

APPLICATION NUMBER: 23/01213/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01213/FUL	Nick Brookman	11 November 2024

DETERMINATION DATE

15 November 2024 (Extension of time)

Address: Rhodes Business Park, Silburn Way, Middleton, Rochdale, M24 4NE

Proposal: Erection of 1no. unit (Use Class B2/B8/E(g) (General Industry/Storage & Distribution/Commercial) together with associated service yard, car parking and landscaping.

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

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: LA

DATE: 14.11.24

SITE

The site is previously developed land currently laid to hardstanding and has previously been used for open storage and parking. The surrounding area is designated as a 'Primary Employment Zone' in Rochdale Borough Council's UDP Proposals Map (Policy EC/2).

The site measures 0.53 hectares in size and forms part of the wider Rhodes Business Park with the application site being located on the park's south eastern edge.

The site is access via Silburn Way off Manchester Old Road.

The surrounding environment consists of the rest of the business park to the north, with residential properties and other businesses premises off Manchester Old Road. The River Irk borders the east and south of the site with a wooded area and footpaths beyond which lie to the north of the M60 ring road. The remaining built environment for Rhodes Business Park lies to the west.

PROPOSAL

The proposed development comprises the erection of 1no. unit (Use Class B2/B8/E(g) (General Industry/Storage & Distribution/Commercial) together with associated service yard, car parking and landscaping.

The site has actually been divided into two areas with one comprising the unit and associated works, and a separate area contained an overflow car park with its own access to be made available for use by the wider Business Park.

The development will be accessed from the existing access road, Silburn Way, where all vehicles enter Rhodes Business Park via the existing Gatehouse and access control vehicle barriers. A new vehicular access into the site will be formed for the proposed unit with the existing access retained for the overflow parking area.

The unit will be constructed to provide an open plan warehouse facility with associated office spaces that include welfare facilities, for an occupier to fit out.

The building would provide 1,975sqm of floor space and measure 8m to the haunch and 11m to the ridge.

The car park for the unit would provide 19 spaces (including 2 DDA spaces and 6 EV spaces) together with 10 cycle spaces and 1 motorcycle space. The additional car parking area would provide a further 8 spaces, including 1 DDA space and 1 further motorcycle space.

The Planning Statement submitted to support the planning application states that the applicant intends to achieve BREEAM Very Good certification for the shell and core of the development. In addition to this a +15% CO² reduction on Part L requirements will be delivered, which include photovoltaic panels mounted on the roof of the building.

The design of the elevations utilises one cladding profile in two different colours. The darker cladding located at the base of the building and the lighter colour above the door line, with the aim of reducing the apparent height and mass of the building from the surrounding road and area at street level. The development also proposes to incorporate the use of muted grey cladding panels and green details for the rainwater gutters and downpipes.

Lighter grey vertical banding cladding has been used to highlight the office zone that runs along the elevation which defines the internal spaces and serves to break up the elevations and create visual interest and character along Silburn Way.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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-P1	Sustainable Places
JP-J1	Supporting Long-Term Economic Growth
JP-J4	Industry and Warehousing Development
JP-S4	Flood Risk and the Water Environment
JP-C8	Transport Requirements of New Development
JP-C7	Freight and Logistics
JP-S1	Sustainable Development
JP-P2	Heritage
JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity

Adopted Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
DM1	General development requirements
SO1	To deliver 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
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

Unitary Development Plan (UDP):

EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water
G/D/1	Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

04/D43078 – Erection of one industrial unit – Approved with conditions 9th June 2004.

CONSULTATION RESPONSES

United Utilities

No objection subject to condition.

Environmental Health (Noise)

No objection subject to condition.

Environmental Health (Land)

No objection subject to condition.

Trees

No objection subject to condition.

Greater Manchester Ecology Unit

No objection subject to conditions.

Highways

No objection subject to conditions.

LLFA

Following the submission of amended information the LLFA have no objection.

Environment Agency (EA)

The EA previously objected to the proposed development on the basis of it not complying with the requirements for site specific flood risk assessments. The FRA was commented on as failing to meet several criteria and the applicant was requested to submit a revised FRA which addressed the aforementioned criteria.

A further FRA was submitted and updated comments received from the EA who maintained their objection on the grounds that any development in Flood Zone 3

must account for loss of flood storage like-for-like, including climate change. Clarification is needed to confirm if climate change has been accounted for when detailing compensatory flood storage in the response to our previous comments in the updated Flood Risk Assessment and Drainage Strategy Report (Ref: 40055-BGL-XX-XX-RP-0001).

Another updated FRA was submitted and the EA consulted regarding compensatory flood storage. The EA advised that they cannot consider 700m³ of water displacement to be negligible as any increase in water displacement has to be compensated for like-for-like in Flood Zone 1. The applicant was again advised to submit a revised FRA.

The applicant commissioned their Flood Risk Engineers to undertake a post development flood analysis to build upon the pre-development analysis previously undertaken and to better understand the levels and extents of the flooding during the 100yr + 35 year climate change storm event. This analysis concluded that the proposals would result in reductions in flood depths post development providing a betterment within the industrial area to the north and north west and as such the proposed development was considered to not require any flood compensation.

To that affect the applicant submitted a revised Technical Note and the EA have reviewed the updated Flood Zone Analysis (JBA/LGH-JBAU-XX-XX-RP-HM-0001-Hydraulic_Model_Report/ November) which meets their approval and they have subsequently removed their previous objections.

The EA therefore now has no objection subject to conditions.

REPRESENTATIONS

22 Letters of notification were sent to neighbouring properties and a site notice was placed in the vicinity of the application site. No comments have been received.

ANALYSIS

Principle of Development

The application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside. In this instance the application lies on the periphery of the Primary Employment Zone as identified in the UDP (Policy EC/2).

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 sector citing that at least 3,513,000sqm of new, accessible, industrial and warehousing floor space will be provided in the Plan area over the period 2022-2039'.

Paragraph 123 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. More specifically, paragraph 124 (c) states that '*planning policies*

and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'.

Paragraph 85 of the NPPF sets out that '*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'.

The proposal comprises a new employment generating land use on previously developed land, on a sustainable site which would wholly accord with both local and national planning policies.

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.

Design

Policies DM1 and P3 of the Council's adopted Core Strategy require development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

The proposal involves the development of a single industrial unit on an established employment site and having regard to the location of the proposed development in this setting, it is not considered that the proposed scale of the building would be inappropriate.

The proposed materials, building profile and overall design is in keeping with the prevailing character of the wider business park site to the west. The layout of the proposed development incorporates open spaces and ancillary landscaping which would significantly help break up the built form and massing. Likewise, the proposed strips of landscaping adjacent to the boundaries of the site including mixed native species hedgerows, planting beds and new trees is also consistent with the prevailing character of the wider site.

Therefore, subject to conditions, the proposed development complies with CS policies DM1 and P3 and the National Planning Policy Framework.

Impact on Surrounding Land Uses & Residential Amenity

Paragraph 180 of the NPPF also states that planning policies and decisions should ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 135 also seeks to ensure that planning decisions create places which promote health and well-being, with a high standard of amenity for existing and

future users. Policies DM1 and G9 of the adopted Rochdale Core Strategy seek to ensure that new development is compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users, also requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution. Additionally, policy DM1 of the Core Strategy requires that proposals should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The “Guidelines & Standards for Residential Development” SPD also sets out guidelines for reducing or omitting the impact of new development on the amenities of residential occupiers.

The site is located within an existing well established employment area. There are no residential properties within close proximity of the site which would be adversely affected by the proposed development and it is not considered that the additional traffic movements into and around the site would be so great as to create unacceptable levels of noise and disturbance.

For the above reasons it is considered that the proposal would be in accordance with the amenity requirements of CS policies DM1 and G9 and the SPD.

Highways

Paragraph 115 of the NPPF states ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’ Paragraph 116 of the NPPF adds that applications for developments should:

- create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy DM1 of the adopted Core Strategy sets out the general development requirements and establishes that proposals should not adversely impact on highway safety. Additionally, it requires all development to provide satisfactory vehicular access with adequate parking and manoeuvring arrangements provided. Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Additionally,

Policy JP-C7 of the PfE, states that we will support development that makes appropriate provision for deliveries and servicing in terms of road safety, traffic congestion and environmental impacts, in accordance with Policy JP-C8.

Policy T2 of the Core Strategy requires developments to comply with the parking standards set out in Appendix 5 of the adopted Core strategy.

Highways were consulted on this application and they raised no objection subject to the addition of the relevant conditions. Accordingly, the proposed development is acceptable and would comply with DM1 and T2 of the Core Strategy, PfE and NPPF.

Ecology and Trees

Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value and require a replacement ratio of 2:1 for trees that are removed. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

Policy JP-G8 of PfE states that 'through local planning and associated activities a net enhancement of biodiversity resources will be sought'. Paragraph 180 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment.

The application proposes a strong landscaping scheme which has demonstrated the proposed development would deliver 22.6% gain in habitat units and 0.22 hedgerow units. In accordance with CS Policy G6, the proposal includes new tree planting at the boundaries of the site and internally within the new proposed parking area to the north eastern extents of the site. In total, 26 new trees have been proposed, in addition to extensive native shrub and hedge planting at the site. Despite the proposed tree losses, it is anticipated that a net-gain in tree canopy will be achieved in the long-term. Given the current proposals necessitate the removal of 13no. trees, a minimum of 26no. trees are therefore required to meet this ratio, which as previously alluded too, will be achieved by the proposed soft landscaping scheme. The Council's Tree consultee has comments that they would not regard the trees to be removed as being of such high quality or of such high amenity value that they merit special protection and there is no objection in principle.

It is noted that the submitted Ecological Impact Assessment submitted with the application identifies that Broadman Brook SBI, Alkington Woods & Rhodes Lodes LNR and SBI, and Blackley Forest & Heaton Vale Reservoir LNR and SBI are located on the southern site boundary. These designated sites are located in close proximity to the site or are connected to the site by the River Irk. As such, standard best practice pollution prevention is expected to be incorporated into a CEMP, to ensure any impacts to the designated sites will be avoided and this will be conditioned.

The submitted Ecological Impact Assessment stated that the vegetation on the site had the potential to support nesting birds. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended and therefore a condition is recommended to secure their protection.

The submitted Ecological Impact Assessment identified that invasive Himalayan balsam and Japanese knotweed were present on site and along the river corridor. Japanese Knotweed and Himalayan balsam are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. An appropriately worded condition is therefore included to ensure the eradication or avoidance measures for this is secured.

Subject to the inclusion of the conditions, the proposed development is considered to acceptable and would comply with G6 and G7 of the Core Strategy, PfE and the NPPF.

Noise

Core Strategy policy G9 sets out the Council's requirements approach to all forms of pollution including the risk of noise, as they relate to new development.

A Noise Impact Assessment (NIA) was submitted with the application and has been reviewed by the Environmental Health. The NIA concluded that the need to ensure that the development does not result in any unacceptable noise impact can be secured by way of a suitably worded planning condition requiring all noise from the site combined to be controlled to within the recommended noise limits. Outline calculations submitted with the NIA have indicated that it should be straight forward to control noise from the development to within the relevant noise limits.

Environmental Health have no objections in principle subject to the inclusion of a condition restricting noise levels between specific hours.

Accordingly, subject to condition it is considered that the proposal would be in accordance with the requirements of CS policy G9.

Drainage and Flood Risk

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. Policy EM/7 of the saved UDP states that development will not be permitted in areas identified as flood plains, or other areas where development could contribute to increased flood risk. The NPPF also establishes that inappropriate development in areas at risk at flooding should be avoided and that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.

The site falls within Flood Zone 3 and has a high probability of flooding and EA Flood Maps show flood maps along the north bank of the River Irk close to the western boundary of the development site. The proposed end use of the site is defined as 'less vulnerable' such that the development can be considered appropriate in this location in accordance with the NPPF.

The surface water drainage strategy is to restrict the proposed outflow rate to satisfy both Greater Manchester Area & the Rochdale SFRA and to ensure that the flood risk to the site and surrounding catchment is not increased by the proposed development. The Sustainable Drainage Systems (SuDS) hierarchy has been considered and the surface water runoff will be collected from the impermeable areas and directed via the underground network to a geocellular attenuation tank located beneath the main service yard area before connecting to the existing surface water sewer via an existing connection, within the development site, at a restricted rate of 4.5l/s (QBAR). This overall approach aligns with the Sustainable Drainage Systems (SuDS) policy and provides a significant reduction in the pre-development unrestricted discharge rates. A detailed Drainage layout with hydraulic calculations incorporating a climate change allowance of 40% has been prepared to support this approach.

There is no residual flood risk from the development site to the surrounding district due to the reduction in storm water flow rates. The development does not therefore increase the risk of flooding to other adjacent neighbourhoods. Out of chamber or

gully flooding for the extreme 100 year plus climate change event may occur within the development site and is classed as exceedance flows. Flood water from this event will be contained within the development site and directed away from the building to the service yard and parking areas.

The LLFA, Environment Agency and United Utilities were all consulted on this application and each raised the following comments.

United Utilities – the proposals are acceptable in principle subject to condition.

LLFA – corrections were originally required to amend the FRA and Drainage Strategy. These changes have been subsequently addressed and revised drainage documentation submitted. The LLFA now accept the proposed Drainage Strategy in principle subject to the EA signing off the acceptability of the proposed modelling.

EA – When the EA were initially consulted on the application they objected on the basis of an absence of an acceptable FRA. The EA stated that the submitted FRA did not comply with the requirements for site specific flood risk assessments and the FRA did not adequately address flood risks posed by the development as it failed to:

- ❑ consider how people will be kept safe from the identified flood hazards
- ❑ consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- ❑ Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels. Consequently, the development proposes inadequate:
 - o Flood storage compensation
 - o Raised finished floor levels. FFLs should be set 600mm above the flood level, including climate change.
 - o Resistance and resilience measures
 - o Safe access and egress routes

To overcome the objection an updated FRA was requested.

This was submitted and the EA were re-consulted and they subsequently advised that the updated FRA was still unacceptable. They advised that any development in flood zone 3 must account for loss of flood storage like-for-like, including climate change. Clarification was needed to confirm if climate change has been accounted for when detailing compensatory flood storage in the response to their previous comments in the updated Flood Risk Assessment and Drainage Strategy Report.

The requested information was submitted but the EA still maintained their objection on the absence of acceptable flood storage compensation and further information was requested.

The applicant commissioned their Flood Risk Engineers to undertake a post development flood analysis to build upon the pre-development analysis previously undertaken and to better understand the levels and extents of the flooding during the 100yr + 35 year climate change storm event. This analysis concluded that the proposals would result in reductions in flood depths post development providing a betterment within the industrial area to the north and north west and as such the proposed development was considered to not require any flood compensation.

A further Technical Note was provided to that affect and the EA commented that this meets their approval and they were able to remove their previous objection regarding compensatory flood storage subject to conditions.

Subject to conditions, 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.

Land Contamination

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 Environment Agency commented that the previous industrial activity of the site as part of the cotton mills and printworks pose a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is located upon a Secondary A Aquifer (Alluvium deposits), a Secondary A Aquifer (Pennine Lower Coal Measures Formation) and adjacent to a main river – River Irk. The Environment Agency have therefore assessed the risks from the current conditions of the site and are satisfied that risks to public protection and human health are greater than those posed to controlled waters, therefore any remedial activities identified to address the risks to public protection and human health are likely to address any posed low residual risks to controlled waters.

The Environment Agency have advised that the submitted documents demonstrate that it will be possible to manage the risks posed to controlled waters by this development.

A detailed Ground Conditions Investigation report was also submitted. The Environmental Health (ground contamination) officer has reviewed the report and has not objected to the proposal, subject to the recommendation of the submission and approval of a remediation strategy and subsequent verification report for protection measures to address any encountered contamination. A condition to this effect is recommended.

Accordingly, subject to condition it is considered that the proposal would be in accordance with the requirements of CS policy G9.

Energy and Sustainability

Core Strategy Policy G1 sets out measures to address climate change and emissions, whilst Policy G2 requires that new development adhere to the energy hierarchy.

Policy JP-S1 of PfE requires development to aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

Places for Everyone policy JP-S2 sets out expectations for developments to minimise carbon emissions, following the energy hierarchy, and incorporating renewable energy and EV charging. JP-S2 has replaced existing policies within the Rochdale Core Strategy which related to these considerations.

Greater Manchester's vision is to be at the forefront of action on climate change and to make its fair contributions to international commitments by becoming a carbon neutral city region by 2038. To meet this target, PfE endorses the following commitments:

- ☐ Be carbon neutral by 2038
- ☐ Hold cumulative carbon dioxide emissions to without the carbon budget
- ☐ Initiate a programme of mitigation to reduce emissions including by:
 - o Significantly upscaling solar photovoltaic energy;
 - o Reducing heat demand in homes;
 - o Moving away from carbon intensive gas as the primary source of heat;
 - o Reducing heating and cooling demand for public and commercial buildings;
 - o Increasing biofuel use;
 - o Enable sustainable choices for travel and decarbonise transport;
 - o Significantly upscaling building retrofit; and
 - o Increase the delivery of nature-based solutions and biodiversity net gain.

The application is accompanied by an Energy and Sustainability report which has recognised that the implementation of Air Source Heat Pumps and Photovoltaics is viable for the scheme as well as the provision of electric vehicle charging.

The scheme is targeting a minimum standard of BREEAM 'very good'

The proposal would be satisfactory in terms of the objectives of PfE policy JP-S2.

RECOMMENDATION

Grant subject to the following conditions:

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 and documents:
 - Location Plan Drawing No RBP-PHP-XX-XX-DR-A-4694-100-P04
 - Proposed Site Plan Drawing No RBP-pHp-XX-00-DR-A-101-P08
 - Proposed Ground Floor Plan Drawing No RBP-pHp-XX-00-DR-A-4694-200 P05
 - Proposed First Floor Plan Drawing No RBP-pHp-XX-01-DR-A-201-P04

- Proposed Roof Plan Drawing No RBP-pHp-XX-RF-DR-A-4694-210-P04
- Office Floor Plans Drawing No RBP-pHp-XX-XX-DR-A-202-P04
- Proposed Sections Drawing No RBP-pHp-XX-XX-DR-A-401 Rev P05
- Proposed Elevations Drawing No RBP-pHp-XX-XX-DR-A-300 Rev p07
- Soft Landscape Proposals Drawing No 2203 DLA-DR-L-01-P02
- Tree Pit Detail Drawing No 2203-DLA-DR-L-02-P01
- Site Plan External Lighting Design Strategy Drawing No 4025-HAN-RBP-00-DR-E-64-200
- Flood Risk Assessment and Drainage Strategy Report Reference 40055-BGL-XX-XX-RP-D-0001 Version V4
- Technical Note Flood Zone Analysis Modelling Results Reference 40055-BGL-XX-XX-TN-C-00006 Version P03
- Ground Investigation Report Reference STV6211-r02 Rev A.
- Ecological Impact Assessment Reference 16200_R01_OM
- Transport Assessment Reference J000467-TA01
- Framework Travel Plan Reference J000467-FTP01
- Planning Statement Reference 23-340
- Biodiversity Metric
- Air Quality Assessment Reference 7263r1 Rev 1
- Energy & Sustainability Statement Reference 4025-HAN-ZZ-XX-RP-N-001 Rev 03
- Arboricultural Impact Assessment Reference 16200_R02_WS_LB
- Design and Access Statement Rev D
- Landscape Management and Implementation Plan Reference DLA-2203-LIMP-01-RevP01.
- Noise Impact Assessment Reference P23-322-R01v1

The development shall be carried out in accordance with these drawings and documents hereby approved unless otherwise required by condition below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. The development shall be carried out in accordance with the submitted Flood Risk Assessment (Graham Burrows/4005-BGL-XX-XX-RP-D-0001/October 2023) and the following mitigation measures it details:

2. Finished floor levels shall be set no lower than metres above Ordnance Datum 70.9 (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing / phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 40055-BGL-XX-XX-DR-C-00250, Rev P02 - Dated 10.10.23 which was prepared by Burrows Graham as included within the Flood Risk Assessment and Drainage Strategy Report referenced 40055-BGL-XX-XX-RP-D-0001 Version V4. For the avoidance of doubt surface

water must drain at the restricted rate of 4.5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

5. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the National Planning Policy Framework.

6. Prior to the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management company; and
 - b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

7. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan and an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and adhered to throughout the construction of the development.

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

8. Prior to the commencement of development and where the site characterisation has identified unacceptable risks, a detailed remediation

scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, the water environment, buildings and other property and the natural and historical environment shall be submitted to an approved in writing by the Local Planning Authority.

The approved remediation scheme shall thereafter be fully implemented and there shall be no variation of the approved remediation scheme unless otherwise approved in writing by the Local Planning Authority.

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.

9. Pursuant to condition 8 and prior to first use or occupation of the development hereby approved, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

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.

10. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.

11. Only the external materials detailed within the proposed schedule of materials on the approved Proposed Elevations Drawing No RBP-pHp-XX-XX-DR-A300 Rev P07 shall be used and no others substituted.

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

12. No development, site clearance or earth moving shall take place, or material or machinery brought on site until a method statement via a Construction Environmental Management Plan (CEMP) to protect the River Irk from further accidental spillages, runoff, dust and debris has been supplied to and agreed in writing by the Local Planning Authority.

The approved CEMP shall be adhered to throughout the construction period and for future operations in accordance with the approved details. The development shall not be carried out otherwise than in accordance with the approved CEMP.

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

13. Prior to any earthworks, vegetation clearance or demolition, a method statement detailing eradication or avoidance measures for Himalayan balsam and Japanese knotweed should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.

Reason: To eradicate invasive species and protect the biodiversity of the area.

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

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

15. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

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

16. The access road Silburn Way shall be kept clear at all times and shall not be used for the storage of materials, goods or bins/waste collection. The access road shall be retained for its intended use at all times.

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

17. The development hereby permitted shall not be occupied until all vehicle parking spaces have been provided and clearly marked out in accordance with the plans hereby approved. The parking spaces shall be kept available for parking at all times thereafter and shall not be used for the storage of materials, goods or bins.

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

18. Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activity does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and Position Statement J of The Environment Agency's approach to groundwater protection.

19. The total combined noise from the site must not exceed:

- ☐ 61 dB(A) between 07:00 – 19:00
- ☐ 55 dB(A) between 19:00 – 23:00
- ☐ 46 dB(A) between 23:00 – 07:00

When measured 1 metre from the facade of noise sensitive receptors.

Reason: To protect the amenity of nearby residents in accordance with Policy G9 of the Rochdale Core Strategy.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- a. A Biodiversity Gain Plan has been submitted to the planning authority,
and;
- b. The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

- 1. The application for planning permission was made before 12 February 2024.

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 the Applicant

The development site appears to have been subject to past industrial activity which may pose a risk of pollution to controlled water. The applicant is therefore advised to please pay attention to the advice set out in the Environment Agency's comments dated 29 October 2024.

Whilst the trees and shrubs on the land to be developed have been assessed as negligible for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

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