

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00668/FUL

CASE OFFICER

Ryan Killeen

DETERMINATION DATE 01.11.2023 **EXT OF TIME** N/A

Address: Atom Valley Innovation Centre, Plot R
Kingsway Business Park, Michael Faraday Avenue, Rochdale, OL16 4FW

Proposal: Research and Development building (Use Class E) including office, laboratory & production space, function space, café and ancillary works thereto

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

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?	Y
	Neighbour comments received?	Y

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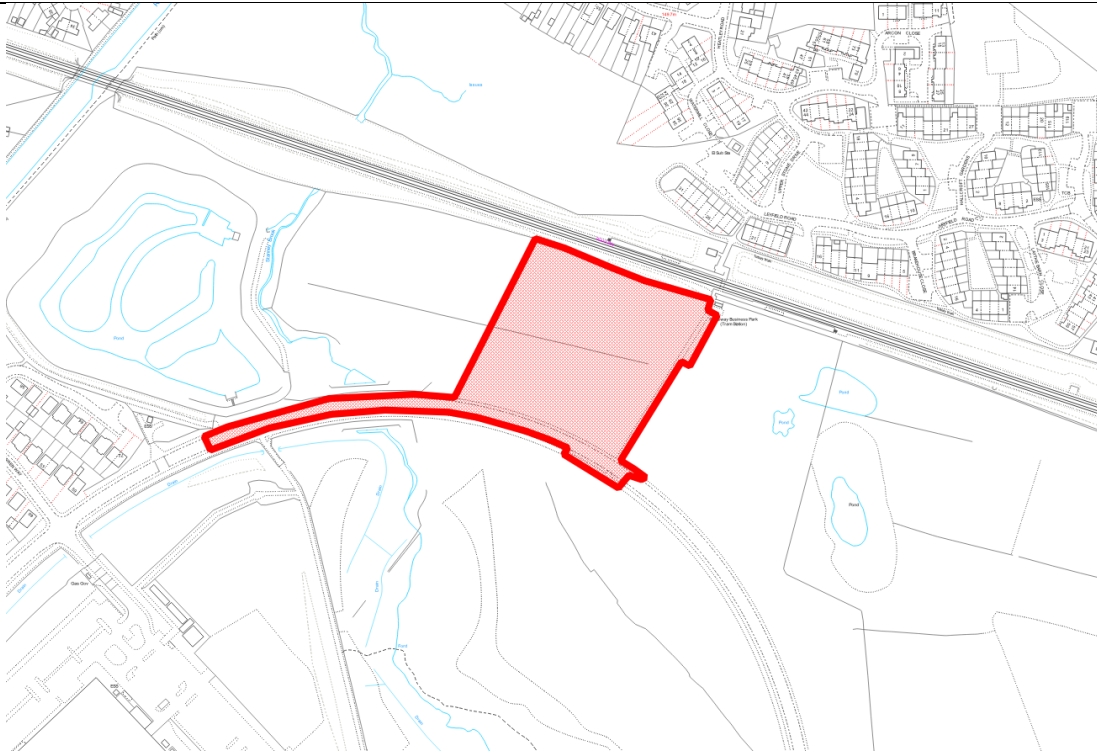
CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY:

DATE:

SITE LOCATION



PROPOSAL SUMMARY

- 1.1 The application seeks full planning permission for a research and development building (Use Class E(g,iii)) including office, laboratory and café space, associated access from Michael Faraday Avenue, parking and landscaping, and re-routing of existing footpath from Kingsway Business Park Metrolink station.

RECOMMENDATION

- 2.1 It is recommended that Planning Permission is **GRANTED** subject to the schedule of conditions listed at the end of this report.

REASON FOR RECOMMENDATION

- 3.1 The proposed development would deliver a class-leading research and development facility of regional significance. The proposals make a valuable contribution to the realisation of the Atom Valley vision. The proposals would also assist the delivery of the Kingsway Business Park Masterplan, contributing positively to the quality of place within the park, and providing complementary research and development uses to increase

the attractiveness of the location to existing and prospective occupiers.

- 3.2 The development is also acceptable in terms of its impact to neighbour amenity and highways. Requirements are met or can be met by way of condition with regards to drainage, contaminated land, biodiversity enhancement, tree and ecological protection. The diversion of the path to the Metrolink has been weighed in the planning balance and is considered an appropriate design response which has sought to make enhancements where possible while accounting for the constraints on site.
- 3.3 Overall the proposals would represent a sustainable development which has been carefully considered and well designed. The application is considered in the planning balance to accord with local and national policy and is therefore recommended for approval.

SITE

The application relates to a 1.1ha parcel of land at the north of Kingsway Business Park noted as Plot R on the Kingsway Masterplan. Kingsway Business Park was originally granted outline planning consent in 1999 and since that time the road infrastructure and highway landscaping has been put in place, development plateaus have been created, and a number of plots have been built out and are occupied by established businesses.

The site bounds the Metrolink line to the north at the Kingsway Business Park station with residential dwellings on Turbary Walk immediately beyond, and Michael Faraday Avenue, a main route through the business park to the south. The site is vegetated with sparse tree cover along the northern boundary. Land to the south of the site forms part of the Stanney Brook Greenspace Corridor as designated under saved UDP Policy G/8 with the JD Sports regional distribution centre circa 250m southwest of the site.

PROPOSAL

Planning permission is sought for the development of a Research and Development building with ancillary laboratory, lecturing, office and café spaces. The building itself would cover an area of approximately 250 sqm and be two-storeys in height. The south-eastern corner of the building would be comprised of an exposed metal frame with solar panel brise soleil. The building would be faced with corten steel panels and fenestration would be etched in a circuitry design.

A total of 86 parking spaces, inclusive of 18no. EV charging spaces and 7no. accessible spaces are set to the east of the building, with access taken from Michael Faraday Avenue. An internal road runs along the east of the site to a service yard at the rear of the building.

Due to the layout of the proposals, the existing footpath between the Kingsway Business Park Metrolink station and Michael Faraday Avenue is to be re-routed along the east of the site, with the replacement of the existing pedestrian crossing.

Landscaping proposals predominantly include the placement of trees to the periphery of the site and between rows of parking spaces.

AMENDMENTS

Transport for Greater Manchester raised concerns over the long-term impacts of the proposed tree planting against the Metrolink line. The landscaping proposals were updated to take account of TfGM's concerns.

DEVELOPMENT PLAN

National Planning Policy and Guidance

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

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:

SP2	The Spatial Strategy for the borough
SP3	The Spatial Strategy for the townships
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
P1	Improving image
P2	Protecting and Enhancing Character, Landscape and heritage
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
T1	Delivering sustainable transport
T2	Improving accessibility

Rochdale Unitary Development Plan (UDP) 2006:

G/D/1	Defined Urban Area
EC/7	Kingsway Business Park
EM/7	Development and flood risk
EM/8	Protection of ground and surface water

Places for Everyone Joint Development Plan (PfE)

4. Strategy

JP-Strat6	Northern Areas
JP-Strat7	North-East Growth Corridor

5. Sustainable and Resilient Places

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air

7. Places for Homes

JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing

8. Greener Places

JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G9	A Net Enhancement of Biodiversity and Geodiversity

9. Places for People

JP-P1	Sustainable Places
JP-P2	Heritage
JP-P4	New Retail and Leisure Uses in Town Centres
JP-P7	Sport and Recreation

10. Connected Places

JP-C1	An Integrated Network
JP-C4	Streets for All
JP-C5	Walking and Cycling
JP-C7	Transport Requirements of New Development

Supplementary Planning Documents (SPD):

Affordable Housing (March 2008)

Biodiversity and Development (January 2008/February 2017)

Guidelines and Standards for Residential Development (June 2016)

Provision of Recreational Open Space in New Housing (March 2008/January 2017)

Residential Design Guide (September 2007)

RELEVANT HISTORY

18/00943/VRCON Removal of condition 45 (requirement for BREEAM rating) of outline planning permission 16/01085/VRCON. Approved

16/01085/VRCON Variation of condition 12 (maximum floorspace thresholds) on planning permission 14/00542/OUT to remove the references to Use Classes B1(c)/B2 and B8 and the associated floorspace figures. Approved December 2016.

14/00542/OUT Outline application, with all matters reserved, for a mixed use business park comprising buildings within development plots as shown on the site location plan for General and Light Industrial Uses (Classes B1 and B2), Offices in the Use Class B1, Distribution and Storage Uses (Class B8), Research and Development Uses in Use Class B1, Car Showrooms (Sui Generis Use), Hotels in Use Class C1, Ancillary Retail and Leisure in Use Classes A1 - A5 and D2, and Residential in Use Class C3. Approved August 2014.

09/D052264 Outline Application With All Matters Reserved For A Proposed Business Park Comprising Buildings Within Development Plots C To X Inclusive As Shown On The Master Plan For: General And Light Industrial Use Classes B1 & B2, Offices In Use Class B1, Distribution And Storage In Use Class B8, Research And Development Facilities In Use Class B1, Hotels In Use Class C1, Ancillary Retail And

Leisure In Use Class A1-A5 & D2, Housing In Use Class C3. Approved October 2009.

98/D35130 Outline Application For A Proposed Business Park Comprising Buildings Within Development Plots C To X Inclusive As Shown On The Master Plan For: General And Light Industrial Use Classes B1 And B2; Offices In Use Class B1; Distribution And Storage In Use Class B8; Research And Development Facilities In Use Class B1; Hotels In Use Class C3; Ancillary Retail And Leisure In Use Classes A1,A2,A3 And D2; Housing In Use Class C1; And Including Details Of The Use And Siting Of And Means Of Access To The Proposed Buildings On Development Plots C,D,E,G,H,I And T. Approved Jan 2000.

CONSULTATION RESPONSES

Urban Design Officer

Summary: Comments provided in respect of the treatment of the rear elevation, window details, primary frontage & integration with Michael Faraday Avenue & Metrolink footpath and cycle storage.

Greater Manchester Police

Summary: Satisfied with security measures set out in Design and Access Statement – Recommend condition

Drainage Officer

Summary: Queries on whether the drainage hierarchy has been investigated and over adoptability of the SW drainage proposals.

Note: United Utilities have reviewed the proposals and raised no concerns. Drainage design for the proposals will be subject to review mechanisms outside of the planning system prior to the development being brought into use.

United Utilities

Summary: Advice provided in respect of groundwater protection, drainage design & UU asset protection.

Environment Agency

Summary: No objection in principle. Advice provided in respect of use of SuDS, control of emissions

Natural England

Summary: No objection – NE considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Greater Manchester Ecology Unit

Summary: Reasonable efforts made in ecological survey, no further surveys required. The Shadow HRA is acceptable and proposals will not have any likely significant effects on the Rochdale Canal SAC. BNG is to be achieved off-site, LPA should have confidence that this can be achieved. On site proposals should be subject to long term management and monitoring.

Environmental Health (Noise)

Summary: No objections in principle to the proposal, we would recommend a construction management plan is conditioned in addition to noise levels from plant being controlled.

Land Contamination Officer

Summary: Recommend standard condition for the submission of a remediation scheme.

Local Highways Authority

Summary: No concerns in respect of volume of traffic generated, servicing, access, parking and road safety.

Transport for Greater Manchester

Summary:

Metrolink Team:

No objection in principle, however it is imperative that the stability of the track embankment is not compromised by root spread and ground heave from landscaping. It is also essential that the mesh radio signals used by Metrolink are not adversely impaired by foliage.

A number of trees along the southern boundary have canopy spreads >8m at maturity which would extend into Metrolink land, potentially adversely impacting Metrolink infrastructure.

The applicant should revise the landscaping scheme and include the provision for a root barrier to the boundary with Metrolink. Condition suggested for submission of a Construction Management Plan. Advice provided in respect of noise and EM radiation & compatibility with proposals.

Update 02/09/2024:

Revised landscaping scheme is acceptable. Draw applicant's attention to previous advice.

Land Use Team:

Trip rate appears on the low side as it is just representative of the office uses. Note the 2014 planning permission for the wider business park however defer to the LA to determine if the consent remains extant.

National Highways

Summary: No objection

Greater Manchester Fire and Rescue Service

Summary: The distance to the nearest fire hydrant is in excess of 400m – The applicant should look to install a hydrant closer to the site.

Note: Fire regulations are separate to the planning system. The applicant has been made aware of the views of the Fire Service and further consideration of this matter will come with Building Regulations approval.

TOWNSHIP PLANNING PANEL

N/A

MEMBER REPRESENTATIONS

None.

PUBLIC REPRESENTATIONS

Letters of notification were sent to surrounding properties and a notice was posted in the vicinity of the site in addition to an advert being issued in the local press. A total of 5 responses were received with 4 objecting to, and 1 supporting the development. The letter of support welcomes the delivery of the development which would be associated with economic benefits. The letter also commends the visual appearance of the development. The letters of objection relate to the following matters:

Objection	Officer's Response
Impact to highways/more traffic/pedestrian safety including during construction phase of development	Assessed in the 'Highways' section of the report
Loss of Green Space	Assessed in the 'Principle of Development' section of the report.
Harm to trees, biodiversity	Assessed in the 'Trees, Ecology and Biodiversity' section of the report
Increase in noise and disturbance to nearby residents	Assessed in the 'amenity' section of the report.

ANALYSIS

Principle of Development

1. The site is located within the Kingsway Business Park which has a long history of planning approvals for business and employment uses. The site is allocated within the UDP under policy EC/7 as part of the Kingsway Business Park for high quality general and light industry, offices, distribution and storage, research and development and associated uses. The adopted Core Strategy refers to the delivery of Kingsway Business Park as a key part of the Strategy for Rochdale as set out in policy SP3/R. Core Strategy policies E2 (Increasing jobs and prosperity) and E3 (Focusing on economic growth corridors and areas) identify the Kingsway corridor as an economic growth corridor where most jobs and employment development will be delivered.
2. Kingsway Business Park forms part of the North-East Growth Corridor as set out under PfE Policies JP-Strat 6 and JP-Strat 7, which clearly establish the strategic significance of realising the 'Atom Valley' cluster in order to improve perceptions of, and opportunities within, northern boroughs of Greater Manchester. JP-Strat 6 in particular makes specific

reference to Advanced Machinery and Productivity Institute at Kingsway Business Park, which is what the application scheme has previously been coined.

3. The delivery of Research and Development facilities is identified as a component of economic growth within the Spatial Strategy of the Places for Everyone Joint Development Plan, citing the potential for links with the regions strong academic presence. PfE Policy JP-P1 places an emphasis on the development in key economic sectors including as advanced manufacturing.
4. The principle of development for the proposed development has also previously been established by the approval of the most recent outline planning permission ref. 14/00542/OUT, which was subsequently varied by planning permissions 16/01085/VRCON and 18/00943/VRCON. The outline planning permission was accompanied by a 'Master Plan' and 'Parameters Plan' which expressly identified the flexible approach to employment development across the Kingsway Business Park in accordance with the Development Plan. In particular, the 'Parameters Plan' displays Plot R for uses within the former Use Class B1 (now split amongst use class E). However, the proposed development requires full planning permission as it would exceed the haunch height stipulated on the approved parameters plan by 3 metres.
5. On this basis it is clear that the development would be acceptable in principle, and that the development would be afforded significant weight through the recent adoption of Places for Everyone as it would deliver a form of development of strategic importance to the borough and make a valuable contribution to boosting the competitiveness of the northern areas of the city region, according with Policies JP-Strat 6, JP Strat 7, JP-J1 and JP-J4 of the adopted Places for Everyone Joint Development Plan, Policies E2 and E3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Amenity and Noise

6. Read individually or collectively, the Core Strategy, Places for Everyone and the NPPF seek to ensure that planning decisions should result in places with a high standard of amenity for existing and future users.
7. Despite the greater scale than what was envisaged by the approved parameters plan, given the overall separation distance of 80m to the nearest facing dwellings on Turbary Walk, to the far side of the Metrolink

line, the proposals would not give rise to any unacceptable impact in respect of loss of light, outlook or privacy.

8. The approved outline consent has previously established the suitability of office uses at this location, including the acoustic impacts on nearby residential occupiers. Condition 23 of the Outline permission provided restrictions on noise levels measured from the nearest sensitive receptors.
9. Acoustic modelling has been undertaken by the applicant to consider the noise impacts from HGVs, plant and other noise generating activities associated with the use during its operational phase both during the day and at night. The modelling concludes that the effects of operational noise on the nearest sensitive receptors would be within the limits of condition 23 of the outline consent, and has provided limits for fixed plant items.
10. Noise generated during the construction phase of development can be suitably managed via condition as has been the case across other units in similar proximity to residential uses across the Park.
11. The application has been reviewed by the Council's Environmental Health Officer who is content with the findings of the submitted Noise Impact Assessment and has recommended conditions accordingly.

Design and Appearance

12. The revisions to the NPPF in July 2021 make it very clear that significant weight should be given to development which reflects local design policies and government guidance on design. In support of this, the Government have produced a suite of guidance documents including Building for a Healthy Life (BHL), the National Model Design Code (NMDC) and the National Design Guide (NDG) which form a material consideration in the assessment of the design of development proposals, and aid Local Authorities and developers alike in understanding if development proposals are well-designed.
13. Kingsway Business Park is characterised by the placement of large industrial/warehouse along landscaped boulevards constructed with a vernacular of extruded corners in grey and blue, which is shared across the park.
14. The development comprises a single two-storey building set to the south of the site against Michael Faraday Avenue, with parking and landscaping wrapping around the building to the east and the north which is broadly

consistent with the arrangement of other plots in the Park. The material palette of corten steel and increased use of glazing however is a clear deviation from the shared palette of other units. The proposals however are clearly of a much higher quality design than other units with a much greater level of articulation across all elevations, and its prominent location at the public transit gateway to the Park places it as a landmark.

15. With regards to the parameters plan, which sought to restrict the haunch height of any unit at this plot to 12m, the 16m height of the proposals would inevitably result in a greater visual impact by virtue of the increased scale, however, this would be sufficiently mitigated by much higher quality design over the vernacular present across the park and overall, would be a betterment versus the original ambitions of the masterplan.
16. The applicant has supplied details of a bike shelter which is constructed of black mesh in order to blend in with the tonality of the tarmac used within the car park. Ultimately, this feature undermines the overall quality of the development and as such details of a bike shelter are to be required via condition.
17. Subject to full details of materials and other architectural details, and hard and soft landscaping, it is considered that the proposals would satisfy the overarching aims and objectives set out in local and national design guidance in addition to Policies P3 and DM1 of the adopted Core Strategy, Policies JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Energy and Sustainability

18. The application proposals are supported by an Energy and Sustainability statement which ensures that the development proposals follow the energy hierarchy throughout its design and construction. Measures incorporated within the scheme include a fabric first approach for improved insulation, considered design to reduce unwanted solar gains and solar panels. These measures collectively reduce the regulated energy and CO₂ emissions by 87.5% and 55.4% respectively when compared with the Building Regulations Target Emissions Rate Baseline contained within Part L. Such measures demonstrate a commitment to improving energy efficiency and sustainability in accordance with NPPF, Core Strategy policies G1 and G2, and the council's Climate Change Adaption SPD.

Highways

19. The highways impacts of Kingsway Business Park have been considered throughout the various consents which have been in place, with a substantial road network in place to manage the high number of movements associated at present, and once the Park has been built out. A cumulative total of broadly 9,000 vehicle movements across the morning and evening peak hours have been accepted, with current levels of traffic broadly 80% below this figure, as set out in the applicant's Transport Statement.
20. The supporting Transport Statement considers the proposed use to generate around 110 trips split relatively evenly across peak hours; a contribution of 0.1% of the total permitted under the outline consent which would clearly have a negligible impact on the amount of traffic experienced and on junction capacity in the area.
21. The access to the site is to be taken from Michael Faraday Avenue, which at present is blocked off from nearby to the junction of Wren Way. The Local Highways Authority are content with the access arrangements proposed in principle with details to be resolved via a S.278 agreement. The Local Highways Authority are also content with the proposed parking arrangements, particularly in light of the proximity of the Metrolink station which provides direct access from multiple stops across Manchester city centre, and from Rochdale Railway Station, which has direct links to multiple conurbations across the north of the Country.
22. The Greater Manchester Fire and Rescue service have noted that the nearest hydrant is at the junction of Michael Faraday Avenue and Wren Way, which would be over 400m from the development. The Fire Service have subsequently recommended the installation of fire hydrant to which the developer has submitted a revised plan to this effect. The Fire Service are content with the access in the event of a fire, which relies on the car park and service yard remaining free for manoeuvring; a condition is recommended to ensure the viability of this feature in perpetuity.
23. Accordingly, the proposal is considered to meet with the relevant requirements of CS Policies T2 and DM1, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Ecology and Trees

24. Paragraph 180 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. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

25. The site is predominantly grassed with sparse tree coverage along the northern boundary. The nearest ecological features include Stanney Brook, which forms part of a Greenspace Corridor, as designated under saved UDP Policy G/8 and the Rochdale Canal Special Area of Conservation, which is also designated as a SSSI.
26. Given the statutory status of the Rochdale Canal and South Pennine Moors, a Habitat Regulations Assessment has been submitted with the application. The predominant threats to the Canal relate to human induced changes to hydrological conditions and recreational pressures in addition to air pollution. Given the separation between the site and Canal, there is no direct hydrological linkage and the overall nature and intensity of the use is such that recreational and air pollution impacts would be negligible. The report also considers cumulative impacts with nearby development (predominantly across Kingsway Business Park) and determines that the similar nature of the development is unlikely to result in any significant increase in recreational pressure on the canal, or impacts otherwise. On this basis, Natural England have raised no objection to the proposals and the development accords with the requirements of the Habitat Regulations Directive.
27. The application is supported by a Preliminary Ecological Appraisal which acknowledges Stanney Brook as the most obvious ecological corridor in the area, being designed as mitigation for the wider business park development. The report considers that the disturbed and somewhat featureless nature of the site would mean that it would be unlikely to be of value to bats and birds. The report recommends precautionary measures for both badgers and hedgehogs in the absence of any confirmed presence of these species. The presiding condition of nearby hydrological features considers that the site and nearby features are unlikely to support Water Vole, amphibians or mud snail.
28. The report also assesses existing habitat on site, which comprises modified grassland (low distinctiveness) and neutral grassland (medium distinctiveness), and notes that existing habitat does not pose any particular design constraint. However, avoidance of relatively higher value areas is unlikely, and much of the habitat across the site would be lost. Subsequent opportunities arising from the development include native

tree planting to the periphery, buffer planting to the Metrolink line to assist its function as an ecological corridor and specific measures for bats, birds and small mammals.

29. The development proposals, taking account of the recommended measures, would deliver a net loss of 1.96 units, or 54% versus the baseline. It is considered that, in weighing up the operational requirements of the development and the value of existing habitats on site, that the hierarchical approach to biodiversity net gain has been appropriately considered, and as such off-site compensatory measures will be required. It is considered that the statutory biodiversity net gain condition as set out in Schedule 7A of the 1990 Act is appropriate to secure such measures and is attached to this permission.
30. The report has been reviewed by the Greater Manchester Ecology Unit who are content with the findings of the submitted Preliminary Ecological Appraisal and the landscaping proposals subject to statutory BNG requirements being met, and the proposed development would therefore accord with the requirements of Policies G6 and G7 of the adopted Core Strategy, JP-G8 of PfE, and the National Planning Policy Framework.

Drainage and Flood Risk

31. The site is within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding. A Flood Risk Assessment and a Sustainable Drainage Statement have been submitted. It is noted that infiltration is limited on site given the underlying impermeable geology, and as such, drainage into bodies of water is considered most appropriate within the context of the drainage hierarchy. The majority of the site will be paved over and the existing greenfield area will for the most part, become impermeable. Attenuation with the Kingsway Business Park has been designed such that up to the 1 in 100 year event can be accommodated with the existing attenuation ponds. On plot attenuation is proposed in order to account for climate change which comprises permeable areas of hardstanding and landscaped areas. The proposed car park will have gullies and filter drains and the surface water flows will pass through an oil interceptor before discharging from the site into the attenuation pond system and then ultimately into Stanney Brook. The system would be designed to handle a 1 in 100 year storm flow.
32. As part of the application process both United Utilities, who have adopted the site's surface water drainage system and Lead Local Flood Authority were consulted. UU raised no objections with the LLFA raising minor

queries in respect of the drainage hierarchy which are considered to be satisfactorily addressed through the submission of additional clarification. Subject to conditions relating to surface water run-off and foul sewage from the site the LPA raise no objections to this scheme.

Ground Conditions and Land Contamination

33. A Phase II report detailing the findings of intrusive ground investigations has been provided. The report concludes that the soils and groundwater on site are considered to pose a low risk to human health and controlled waters receptors. However, ground gas monitoring has identified that ground gas protection measures will be required. The Council's Public Protection Officer has reviewed the submitted Phase II report and has concluded that the report and the recommendations contained within it are acceptable. Subject to the suggested condition requiring a remediation strategy for consideration by the LPA, the proposal would accord with adopted Rochdale Core Strategy policies DM1 and G9 and the NPPF.
34. Subject to the suggested conditions and subsequent actions in respect of the above, the development will be safe for end users and will protect the water environment in accordance with the requirements of Policies G8 and G9 of the Core Strategy and the NPPF.

Planning Balance and Conclusions

35. The proposed development represents a significant part of the wider Atom Valley vision which includes this longstanding, designated employment site. The delivery of a research and development use would provide a complementary function to the overall Atom Valley vision and would therefore make a valuable contribution to driving innovation in the advanced manufacturing and materials sector, assisting in the creation of highly skilled, high-quality jobs and addressing regional economic imbalances. The development would also deliver educational opportunities within the borough to compatible with the overall employment prospects arising from the Atom Valley opportunity.
36. The development is also acceptable in terms of its visual appearance, which would contribute positively to the business park, its impact to neighbour amenity and highways. Requirements are met or can be met by way of condition with regards to biodiversity and ecology, drainage, and contaminated land.

37. Overall the proposals would represent a sustainable development which has been carefully considered and well designed. The application is considered in the planning balance to accord with local and national policy and is therefore recommended for approval.

RECOMMENDATION

It is recommended that planning permission is **GRANTED** subject to the following conditions:

1 Time Limit

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 Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and details:

- AVIC-DLA-XX-00-DR-A-99001 - P02 - Location Plan Application Boundary
- AVIC-DLA-XX-00-DR-A-99002 - P02 - Existing Site
- AVIC-DLA-XX-00-DR-A-99003 - P04 - GA Site Plan
- AVIC-DLA-XX-00-DR-A-99004 - P03 - External Works
- AVIC-DLA-XX-00-DR-A-99006 - P03 - Fence and Screening
- AVIC-DLA-XX-00-DR-A-99007 - P02 - Service Yard Fence
- AVIC-DLA-XX-00-DR-A-99008 - P03 - GA Site Sections
- AVIC-DLA-XX-00-DR-A-99100 - P03 - Soft Landscape Proposal
- AVIC-DLA-XX-XX-DR-A-67010 - P01 - Fire Service Access
- AVIC-DLA-ZZ-00-DR-A-20100 - P02 - Ground Floor GA Plan
- AVIC-DLA-ZZ-01-DR-A-20101 - P02 - First Floor GA Plan
- AVIC-DLA-ZZ-RF-DR-A-20102 - P02 - Roof GA Plan
- AVIC-DLA-ZZ-XX-DR-A-20103 - P03 - GA Elevations North and East
- AVIC-DLA-ZZ-XX-DR-A-20104 - P03 - GA Elevations South and West
- AVIC-DLA-ZZ-XX-DR-A-20105 - P01 - GA Elevations - Rendered North and East
- AVIC-DLA-ZZ-XX-DR-A-20106 - P01 - GA Elevations - Rendered South and West
- AVIC-DLA-ZZ-XX-DR-A-20110 - P01 - GA Sections 1 of 2
- AVIC-DLA-ZZ-XX-DR-A-20111 - P01 - GA Sections 2 of 2
- PLR-BWB-00-XX-RP-ME-0001_S2_P02_Energy Statement
- 232081-BWB-INF-XX-D-C-0500_Proposed Drainage Strategy-S8-P02
- 232081-BWB-INF-XX-D-C-0600_Proposed Finished Levels-S8-P02

- 232081-BWB-INF-XX-D-C-0630_Proposed Earthworks-S8-P02

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3 Badgers

No development shall take place until such time as a pre-works check for the presence of badgers or setts within the application site and a 30m perimeter of the boundary of the site has been undertaken by a suitably qualified ecologist and the results submitted to and approved in writing by the Local Planning Authority.

Where the presence of badgers or setts is suspected or confirmed, no development shall take place until such time as a scheme of Reasonable Avoidance Measures to ensure the protection of badgers which may be present on site, or use the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the duly approved RAMs scheme.

Reason: In order to prevent any harm to badgers in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 Construction Environmental Management Plan

No development shall take place (including any site clearance or preparation works) until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. For the avoidance of doubt, this 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. construction and/or demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- e. the erection and maintenance of security hoarding;
- f. measures to protect surrounding sensitive receptors from fugitive dust and debris both during and after the construction phase; and,
- g. reasonable avoidance measures for the protection of amphibians and

mammals.

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

Reason: To minimise the detrimental effects to the natural environment through risks of pollution during the construction phase in accordance with Policies DM1, G7 and G9 of the Core Strategy, Policies JP-P1 and JP-G9 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance poses a threat to the surrounding natural environment and to surrounding occupiers and a scheme therefore needs to be agreed in advance of any works taking place.

5 Contamination

No development shall take place until such time as a remediation strategy shall been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be take account of the contents and the recommendations of the submitted Phase I Geo-Environmental Assessment by BWB Consulting dated July 2022, and Phase II Geo-Environmental Assessment BWB ref. 232081 dated May 2024.

The remediation strategy shall be implemented as approved, and following the completion of the remedial works and prior to the first occupation of the approved development, a verification report to demonstrate the effectiveness of the agreed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is adequately remediated in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

6 Metrolink Footpath

A) The footpath between Kingsway Business Park Metrolink Station and Michael Faraday Avenue shall not be closed off until such time as details of a temporary path to be made available throughout the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The temporary path shall be made available prior to the closure of the existing path

and shall be retained until a permanent replacement has been made available for use.

- B) The development hereby approved shall not be occupied until such time as the detailed design of the replacement footpath between Kingsway Business Park Metrolink Station and Michael Faraday Avenue has been submitted to and approved in writing by the Local Planning Authority. Any submission shall include details of the surfacing materials and lighting.

The footpath shall be delivered in complete accordance with the approved details and made fully available for use prior to the first use of the development hereby approved and retained as such thereafter.

Reason: In the interest of maintaining routes for sustainable modes of transport in accordance with policies DM1 of the adopted Rochdale Core Strategy, Policy JP-C1 and JP-C3 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

7 Materials

Notwithstanding any details provided within the application, no works to install facing materials/finishes shall take place until full details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. 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 and in accordance with policies DM1, P1 and P3 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

8 Windows, Doors and Rooflights

Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

9 Cycle Store

Notwithstanding and details provided within the application, the development hereby approved shall not be occupied until such time as details of the cycle shelter as shown on the approved Site Plan have been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in accordance with the approved details and made fully available for use prior to the first occupation of the approved development.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10 Refuse Store

The development hereby permitted shall not be brought into use until the refuse and recycling storage facilities indicated on drawing no. AVIC-DLA-XX-00-DR-A-99007 Rev P02 – Service Yard Fence and Screening Details have been fully implemented and made available for use. These facilities shall thereafter be retained for their intended purpose at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 Fencing

The development hereby permitted shall not be brought into use until the security fencing as indicated on drawing no. AVIC-DLA-XX-00-DR-A-9906 Rev P03 – Fencing and AVIC-DLA-XX-00-DR-A-99007 Rev P02 – Service Yard Fence and Screening Details has been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

12 Drainage

Prior to occupation of the proposed development, the surface water drainage for the development hereby approved shall be carried out in accordance with the submitted plan ref. 232081-BWB-INF-XX-D-C-0500_Proposed Drainage Strategy-S8-P02, Dated: April 2024, Prepared by: BWB.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

13 Landscaping

The landscaping works shall be carried out in accordance with the approved details indicated on the plans AVIC-DLA-XX-00-DR-A-99100 Rev P03 – Soft Landscape Proposal.

All planting, seeding or turfing comprised within the approved scheme of landscaping shall be carried out no later than the first planting and seeding seasons following the development hereby approved being first brought into use and any trees or plants which, within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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 Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

14 Root Barrier

No landscaping works shall take place until such time as details of the placement, specification and design of a root barrier to the Metrolink embankment has been submitted to and approved in writing by the Local Planning Authority. The root barrier shall be installed with the duly approved details prior to the completion of the landscaping scheme and shall be retained and maintained as such thereafter.

Reason: To ensure that landscaping provisions do not adversely impact the stability of the Metrolink line embankment and the operation of critical public infrastructure.

15 Habitat Management Plan

The development hereby approved shall not be brought into use until such time as a Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan shall detail the ongoing maintenance of on-site habitat pursuant to the statutory Biodiversity Net Gain condition. The approved plan shall be adhered to for a period of 30 years following the completion of the development hereby approved.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16 External Lighting

Notwithstanding any details contained within the application, full details of any external lighting to be installed on the building or on the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Such details shall include its position and height on the building or site and its luminance, angle of installation and any hoods to be fixed to the lights. Only lighting as approved shall be installed on the site in accordance with the terms of any such approval.

Reason: In the interests of, amenity and to prevent nuisance to the natural environment in accordance with adopted Rochdale Core Strategy policies DM1, P3, G4 and G9, Policies JP-G8 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

17 Car Parking, Service Yard, etc.

The car parking areas, service yard, refuse stores and manoeuvring areas for the building shall be constructed and marked out in accordance with the approved details shown on the approved Site Plan, and Refuse Store and Fencing Detail plan and shall be made available for use before the relevant building is first occupied and retained thereafter for the parking and manoeuvring of vehicles.

Reason: In order to ensure there is adequate provision for vehicles to be parked clear of the highway, to ensure appropriate surface treatment of hardstanding areas and to ensure the suitable disposal of surface water

in order to comply with policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

18 No External Storage

No goods, materials, waste products or containers shall be stored on land outside the building or designated enclosures at any time, without the prior written consent of the Local Planning Authority.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity, in accordance with policies P3, T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-C7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

19 Fixed Plant

Noise levels from fixed plant, in conjunction with all other noise from the unit, shall not exceed 51 dB(A) Leq,15mins between 0700 and 2300 hours and 45 dB(A) Leq,5mins at any other time as measured at the façade of any noise sensitive property, (or 48 dB(A) Leq,15mins and 42dB(A) Leq(5mins) as free measurements within the curtilage of any noise sensitive building).

Reason: In the interests of the amenity of neighbouring occupiers, in accordance with Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Statutory 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 the development of land in England is deemed to have been granted subject to the condition "(the 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 Metropolitan Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Please see informatives and notes for further information in relation to the condition, exemptions, transitional arrangements, irreplaceable habitats and the effect of 73(D) of the Town and Country Planning Act 1990.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

Biodiversity Net Gain

Irreplaceable Habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain

Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and,
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of

the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.