APPLICATION NUMBER: 19/01147/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/01147/FUL	Mubeen Patel	3 March 2020

Address: Land Rear Of The Royal Toby Hotel, Manchester Road Rochdale, OL11 3HF

Proposal: Construction of a battery energy storage facility including 2.4m high boundary fencing, gates, car parking and landscaping

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	Y
	Neighbour letters expired?	Y	**Press Notice expired?**	N/a

DELEGATION	**Significant departure from local plan?**	N	**Contrary to national policy?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	N/a
	Neighbour comments received?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N/a

CONDITIONS	**Pre-commencement conditions proposed?**	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: AT **DATE: 20.03.2020**

SITE

The proposed development site comprises approximately 0.55 Ha of vacant land allocated as part of a wider Primary Employment Zone within the Rochdale Borough

Unitary Development Plan. The surface cover of the site comprises landscaped / rough grassland, with individual trees and a band of TPO woodland partly within and to the north of the site. No hardstanding or building structures are present. The application site is mainly flat with land adjacent to the south falling in gradient.

An existing electrical substation is situated in close proximity to the east. The access route to the public highway extends through the car park of the adjacent pub (Royal Toby) to the west. The nearest residential properties are located to the north along Gipsy Lane on other side of the mentioned TPO trees. The site is situated within a primarily industrial and commercial area where the nearest commercial properties include The Royal Toby Hotel, a truck parts business and a car sales business to the south.

PROPOSAL

The proposed development site would be for the provision of a battery energy storage facility. The site layout will consist of five x 4MW Battery sets, each comprising:

- 4 X 1MW Battery Containers
- 6 X Inverter modules
- 1 X Transformer module

In addition, the proposed development also includes:

- 2.4m high security palisade fencing
- 4m high acoustics fencing
- 32 car parking spaces
- DNO Substation – 9m x 10m, 3.4m to eaves level, 6m to ridge of dual pitched roof.

Access into the site would be provided through the rear of the Royal Toby Hotel car park. The proposed site would also include an area for overspill parking from the adjacent pub (32 spaces).

Outside the application site on land controlled by the applicant within the blue line area, replacement tree planting and a nature trail are proposed to address the removal of TPO trees on the application site and to incorporate bio-diversity enhancement through this proposal.

The storage facility would be connected to the nearby substation via underground cables. No staff will be based on site, as the facility will be managed remotely. The site would be visited on fortnightly weekly basis for planned maintenance inspections.

The development would be sited behind a 2.4m high metal security fence with a vehicle access gate from the Royal Toby car park. Two staff parking bays would be provided for site monitoring staff and maintenance engineers.

The proposed battery facility would be used to meet intermittent shortfalls in generating capacity on the National Grid. The purpose of the installation is to produce electrical power and deliver it to the grid. The equipment would start up at peak demand.

The main elements of the battery facility would be the lithium-ion battery container units. Lithium-ion batteries are the types of batteries often found in electric vehicles, laptops and mobile phones. Lithium-ion batteries have a response time of milliseconds, allowing energy to be released almost immediately as the National Grid requires it.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) –revised February 2019

National Planning Practice Guidance (NPPG)

Overarching National Policy Statement for Energy (EN-1)

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

Adopted Rochdale Core Strategy (RCS):

The Core Strategy was formally adopted by the Council on 19th October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

SD1 Delivering sustainable development
DM1 General development requirements

SO1 Delivering a more prosperous economy
E2 Increasing jobs and prosperity
E3 Focusing on economic growth corridors and areas

SO3 Improving design, image and quality of place
P1 Improving image
P3 Improving design of new development

SO4 Promoting a greener environment
G1 Tackling and adapting to climate change
G2 Energy and new development
G3 Renewable and low carbon energy developments
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity
G8 Managing water resources and flood risk
G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport
T2 Improving accessibility

Rochdale Unitary Development Plan (UDP):

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

G/D/1 Defined Urban Area
EC/2 Primary Employment Zones

EC/8 Development Sites in Employment Zones

RELEVANT SITE HISTORY

18/01106/FUL - Construction of a battery energy storage facility including 2.4m high boundary fencing and 6 x 4m high floodlights/cctv cameras – Withdrawn

CONSULTATION RESPONSES

Highways and Engineering –

Once constructed the development will attract little traffic for maintenance and day to day operation. The Hotel will benefit from increased parking which could be necessary at busy times.

We have no objections to this proposal.

GM Ecology –

10/11/2019

Thank you for consulting the Ecology Unit on the above planning application. I have visited the site. It was notable during the site visit that some tree removals had already taken place, although not affecting the TPO woodland/trees.

The development will result in the loss of mature trees and woodland included in a TPO, including a row of mature poplar trees, and losses to younger, self-set woodland in the southern part of the site. The TPO trees and woodland provide a landscape screen between residential properties on Gypsy Lane and industrial land uses to the south. The current plans show an important part of the TPO - a row of mature poplar trees - as being removed. The justification given for this is that the trees have a limited remaining life span. I disagree with this; the arboriculture survey submitted with the application states that the poplars are in good condition and that they have a remaining lifespan of 20 years. This is not particularly limited, and in any case I would regard 20 years as a conservative estimate of remaining lifespan. The loss of these trees will mean that the battery facility will be closer to residential properties and that these properties will be less well screened from the proposed industrial land use, compromising the function of the TPO area.

Compensation for the tree losses in the TPO is said to be provided by new tree planting in the south of the site. But there is already existing extensive tree growth in the south of the site, part of which will need to be cleared to facilitate the planned car park extension (trees in this part of the site are generally younger, self-set trees). The new tree planting will therefore be insufficient to compensate for tree losses and it will not strengthen the landscape barriers between the proposed facility and residential dwellings

I would therefore recommend that the application in its current form should be **refused** because of unacceptable impacts on TPO with insufficient compensation offered for tree losses.

17/12/2019

My concern with the above planning application and the TPO trees is not so much with the protected trees *per se* but with the function they serve, acting as a screen for the residents of Gypsy Lane. The TPO order was applied in order to reduce impacts of industrial land use on residential amenity, including construction noise, excessive

lighting, disturbance from vehicle movements associated with the operation of an industrial facility and noise disturbance from the operation of the facility itself.

So if reassurances can be provided that even if the row of Poplar trees is removed the residential amenity of the residents of Gypsy Lane is capable of being protected from the above disturbance effects then I would be willing to look again at the issue of whether compensation for tree losses is sufficient.

20/01/2020

I've had another look at the site and I am willing to consider the further representations made by the applicant, and to accept the suggested Conditions for requiring a Landscape and Ecological Mitigation Plan and a Construction Environment Management Plan. It is the case that if the poplars are removed the remaining vegetation may well become denser and will continue to act as a screen.

But I remain a little cautious because I'm not sure how much noise and disturbance will actually be caused by the operation of a battery storage facility. I would defer this issue to colleagues in environmental protection – if they are happy that disturbance to residents will be at an acceptable level given the proposed new fencing and the remaining vegetation even if the poplars are removed then I would be minded to agree to the approval of the application, subject to the imposition of the suggested Conditions.

04/03/2020

Suggested Conditions (3, + an advisory) -

- Requirement for a Landscape and Ecology Mitigation and Management Plan
- Requirement to protect nesting birds
- Requirement for a lighting Condition to protect bats

I would also recommend that the applicant be advised (via an informative) that although the trees to be removed have been assessed as having low-negligible potential to support roosting bats, bats can be found in unexpected places.

<u>Public Protection – Noise –</u>

21/012020

This section has no objections in principle to the proposals, we would recommend the following conditions:

Noise from the plant does not exceed the following levels:

At measurement point A1 (or suitable representative location) Gipsy Lane Between 19:00-23:00 41 dB(A) between 23:00-07:00 39 dB(A)
At measurement point A2 (or suitable representative location) Roylelands Between 19:00-23:00 35 dB(A) between 23:00-07:00 35 dB(A)

I note form the report that nigh time noise levels may be +4 over background, however the context of the plant is that it is highly unlikely to operate overnight. I have previously sought some quantity to these night time occurrences and they are that infrequent that no quantity or impact can be put to them.

In respects of the trees, they may provide some absorbency and certainly screen any visual impact however acoustically they provide little or no noise reduction and do not form an effective acoustic barrier. It is essential that the correct, documented acoustic barrier is erected as per the NIA.

United Utilities - Recommends conditions requiring agreement of a sustainable surface water drainage scheme, and foul and surface water to be drained separately.

Public Protection – Contamination

The supplied report points out it is low sensitivity and contamination not really an issue, the report's conclusion for no need for any further investigation is acceptable.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice displayed. One neutral letter of observation, two letters of objection and a 6 signature petition has been received which state the following;

Neutral

- Please make sure no nuisance to neighbour noise
- No health issues living next to storage site
- Lighting should be movement activated
- Why is the site located so close to residential properties
- Additional trees should be planted to reduce noise/light
- Additional fencing required to block out headlights
- Construction could be an issues with large vehicle moving through Royal Toby car park

Objections

- Proximity to residential properties
- Radiation and potential medical harm
- Constant background noise
- Proximity to TPO trees and object to felling
- Ecology concerns for bats and bird species
- The proposed parking should be made to a separate application

ANALYSIS

Principle of Development

The site is located within the Defined Urban Area as designated under the saved Rochdale Unitary Development Plan (RUDP) Proposals Map. The site also lies within a Primary Employment Zone, as such, saved Policies EC/2 & EC/8(c) of the RUDP and Policies E2 & E3 of the RCS are applicable.

Saved Policy EC/2 of the RUDP states that within Primary Employment Zones development and change of use for industrial, business and warehouse uses (Use Classes B1, B2 and B8) will be permitted where proposals are of an appropriate scale and character to the area; will cause no unacceptable environmental or amenity problems in the employment area or adjoining areas; and will cause no unacceptable traffic problems and have adequate on-site provision for parking, servicing and manoeuvring. Other uses will not be permitted unless it can be shown that they are ancillary and complementary (both in terms of size and function) to the industrial and business nature of the employment area.

Policy E2 of the RCS states that the Council will protect existing employment zones, and employment (B1-B8) sites and premises and support their retention and redevelopment for employment uses.

As outlined above, storage and distribution (Use Class B8) uses are typically considered to be appropriate within a Primary Employment Zone, the word "storage" is not qualified by reference to goods, or in any other way and following an opinion from the Councils Strategic Planning and Legal departments on this matter in relation to similar applications in the recent past, It is considered the proposed battery storage facility would fall within Use Class B8.

Although it is noted that the proposed use itself would not represent a conventional employment use as no staff would be based on site on a permanent basis, with engineers visiting the site only for maintenance/repairs, the development is considered to represent infrastructure which would be complementary to the existing uses within the vicinity of the site. Commercial uses are significant consumers of electricity and the proposed development would benefit existing and future businesses within the Employment Zone and nearby residents by providing valuable electricity generating capacity and security/resilience of supply for the local distribution network

At the national level, the proposal would be in accordance with NPPF Paragraph 148 which seeks to and support renewable and low carbon energy and associated infrastructure.

The application site is considered to be a suitable location for the proposed development as the proposals would be located in an area with existing industrial and commercial units of a similar large scale to the proposed development. Given the details, the proposed development is considered to be acceptable in principle in this location.

Design, Layout and Appearance

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policies P1, P2 and P3 of the Core Strategy set out a requirement for good design, improved image and protection and enhancement of character, landscape and heritage.

Paragraph 127 of the revised National Planning Policy Framework states that 'decisions should ensure that developments will function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.

The proposed site would be infilling land between The Royal Toby Hotel, TPO trees to the north and industrial buildings to the east and further south. The proposed development would be low lying with the tallest structure being the DNO station which would be 6m in total height whilst the battery units themselves would be approximately 2.8m in height. The plans show a wooden acoustic fence would be erected around the north, east and western boundaries of the facility with a green coloured metal palisade fence and access gates erected along the southern boundary. As such, the height and design of the fencing would considerably limit views into the site.

It is considered the landscape characteristics of the area would absorb this type of development due to existing high industrial development in the vicinity of the site.

Furthermore, the proposed site is considered to be in a suitable location in an area with existing industrial and commercial units of a similar large scale to the proposed development.

The appearance of the proposed power plant would be understandably utilitarian. It is noted that in this respect the development would not be out of character when considered against adjacent large scale warehouses.

It is acknowledged that the development would result in a row of protected poplars to the north of the site being removed to facilitate the development. There is concern from local residents that this would result in the proposed development becoming visible and where the existing trees provide a screen between them and the industrial buildings. Greater Manchester arboriculture officer has been consulted and states that if the poplars are removed the remaining vegetation may well become denser and will continue to act as a screen. A distance of approximately 60m would be retained between the backs of residential properties on Gipsy Lane and the proposed development.

Although the poplar trees do provide some screening their clear trunks at their base are considered to provide a limited screening function. As such it is considered that the removal of the row of poplars would not result in the loss of significant screening at lower heights (where the batteries are) and would allow the retained trees to develop broader and healthy canopies to strengthen their overall screening role. To the south of the site, the proposed mitigation planting would screen a large portion the site.

As such there would be no significant detrimental effect upon the landscape or visual characteristics of the area. The proposal would not cause any loss to the defining characteristics; furthermore it is located within the urban boundary within a suitable location due to the high proportion of existing industrial development in the vicinity of the site.

In light of the above, the proposal is considered to accord with the requirements of Policies P1, P2 and P3 and DM1 of the Core Strategy.

Amenity/Noise

Policy DM1 of the Core Strategy requires that all development proposals should be compatible with surrounding land uses and should mitigate against any impacts due to noise, air, light and other pollution.

Policy G9 of the Core Strategy establishes that the Council will reduce all forms of pollution, and require that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

Given the position of the battery units within the site, and distance to the nearest residential dwellings of approximately 60m, it is not considered that the built-form of the development would have any adverse impacts by way of overbearing impact, overshadowing or loss of outlook. It is noted that the site is separated from the dwellings on Gipsy Lane to the north by a band of protected trees, although a row of poplars will be removed.

The operation of the proposed battery system would not give rise to any emissions to air. It is therefore concluded that the Proposed Development accords with the relevant provisions of Core Strategy Policies G9 and DM1 DPD and national planning policy and guidance contained within the NPPF and PPG with regard to air quality.

The application is supported by a Noise Impact Assessment. The plans submitted show a 4m high solid Acoustic fence would be erected around the battery conversion units to reduce their overall noise impact.

The Councils Public Protection team have been consulted in relation to noise and have stated that night time noise levels may be +4 over background, however the context of the plant is that it is highly unlikely to operate overnight. In addition, in respect of the trees, they may provide some absorbency, however acoustically they provide little or no noise reduction and do not form an effective acoustic barrier. As such a condition would be attached to any approval for the correct, documented acoustic barrier to be erected as per the submitted NIA. A further condition should be attached which ensures the noise from the plant does not exceed certain guidance levels. Therefore, subject to the above conditions the Public Protection Team do not offer any objections.

Taking into account the magnitude of the increases, and the likely frequency of such events that would cause the increases, it is considered that the ambient noise increases would result in negligible impacts.

On the basis of the above and in conclusion, noise from the proposed development would be mitigated, through the application of best available techniques, such that it does not cause a significant adverse impact. The potential for noise affecting living and working conditions has therefore been minimised, in line with the requirements of the NPPF.

Furthermore, consultation has been undertaken with the Council's Public Protection officer, which has raised no objection to the proposal, or raised issue with the Noise Impact Assessment, subject to application of a condition securing the mitigation measures proposed within the NIA. Therefore, subject to implementation of these mitigation measures, it is considered that the proposal would accord with Policies DM1 and G9 of the Core Strategy and the National Planning Policy Framework.

Ecology

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

Policy G7 (Increasing the value of biodiversity and geodiversity) states that the Council will ensure that features of biodiversity and geodiversity importance are given full and appropriate recognition and protection, and no development should result in a net loss of biodiversity or geodiversity interest.

Policy G6 of the Core Strategy states that we will expect development proposals and other proposals affecting green infrastructure to avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value, and its development or change of use will help to meet other sustainability or local regeneration objectives. Policy G6 also requires the replacement of trees at a ratio of 2:1.

The NPPF para 170 states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity.

The development would require the removal of a significant amount of sparse, regenerating grassland considered to have negligible value for wildlife. In accordance with local and national planning policy and the NERC Act (2006) the development should aim to achieve no net biodiversity loss.

Greater Manchester Ecology have been consulted as part of this application and have stated no overall objections to the proposal on ecological grounds and have suggested conditions and an informative;

Bats

The scrub and trees that border the wider landholding have potential to be used by bats.

Artificial lighting within the operational site should be designed and specified to avoid / minimise light spill towards the areas of scrub and woodland adjacent to the development to maintain their potential as flight corridors and foraging areas. An informative should be added to avoid any ham to protected species.

Birds

No consideration of nesting birds would need to be made between September and February inclusive. Where site construction activities are due to commence during the bird breeding season, the absence of active nests of ground nesting birds should be confirmed immediately in advance of the enabling works.

Lighting

As the facility will be unmanned, permanent operational lighting is not required. The external lighting system would only be operational when an engineer is on site at night or when a security alarm has been triggered.

Therefore, subject to application of the necessary conditions, the application is considered to accord with Policy G7 of the Core Strategy and the National Planning Policy Framework.

Loss of Trees

During the officer site visit it was noted that some tree removals had already taken place, although not affecting the TPO woodland/trees to the north.

The development would result in the loss of mature trees and woodland included in the TPO, including a row of mature poplar trees, and losses to younger, self-set woodland in the southern part of the site. The TPO trees and woodland provide a landscape screen between residential properties on Gypsy Lane and industrial land uses to the south.

The TPO order was applied in order to reduce impacts of industrial land use on residential amenity, including construction noise, excessive lighting, and disturbance from vehicle movements associated with the operation of an industrial facility and noise disturbance from the operation of the facility itself.

The proposed development including the construction of the car park extension, an access road and the installation of a high voltage cable requires the removal of three individual trees and two tree groups, this includes the removal of nine mature poplars which are protected by Tree Preservation Order. Three low value trees and one Category U group are proposed for removal to enable third party pedestrian access along the eastern boundary. One additional tree is also proposed for removal due to its poor condition.

The justification for the removal of the row of mature poplar trees is that the trees have a limited remaining life span. The Manchester arboriculture team have been

consulted and disagree with this; the arboriculture survey submitted with the application states that the poplars are in good condition and that they have a remaining lifespan of 20 years. The arboriculture officer argues that this is not particularly limited, and in any case they would regard 20 years as a conservative estimate of remaining lifespan.

The applicant/agent suggests that the site cannot be moved further south away from the trees due to land constraints, mainly being the overhead electric cables which would hamper the installation of the batteries by cranes and the falling land levels further south.

Compensation for the tree losses in the TPO is said to be provided by new tree planting in the south of the site which include 25 trees and a nature trail. In addition further representations were made during the course of the application which argues that once the poplars are removed the remaining vegetation may well become denser and will continue to act as a screen. As, such The Manchester Ecology Officer has revisited the application and accepted the applicant's representation and suggested Conditions for requiring a Landscape and Ecological Mitigation Plan and a Construction Environment Management Plan added to any approval. As discussed above, the Environmental Health Officer considers that disturbance to residents will be at an acceptable noise level given the proposed acoustics fencing.

Therefore, for the above reasons, it is considered that the proposed development would not result in an unacceptable loss of trees and would provide sufficient scope for mitigation and harm to amenity. As such, it is concluded that suitable alternative provision for the loss of trees has been made and the requirements of Core Strategy policies G6 and Policy G7 which states that the Council will ensure that features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and the National Planning Policy Framework have been met.

Contaminated Land

The application is supported by a Preliminary Risk Assessment (PRA) of the Site which concludes that the proposed development would utilise hardstanding and be used for low sensitivity commercial use where the risk to the end users is dismissed as there will be no viable pollutant linkage. In addition, risk to surface waters and groundwater are dismissed due to the absence of a viable significant source.

The report considers that no further investigation is warranted at this site, these findings are also acknowledged and agreed by the Councils contamination officer.

Given the details, it is therefore considered that the proposed development would be in accordance with Core Strategy Policies G9 and DM1 and the relevant policy and guidance contained with NPPF and the SPD in relation to contaminated land.

Highways/Access

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.

Policy DM1 of the Core Strategy sets out that development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements. Paragraph 32 of the National Planning Policy Framework sets out that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Access into the site would be taken off Manchester Road from the existing entrance in to the Royal Toby Hotel. Once constructed the development would attract little traffic for maintenance and day to day operation of the energy facility whilst the proposed parking for an extra 32 cars for the hotel business would provide increased parking and reduce inconvenient and highway parking at busy times. The Councils highways engineers have been consulted and offer no objections.

In light of the above, and subject to condition, the proposal is considered to comply with policies DM1 and T2 of the Core Strategy, and the National Planning Policy Framework.

Flood Risk & Drainage

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment.

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The site falls wholly within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year).

As the proposal would result in development of a greenfield site including substantial hardstanding for the car park, it is recommended a condition is attached requiring submission of a detailed scheme for approval by the LPA prior to commencement of development.

Given the above, subject to the application of such a condition, and the subsequent implementation of the duly approved drainage scheme, the proposal is considered to comply with the relevant policies of the Core Strategy and the National Planning Policy Framework.

Conclusion

The proposed development, a fast-reacting reserve energy facility, would make a valuable contribution to securing a low carbon energy mix, allowing for increased reliance on and development of renewable energy generating facilities. The use is considered to represent an ancillary and complementary use to the wider Employment Zone and makes satisfactory use of the site. The application has demonstrated appropriate mitigation is proposed for noise impacts from the development and the loss of trees, and subject to the implementation of such measures, the development would not result in an adverse impact on amenity.

The highways impacts of the proposal are deemed limited and acceptable, and matters of flood risk, drainage and ecology can be dealt with by way of appropriate conditions.

On this basis, the proposal is considered to represent sustainable development and, in accordance with the provisions of the adopted Rochdale Core Strategy and National Planning Policy Framework and should be approved.

RECOMMENDATION

AC

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:-

- 21225-0200 P11 – Planning Arrangement 1-200
- 21225-0201 P11 – Planning Arrangement 1-500
- 21225-0203 P11 – Location Plan
- 21225-0300 P4 – Site Elevation
- 21225-0301 P4 – Site Elevation Black and White
- 21225-0402 P3 – 2.4m High Palisade Fence
- 21225-0403 P3 – 2.4m High Palisade Gate
- CRM.348.003.L.D.045.001.E – Landscape Strategy

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.

3 Notwithstanding any description of materials in the application 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 a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 No development (including any site clearance or preparation works) shall take place until such time as a detailed Construction Management Plan (CMP), which shall include 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 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 demolition and construction works;
h) measures for the protection of the natural environment from accidental spillages, dust and debris;
i) hours of construction, including deliveries;
j) measures for protection of the existing utility mains within and adjacent to the site; and
k) measures for the protection of existing Rights of Way which crosses the site;

has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMP without the prior written permission of the Local Planning Authority.

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

Reason for pre-commencement: 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 amenity prior to commencement of any building or engineering works on site.

5 No development shall take place until a scheme for the disposal of surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions. The development shall be completed, maintained and managed in accordance with the approved details at all times.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

6 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be first used until full details of a hard and soft Landscaping Scheme and an Ecology Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The details of the Landscaping Scheme shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works. The Ecology Mitigation Plan shall include -

a) Details of measures to be taken to retain and protect important habitats during construction, including trees
b) Details of new woodland, tree, shrub and wildflower planting and establishment
c) Management prescriptions and a management schedule for new and retained habitats and landscape features
d) Persons responsible for implementing the works
e) Details of monitoring and provision for remedial measures

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 The boundary treatments shown on the approved plans shall have been erected in accordance with the approved details prior to first generation of electricity from the development herby permitted. Notwithstanding any detail shown on the approved plans, the palisade fencing shall be colour treated Green (RAL 6005) upon installation and retained as such thereafter.

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

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

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

9 The acoustic fencing shall be erected in full accordance with drawing No. '21225-0300 - Revision P4' and the Enzygo Noise Assessment report (CRM.348.003.NO.R.001) prior to first use or operation of the facility hereby permitted and retained as such at all times thereafter.

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

10 No works, including any demolition works and the clearance of trees and shrubs, shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above.

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

11 Noise from the plant hereby permitted shall not exceed the following levels at any time (at locations as identified in the Enzygo Noise Assessment Report ref. CRM.348.003.NO.R.001):

- The background noise level at measurement points A1 (Gipsy Lane) and A2 (Roylelands) between 19:00 and 23:00 hours on any day; and

- 40dB at measurement points A1 (Gipsy Lane) and A2 (Roylelands) between 23:00 and 07:00 hours on any day, in accordance with the World Health Organisation recommended Night Noise Guidelines for Europe.

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

12 No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective barriers as detailed in the submitted 'Arboricultural Survey, Impact Assessment and Method Statement' referenced 'CRM.348.003.AR.R.001.E' and in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The protective barriers shall be retained throughout the period of construction and no activity prohibited by BS: 5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The trees should be protected to prevent any harm during the development including early site preparation.

13 No part of the development shall be operational until a specification for the design and construction (including surface treatment and drainage) of the car park and access road has been submitted to and approved in writing by the Local Planning Authority. The car park and access road shall be constructed in accordance with the duly approved details before the development becomes operational, and retained thereafter at all times for the access and parking of vehicles.

Reason: In order to ensure there is adequate provision for vehicles to be parked clear of the highway and to achieve an appropriate surface treatment for parking areas in order to comply with the requirements of Policy DM1 of the adopted Rochdale Core Strategy and the requirements of 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.

Notes for Applicant:

Although the trees to be removed have been assessed as having low-negligible potential to support roosting bats, bats can be found in unexpected places. If bats are found at any time during works then work must cease and advice sought from a suitably qualified person about how best to proceed. All UK bats and their resting places are protected under the terms of the Wildlife and Countryside Act 1981 (as amended)

Report Author Mubeen Patel