

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01213/FUL

Name and address for correspondence:	Applicant name:
Mrs Helen Leggett Emery Planning 1-4 South Park Business Court Hobson Street Macclesfield SK11 8BS	Mr Tim SmithOLF1 PROPCO2 S.A.R.L (C/O Oxenwood Real Estate LLP)

Part I - Particulars of Application

Date of Application: 24 November 2023

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

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans 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:

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:

Arrangements for adoption by an appropriate public body or statutory undertaker, or, management company; and

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 and 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 PpE 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.

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 14 November 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.