swept path analysis is completed and details of the access design should be submitted. We have no concerns regarding Refuse Collection from this location. No new highways are proposed as a result of this proposal. No changes to existing highways are as a result of this proposal. We have no new Road Safety concerns as a result of this proposal. We have no objections to this development following the latest submission of swept path analysis.

Greater Manchester Ecology Unit

Summary

Potential ecological issues include amphibians, Japanese knotweed, proximity to a watercourse and biodiversity net gain.

Protected Species

The site was assessed for protected species, whilst bats may fly over and badger cross the site and otter and water vole utilise the brook, the site is very unlikely to provide suitable habitat. Whilst measures to protect the Buckley Brook from external lighting has been recommended, I would regard the level of risk as very low and that therefore a condition would be unreasonable. *No further information or measures are required.*

Nesting Birds

There is very limited opportunity for birds to nest on the site, though there is potential habitat adjacent to the site along the Brook. I therefore recommend an informative.

Other Wildlife

There is a mill pond adjacent to the site that may provide breeding habitat for common amphibians such as common toad. The consultant also notes that hedgehog may cross the site. I would however regard this risk as very low. Badger have been recorded in the locality. I would therefore regard it as reasonable with regards badger and common toad to recommend a condition for the submission of a reasonable avoidance measures method statement for mammals including badger and amphibians.

Invasive Species

Japanese knotweed was recorded on the site. I therefore recommend a condition for the submission of a method statement detailing control measures.

Protection of Buckley Brook

The development has the potential to have negative impacts during and post construction with surface water proposed for discharge to the Brook. I am satisfied that during construction the risks can be dealt with via a conditions.

The effectiveness of the proposed surface water discharge measure to prevent pollution and limit flow rates should be put past your own internal drainage consultees and the Environment Agency as I am not qualified to determine whether they are adequate.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site generally has very limited habitat value consisting primarily of sealed and unsealed manmade surfaces. This will be replaced with new sealed surface and a building. The wildlife value of the site is also very low.

With regards BNG, I note the application was submitted in 2023 well before mandatory 10% BNG and is therefore technically exempt. It was however not validated until after 10% BNG became mandatory for major developments. The site also appears to have less than 25sqm of vegetation. It would therefore very likely be exempt under the de minimis rule even if subject to mandatory BNG. I therefore

would regard it as unreasonable to request a BNG assessment as the site value will be very close to zero.

The development does however fail to enhance the natural environment with no soft landscaping appearing to be proposed. I would therefore suggest that the provision of some urban native tree planting along the Brook boundary two or three are provided to comply with section 180 of the NPPF. *The details can be conditioned.*

Lancashire Wildlife Trust

The trust is not opposed to the development proposal, but would the following comments and recommendations that would provide some biodiversity benefits.

There would appear to be little ecological interest directly impacted within the application site and I note the recommendations within the Preliminary Ecological Appraisal Report (PEAR) that avoidance mitigation proposals are to be implemented to protect Buckley/Hey Brook, which runs adjacent to the eastern boundary of the site. I would however add that this protection should also be extended to the water body to the south of the eastern edge of the development area. A construction and maintenance plan should be prepared that details how construction materials and pollution are to be prevented from entering either the watercourse, water body or the wooded vegetation abutting the site to the east. Further, I would suggest that hard standing development could be pulled back from the areas abutting the watercourse and pond and that this could then act as a protective buffer zone that can then be planted up with appropriate native shrubs, enhancing the nature conservation interest of the site. I am assuming that the development is subject to the de Minimis exception from the mandatory delivery of 10% biodiversity net gain, however this should not mean that developments should not provide or seek to provide habitat enhancements or provision where possible.

I would recommend that as well as treating and eradicating the Japanese Knotweed, the Cherry Laurel recorded on site should also be removed. This is non-native shrub that tends to invade wooded areas and should therefore be prevented from spreading into the adjacent woodland habitat.

Where the design of the building allows, I would recommend that biodiversity enhancement for birds should also include the provision of Swift bricks and/or House Martin nest mould incorporated into the building design. Swift bricks are a universal nest brick for small bird species and should be installed in all new build developments, in accordance with best-practice guidance such as BS 42021 and CIEEM.

With regard to the drainage strategy, I would prefer to see a more natural approach to the provision of SUDS features. Underground storage tanks offer no biodiversity enhancement opportunities and the development could seek to include above ground natural SUDS features within the design where practicable. The development must not result in unacceptable levels of pollution, either individually or cumulatively with other existing or proposed development, during either the construction or operational phases of the development. There should be no adverse impact on the status on the adjacent water body nor on Buckley/Hey Brook.

Conservation Officer

The proposal is for the construction of a detached 10m high commercial unit on land off Buckley Road in Rochdale. Historically the area was covered by Buckley Brook Mill and Park Mill, as well as a terrace of back-to-back workers housing. While the footprint of Park Mill is similar to that of the building in-situ in the early 20th century, the current building on the site has been clad, obscuring any surviving historic fabric.

Of Buckley Brook Mill, only a small portion of a brick building remains in the south-western corner.

Former mills provide important evidence of the borough's industrial heritage, and are identified as non-designated heritage assets. In this case, much of the significance has been lost through either demolition or the obscuring of historic fabric.

The impact of a development on a non-designated heritage asset is a material planning consideration. A balanced judgement should be had, having regard to the significance of the asset and the scale of any harm or loss (NPPF paragraph 209). A heritage statement should have been required as part of the planning application. Buckley Mill is listed on the Council's register of NDHAs, which is publically available. The design and access statement is therefore incorrect when it states that there are no locally listed buildings within the vicinity of the site.

That being said, it is acknowledged that much of the historic fabric of both sites has either been lost or covered. This has resulted in the loss of much of the sites' significance. The new building would be a metal clad industrial unit in an area dominated by similar commercial units.

If it can be confirmed that no works are proposed to the existing structures, then given the context of the site and the nature of the development, it is likely that it would have a neutral impact on the significance of these non-designated heritage assets.

No objections, subject to the comments and conditions suggested by GMAAS with regards to below ground remains.

Greater Manchester Archaeological Advisory Service

Initial comments

The application is not supported by either a heritage statement or an archaeological assessment of the site and the Greater Manchester Historic Environment Record has not been consulted, contrary to the guidance set out in Policy 200 in the National Planning Policy Framework. The Design & Access Supporting Statement notes that the 'site is not situated adjacent to any Heritage Assets such as a Listed Building, Locally Listed Building and it is not located in a Conservation Area', but does not take account of any non-designated heritage assets or sites of potential archaeological interest that might be damaged or removed by the proposed development groundworks.

The application site incorporates part of the footprint of the former Buckley Brook Mill and what appears to have been a terrace of back-to-back workers' cottages, all of which are shown on late 19th-century mapping. Buckley Brook Mill is entered onto the Greater Manchester Historic Environment Record (ID Ref: 5100.1.0), although little detail is given other than it was probably established as a woollen mill in the later 19th century and was adapted subsequently for use as a cotton waste mill. The demolished parts of the former mill that are of potential archaeological interest include the steam-power plant, comprising the engine house, boiler house and chimney. The location of these former elements of the mill complex has yet to be determined, although a chimney annotated on the Ordnance Survey 1:2500 1st Revision map of 1910 suggests that at least part of the steam-power plant may lie within the application area. The sequence of historic mapping also shows that the footprint of the entire terrace of 12 back-to-back houses lies within the application site. The study of workers' housing has been identified as a legitimate avenue of

research in the current North West Historic Environment Research Framework, with a particular focus on back-to-back dwellings.

It may thus be concluded that there is some potential for the application site to contain below-ground remains of archaeological interest and, assuming that delivery of the proposals will require the existing ground surface to be stripped and / or ground-breaking works to install drainage, any archaeological remains of the mill's former steam-power plant and the associated terrace of back-to-back houses that do survive could be damaged by construction works. In view of this archaeological interest, some further investigation is warranted. This advice can be addressed through a programme of archaeological investigation that should be secured through a condition attached to planning consent.

GMAAS will monitor the implementation and progress of the archaeological works on behalf of Rochdale Borough Council.

Further comments

As I mentioned in my original consultation response, the study of 19th-century workers' housing has been identified as a legitimate avenue of research in the current North West Historic Environment Research Framework, with a particular focus on back-to-back dwellings. Previous excavations of this type of dwelling elsewhere across Rochdale and the wider region have yielded important information on their form and development, with a surprising number of variations to their internal layout. Very few, if any, of the examples excavated previously have been associated with a textile mill, as appears to be the case with those on Buckley Brook Street within the application area, suggesting that they may have been erected by the mill owner for key staff. As such, there is potential research interest in any surviving foundations of these houses that can elucidate their internal arrangement and any evidence for remodelling during the late 19th and 20th centuries. In addition, it is unclear from the information available whether the houses were built at the same time as the adjacent mill or if there was an earlier building connected to the operation of the mill occupying the same footprint; the first map to depict the buildings as back-to-back dwellings is the Ordnance Survey 1:2500 1st Revision map of 1910, whilst earlier mapping appears to show a single rectangular range. The historic mapping provides no indication that any of the back-to-back houses had a cellar, raising the possibility that the foundations of putative earlier buildings may survive intact beneath the floors of the houses. In view of the above, I still consider it appropriate to implement an archaeological watching brief during ground-breaking works.

Drainage Officer

The RIDA Drainage Strategy Plan indicates that sustainable drainage is proposed. The Drainage Officer has looked carefully at this document; the document and associated plans; the plans are labelled as Preliminary, have no date and do not appear to have been checked.

Issue 1:- The permeable paving type needs to be clearly explained on both the Drainage Plans and the Site Plans, and should avoid using shading that is generally shown for concrete slabs. It is important to have decided whether permeable block paving, or permeable tarmac, or permeable resin paving are to be used.

Issue 2: The Drainage Designer seems to be suggesting that the subbase will have an impermeable lining under it? Is that necessary? Filter drain pipe has been shown on the Drainage Plan in various locations, but there is nothing to indicate that this pipe would be located at the lowest elevations of the sub-base; moreover, it is poor practice to have sudden changes in direction without any rodding point chambers. It would be simpler to have no impermeable lining and simply lay a single straight filter

drain along the southern boundary and another along the eastern boundary with a second outlet pipework to the ditch (assuming that the lowest elevations of the new paving will be on the southern and eastern boundary)?

Filter drains within sub-base will always have a low flow, because water has to percolate through the open-graded subbase for considerable distances. Is there really a no need for a hydrobrake vortex flow control?

Issue 3: There is no indication of the laying details for the filter drain. Can it be laid directly into the open-graded gravel or does it need wrapping in perforated geotextile? Does each piperun need to be on a gradient? Should there be a long section, or can levels be shown on the plan?

Issue 4: Has the Drainage Designer obtained any guidance, from the supplier "Formpave" on the number of "distribution tanks"? See Fig 3 above. How does the Civil-Drainage Designer know if 3no. triple units are sufficient for this large building?

Issue 5: There is a combined sewer running along the southern boundary of the site. This does not seem to be shown on the Proposed Site plan nor the Proposed Drainage plan? Its location should be included on those plans.

SUMMARY

If the Applicant wishes to avoid a Preconstruction Drainage Condition, the more work to clarify the issues listed above must be submitted to the Planning Authority.

If the Applicant prefers to wait to provide the above clarifications at the Discharge of Planning Application stage, then a Drainage Condition should be secured.

Environmental Protection

The submitted report and recommendation for an investigation is acceptable however, a Site Investigation Assessment should be secured by way of condition.

Environmental Health

1. Air Quality Issues

The site is in the vicinity of other receptors and a dust management plan should be undertaken in accordance with the IAQM "Guidance on the assessment of dust from demolition and construction". The Environmental management plan does not consider the issues of dust from the site and this should be considered prior to approval.

The site is outside the air quality management area (AQMA), however, the impact upon A58 Halifax Road which is within the AQMA, should be considered.

In order to contribute to delivering the targets set in the draft GM Clean Air Plan, the Council is seeking the installation of Electric Vehicle Charging Points. All new non-residential buildings with more than 10 car parking spaces within the site boundary of the building are to have one charge point for one in 5 spaces. These charge points must have a minimum power rating output of 7Kw and fitted with a universal socket that can charge all types of electric vehicles currently on the market and meet safety and accessibility requirements. These charge points must be at least mode 3 or equivalent.

2. Conclusions

There are no Air Quality Impacts that prevent this development from being approved, subject to the following planning conditions:-

- the preparation of a Dust Management Plan, which includes mitigation measures, should be undertaken;
- An assessment of air quality having regard to its impact upon A58 Halifax Road;
- the installation of Electric Vehicle Charging Points at a ratio of one in 5 spaces on the site with a minimum power rating output of 7Kw and fitted with a universal socket that can charge all types of electric vehicles currently on the market and meet safety and accessibility requirements. These charge points must be at least mode 3 or equivalent.

United Utilities

No objection in principle but further detailed matter require resolution and comments have been raised in regards to drainage, water pipelines, wastewater pipelines, waste and water services.

[Officer Note: the applicant has been provided with United Utilities full comments]

REPRESENTATIONS

The application has been publicised through neighbour notification letters. One letter of support has been received saying the site is looking quite an eye sore and it is good to hear it will be brought in to line with other properties on this road.

ANALYSIS

Principle of development

The application site is located within the defined urban area and a primary employment zone as allocated under the saved UDP allocations plan. Saved Policy EC/2 establishes that within primary employment zones development and change of use for industrial, business and warehouse uses will be permitted where the proposals:

- are of an appropriate scale and character to the area;
- will cause no unacceptable environmental or amenity problems; and
- will cause no unacceptable traffic problems.

Policy E2 of the adopted Core Strategy also ensures that there will be a sufficient supply of suitable land, buildings and infrastructure to support the creation and retention of successful businesses. Policy JP-J2 of PfE states 'a diverse range of employment sites and accessible premises, both new and second-hand, will be made available across the Plan area in terms of location, scale, type and cost' whilst Policy JP-J4 states 'industrial and warehousing accommodation is essential to a wide range of businesses across many economic sectors.....At least 3,513,000sqm of new, accessible, industrial and warehousing floorspace will be provided in the Plan area over the period 2022-2039'.

The site is located within an existing industrial/commercial area where there are a mixture of larger and smaller industrial units in close proximity. Given the surrounding land uses and land allocation, it is considered that the principle of development for an industrial use is acceptable and in accordance with the requirements of saved UDP Policy EC/2, Policy E2 of the Core Strategy and Policies JP-J2 and JP-J4 of PfE.

Visual amenity and impact on a non-designated heritage asset (NDHA)

The impact of a development on a non-designated heritage asset is a material planning consideration (NPPF paragraph 209). A balanced judgement should be had, having regard to the significance of the asset and the scale of any harm or loss.

Policy P1 of the Council's adopted Core Strategy seeks to require design which is of a high standard, demonstrating innovation and originality, and maximising the potential for heritage assets to provide a sense of place and image. Policy P2 seeks to conserve, enhance and promote key heritage assets and utilise heritage assets positively and intelligently to strengthen identity and image, in addition to requiring new development to integrate successfully with the key natural features of the borough. Further to the above, Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place.

Policy JP-P2 of PfE states 'we will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings'.

The application proposes approximately 700sqm of warehouse to be used as a storage facility for new car parts and accessories. A mezzanine floor level is also proposed. The overall height of the proposed building will be 10m and 8.75m to eaves level. Parking, bin and cycle storage is proposed along the eastern boundary with the building proposed to the north boundary (behind the surviving building of Buckley Brook Mill). In respect of the design of the building and its impact on street scene, the development is considered acceptable in the context of the site. The proposed building will be set behind the remaining parts of Buckley Brook Mill but will be similar in appearance and style to the existing industrial buildings surrounding the site and it would be appropriate within the Primary Employment Zone.

No details of the proposed materials have been submitted other than they will include a brick base below metal cladded walls and roof. These materials are considered acceptable however, no specific details on colours/specification have been provided but officers consider these can be secured by way of a condition

The amended Proposed Site Plan identifies the provision of 5 new trees and landscaping to the south eastern corner of the site which will be welcome in terms of visual amenity and the impact on the woodland and Brook to the south and east of the site. The proposed building will be situated behind the remaining buildings at Buckley Brook Mill and set back from the road by approximately 36m. Although there will be clear views of the building behind the remaining Buckley Brook Mill, the amount of hardstanding for access, parking and turning already exists and it would not be unacceptable given the nature of the existing uses surrounding the site. No information regarding security fencing and gates has been provided however, this will be required through condition.

As mentioned above, historically the area was covered by Buckley Brook Mill and Park Mill as well as a terrace of back-to-back workers housing. Former mills provide important evidence of the borough's industrial heritage and are identified as non-designated heritage assets. In the case of Buckley Brook Mill, only a small portion of a brick building remains in the south-west corner and much of the significance has been lost either through demolition or the obscuring of historic fabric.

The applicant was asked to update the submitted plans as they did not accurately reflect the surviving buildings at Buckley Brook Mill which was required to establish whether any demolition works are proposed. The agent submitted this information on 5th June 2024 which was reviewed by the Council's Conservation Officer who advised the amendment was acceptable.

Given that no works are proposed to the existing structures and given the context of the site and the nature of development, it is likely that the proposal would have a neutral impact on the significance of the non-designated heritage asset and the Council's Conservation Officer raised no objections subject to the comments and condition suggested by Greater Manchester Archaeological Advisory Service (GMAAS) being imposed.

GMAAS provided detailed comments which are noted above. GMAAS highlight that 'the demolished parts of the former mill that are of potential archaeological interest include the steam-power plant, comprising the engine house, boiler house and chimney. The location of these former elements of the mill complex has yet to be determined, although a chimney annotated on the Ordnance Survey 1:2500 1st Revision map of 1910 suggests that at least part of the steam-power plant may lie within the application area' and 'the sequence of historic mapping also shows that the footprint of the entire terrace of 12 back-to-back houses lies within the application site. The study of workers' housing has been identified as a legitimate avenue of research in the current North West Historic Environment Research Framework, with a particular focus on back-to-back dwellings'.

GMAAS concluded that there is some potential for the application site to contain below-ground remains of archaeological interest. As the proposed development will require the existing ground surface to be stripped and/or ground breaking works to install drainage, any archaeological remains could be damaged. As such, a condition requiring the submission of a programme of archaeological investigation would need to be secured.

Further to the above, the development is considered acceptable in terms of visual amenity and impact on a non-designated heritage asset. The application therefore complies, in this regard with saved UDP policies GD/1 and EC/2, Core Strategy Policies P1, P2, P3 and DM1, Policy JP-P2 of PfE and the NPPF.

Residential amenity

Paragraph 131 of the National Planning Policy Framework advises that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

Although the application site is located within an allocated employment zone there are residential properties to the east, with the nearest curtilage of the nearest residential properties located approximately 30m to the east and south-east of the red line site boundary. However, the proposed building itself is approximately 68m from the closest residential property. To ensure that the development would not cause any undue disturbance to the residents of the nearby properties the Council's Environmental Health Officer has requested conditions requiring details of a Dust Management Plan along with mitigation measures, an Air Quality Assessment and the installation of an Electric Vehicle Charging point (to contribute to delivering the targets set out in the draft GM Clean Air Plan).

Officers are satisfied that there would be no detrimental impact to the living conditions of neighbouring properties in terms of loss of privacy, overlooking, loss of light, visual dominance or overbearing effects of the development.

As such, the proposal would sufficiently protect the amenity of surrounding occupiers and the development would, in this regard, accord with policies G9 and DM1 of the adopted Core Strategy.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the Core Strategy. Policy JP-C8 of PfE states that 'we will require new development to be located and designed to encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. We will do this by.....8. Ensuring that car parking provision is well integrated and unobtrusive, so it supports the street scene; and where appropriate parking provision is flexible and can be adapted over time to reflect demand'.

Access to the site will be via an existing access from Buckley Road. A Transport Statement has been submitted with the application which has been reviewed by the Council's Highways Officer. The Highways Officer has raised no objection to the proposal as adequate parking is available on the site and there are no road safety concerns. The Highways Officer did raise the matter of the suitability of the site access and requested swept path analysis along with details of the access design. It was suggested that this matter could be dealt with by way of a condition however, officers consider this matter needed to be addressed prior to the application being determined to establish that the site access was suitable for the proposed development.

The applicant submitted swept path analysis drawings on the 21st May 2024. These were reviewed by the Council's Highways Officer who advised that these were acceptable.

Bin and cycle storage are proposed to the eastern boundary of the site along with the proposed parking and these will be secured by way of conditions.

Taking the above matters into consideration and subject to relevant conditions, the proposed development is in accordance with policy T2 of the adopted Rochdale Core Strategy and JP-C8 of PfE.

Drainage and Flooding

Policy G8 of the adopted Rochdale Core Strategy, seeks to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. The policy aims to prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from development sites. JP-S4 of PfE states flood risk will be managed by '2. Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants'.

A Flood Risk Assessment has been submitted which states the site is located in Flood Zone 1 and the vulnerability classification of the development is 'less vulnerable' and concludes that subject to the proposed mitigation measures (which will be secured by condition), the site can be developed in accordance with the provisions of the NPPF and the requirements of the Environment Agency and the local planning authority. It continues, the report demonstrates that the proposal will

be safe, in terms of flood risk, for its design life and will not increase the flood risk elsewhere.

The application is also supported by a Drainage Strategy which has been reviewed by the Council's Drainage and Flooding Officer who advised there were various queries that needed to be resolved. The Drainage and Flooding Officer advised this matter could be dealt with by way of a suitable condition requiring the submission of details of a sustainable surface water drainage scheme and a foul water drainage scheme.

United Utilities have also made detailed comments as noted above and which have been provided to the applicant.

With the above conditions in mind, Officers consider that the proposed development would accord with policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

Ecology and Landscaping

Policy G6 establishes that development should protect and improve green spaces and where trees are to be removed they should be replaced at a ratio of 2:1. This is reinforced in Policy JP-G7 of PfE which states 'where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision'. Policy G7 of the Core Strategy requires developments to protect existing biodiversity including trees and vegetation. The NPPF also requires the planning system to contribute to and enhance the natural and local environment.

The application has been supported with a Preliminary Ecological Appraisal which has been reviewed by the Lancashire Wildlife Trust who do not object to the proposal but have raised a number of comments and recommendations that would provide some biodiversity benefits.

The Council's Ecologist has also reviewed the application and has advised there are a number of ecological issues in regards to:-

Protected species

Whilst bats may fly over and badger cross the site and otter and water vole utilise the brook, the site is very unlikely to provide suitable habitat. Whilst measures to protect the Buckley Brook from external lighting were recommended, the Council's Ecologist considers the level of risk as very low and no further information or measures are required.

Nesting Birds

There is very limited opportunity for birds to nest on the site although there is potential habitat adjacent to the site along the Brook. An informative is recommended in regards to nesting birds.

Other Wildlife

There is a mill pond adjacent to the site that may provide breeding habitat for common amphibians such as common toad. The consultant also notes that hedgehog may cross the site which the Council's Ecologist regards this risk as very low. Badger have been recorded in the locality and a condition will be imposed for

the submission of an avoidance measures method statement for mammals and amphibians to be submitted.

Invasive Species

Japanese knotweed was recorded on the site and a condition is recommended to ensure control measures are implemented. The Lancashire Wildlife Trust also recommended treating and eradicating Cherry Laurel which is a non-native shrub that tends to invade woodlands and it should be removed. This can be included in the wording of the condition.

Protection of Buckley Brook

The development has the potential to have negative impacts during and post construction with surface water proposed for discharge to the Brook. The Council's Ecologist is satisfied that during construction the risks can be dealt with via a condition. The Lancashire Wildlife Trust added that protection should also be extended to the water body to the south of the eastern edge of the development area and that a construction maintenance plan should be prepared and a protective buffer zone introduced by pulling back the hardstanding which can then be planted up with appropriate native shrubs. The Council's Ecologist suggested the effectiveness of the proposed surface water discharge measures to prevent pollution and limit flow rates should be considered by the Council's Drainage and Flooding Officer and the Environment Agency and the Lancashire Wildlife Trust would prefer to see a more natural approach to the provision of SuDs features and there should be no adverse impact on the status of the adjacent water body or on Buckley/Hey Brook.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

The site has very limited habitat value consisting primarily of sealed and unsealed manmade surfaces which will be replaced a new building and hardstanding. The wildlife value of the site is therefore very low.

The site is likely to be exempt under the de-minimis rule even if it had been subject to mandatory BNG and it would be unreasonable to request a BNG assessment as the site value will be very close to zero.

An amended Proposed Site Plan was submitted on 13th May 2024 to show soft landscaping, the provision of 5 new beech trees and the provision of protective measures to Buckley Brook. To ensure the detail of these proposals is satisfactory, this matter can be dealt with by way of condition. A condition will also be included to ensure other biodiversity enhancements are incorporated into the building where appropriate, including the provision of Swift bricks and or House Martin next moulds.

Officers are satisfied that the proposed development would therefore have an acceptable impact on ecology and landscaping subject to relevant conditions and would accord with Policy G6 and G7 of the adopted Rochdale Core Strategy and Policy JP-G8 of PpE.

Contamination and Land Stability

Policy G9 requires that any risks associated with contaminated land are identified and addressed prior to development. In addition, the borough has been subjected to past coal mining activity, which has left a legacy. It is therefore important that ground conditions are fully considered by developers as part of new development proposals and, where necessary, appropriate remedial measures must be set out and

implemented to address any issues of unstable land and ensure safety and stability of new development.

Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The application is supported by a Phase 1 GeoEnvironmental Desk Study which has been reviewed by the Council's Environmental Protection Officer who has advised the report and recommendation for an investigation are acceptable subject to a site investigation and assessment condition.

Subject to an appropriate conditions in respect of the above, the requirements of Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework in relation to contamination and land stability would have been satisfied.

RECOMMENDATION

GRANT subject to the following conditions:

TIME LIMIT

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).

APPROVED PLANS

2. This permission relates to the following plans:-

Drawing No: PL08 – Proposed & Existing Street Scenes
Received 8th January 2024

Drawing No: PL06 rev A – Location Plan
Received 22nd January 2024

Drawing No: PL07 rev A – Proposed Bin Store Plan
Drawing No: PL09 – Proposed Bin Store Plans and Elevations
Received 30th January 2024

Drawing No: PL05 rev A – Proposed Elevations
Received 28th February 2024

Drawing No: PL04 rev B – Proposed Plans
Received 19th March 2024

Drawing No: PL11 – Proposed Site Plan
Received 5th June 2024

and the development shall be carried out in complete accordance with these drawings 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.

MATERIALS (TO BE SUBMITTED)

3. Notwithstanding any description of materials in the application, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the building have first been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

CONSTRUCTION HOURS

4. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

VEHICLE PARKING (AS SPECIFIED)

5. The building hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

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, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

BIN STORAGE (AS SPECIFIED)

6. Prior to first occupation of the development hereby approved, the refuse and recycling storage facility shall be implemented fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the dwelling/building at all times.

Reason: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy T2 of the adopted Rochdale Core Strategy, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

CYCLE PARKING (TO BE APPROVED)

7. Prior to first occupation of the building hereby approved a plan showing covered and secure cycle parking provision can be satisfactorily provided on site shall be submitted to and been approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of

obstruction and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

Reason: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy T2 of the adopted Rochdale Core Strategy.

BOUNDARY TREATMENT (TO BE SUBMITTED)

8. No development shall commence until details of the proposed boundary fencing to all boundaries (if applicable) has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include retained, repaired and replaced fencing, height, materials and any additional measures/specifications. The details shall include any proposed gates within the site.

Reason: In the interests of visual amenity and the character of the area in accordance with Policy P3 of the Rochdale Core Strategy.

Reason for pre-commencement condition: Boundary treatment 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.

FLOOD RISK MANAGEMENT (AS APPROVED)

9. The development hereby approved shall be carried out in accordance with Section 6 – Flood Risk Management of the Flood Risk Assessment by RIDA Flood Risk Assessments and Drainage Strategies, Reference: 609 FRA-v1, Dated Jan-24.

Reason: In the interests of flood prevention in accordance with saved UDP policy EM/7, Policy G9 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

SUSTAINABLE SURFACE WATER DRAINAGE (TO BE SUBMITTED)

10. No development shall commence until 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 drainage scheme shall be based upon Appendix D in the Drainage Strategy report by RIDA. Doc ref 609 FRA-v1 dated January 2024 and shall:-

- (i) Provide “For Construction” plan(s) with final pavement levels of the proposed permeable paving and any associated drainage infrastructure, and the foul connection to public sewer. The plan shall include details of any filter drains. The paving type shall be clearly specified.
- (ii) Provide “For Construction” details for permeable paving including kerbing and cross-section of open graded sub-base on dated and checked drawing(s). The details shall confirm whether impermeable lining is necessary.
- (iii) Provide details that confirm if roof drainage provision for the new building conforms with supplier’s design specifications regarding distribution of flows to permeable subbase.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in

accordance with the approved details 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.

SITE INVESTIGATION ASSESSMENT (TO BE SUBMITTED)

11. No development shall commence until a risk assessment, in addition to any assessment provided with the planning application, 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 shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. 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:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - 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 prevent pollution of the water environment and 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, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

AVOIDANCE MEASURES METHOD STATEMENT (TO BE SUBMITTED)

12. No development shall commence on site until, a reasonable Avoidance Measures Method Statement for mammals, including badger and amphibians, is submitted to, and approved in writing by, the Local Planning Authority. This protection shall extend to the water body to the south of the eastern edge of the development area and a protective buffer zone introduced between the watercourse and the pond.

Reason: To ensure mitigation measures are implemented to protect Buckley Brook and in the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: As insufficient information has been provided to ensure mammals and amphibians are protected during the course of construction.

METHOD STATEMENT (TO BE SUBMITTED)

13. No development shall commence until a method statement detailing control measures for Japanese knotweed and Cherry Laurel shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.

Reason: To ensure the invasive species are treated and eradicated to prevent them from spreading into the adjacent woodland habitat in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: It is important that measures to deal with invasive species are determined prior to the commencement of works to ensure that any site works do not result in the spread of these species.

CONSTRUCTION AND MAINTENANCE PLAN (TO BE SUBMITTED)

14. No development shall commence, including site clearance, earth moving or material or machinery brought on site until a Construction and Maintenance Plan (CMP) to protect the Buckley Brook, the watercourse and the wooded vegetation to the east from accidental spillages, dust and debris has been submitted to, and approved in writing by, the Local Planning Authority. The CMP shall include a protective buffer zone to areas abutting the watercourse and pond. All measures will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: To ensure construction materials and pollution are prevented from entering the watercourse and pond in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: As insufficient information has been provided to ensure Buckley Brook, watercourse and wooded vegetation are protected during the course of construction.

LANDSCAPING

15. Notwithstanding the details shown on the approved plans, prior to first occupation of the building hereby approved, 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 (native tree planting), planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, 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 Policy G6 of the Rochdale Core Strategy, Policy JP-G7 of PfE and the NPPF.

BIODIVERSITY ENHANCEMENTS (TO BE SUBMITTED)

16. No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, bird boxes, Swift bricks, House Martin nest moulds, mammal gaps, bat bricks and bat boxes to be integrated to the fabric of the buildings and elsewhere within the site has been 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.

PROGRAMME OF ARCHAEOLOGICAL WORKS

17. No development shall commence until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design which has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

1. A phased programme and methodology to include:
 - a) an archaeological watching brief during any ground-breaking works.
2. A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records and finds;
 - b) production of a final report on the significance of the heritage interest recorded.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the site investigations commensurate with their significance.
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved Project Design.

Reason: In accordance with Policy P2 of the Rochdale Core Strategy, Policy JP-P2 of PfE and the NPPF Policy 211: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.'

Reason for pre-commencement condition: As insufficient information has been provided to ensure any archaeological remains that do survive are not damaged by construction works.

DUST MANAGEMENT PLAN (TO BE SUBMITTED)

18. No development shall commence until a Dust Management Plan, which includes mitigation measures, has been submitted to and approved in writing by, the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy G9 of the Rochdale Core Strategy.

Reason for pre-commencement condition: These details are required due to insufficient information being contained within this submission.

AIR QUALITY ASSESSMENT (TO BE SUBMITTED)

19. No development shall commence on site until a detailed Air Quality Assessment to determine whether mitigation is required to protect the residents from the effects of poor air quality is submitted to and approved in writing by Local Planning Authority. The assessment shall have regard to the impact upon the A58 Halifax Road. Where this Air Quality Assessment identifies that future residents will be exposed to poor air quality, an air quality mitigation scheme shall accompany this assessment demonstrating sufficient mitigation to protect the occupants. The scheme shall be implemented as approved prior to occupation of any part of the development and retained as approved at all times thereafter.

Reason: These details are required due to insufficient information being contained within this submission and in order to protect the health of future occupants of the proposed development in accordance with Policy

Reason for pre-commencement condition: These details are required due to insufficient information being contained within this submission.

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.

Notes for Applicant:

The applicant is advised to refer to the advice given by United Utilities dated 25th April 2024.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).