



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00707/FUL

Name and address for correspondence:	Applicant name:
Mr robert spavin Concept Studio Architecture Ltd. 3 Swiss Cottage Swiss Hill Alderley Edge Cheshire SK9 7DP United Kingdom	Mr LimElevate Building Ltd

Part I - Particulars of Application

Date of Application: 13 November 2023

Proposal:	Erection of additional industrial unit (Use Classes B2 general industrial & B8 storage and distribution) and the replacement of canopies to the rear elevation of the existing unit with an extension
Location:	Sonoco Industrial Products , Station Road, Milnrow, Rochdale, OL16 4HQ

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:-

Drawing No: PL_002 - Proposed Site Plan
Received 29th June 2023

Drawing No: PL-009 - Proposed New Build Warehouse Plan & Elevations

Received 31st July 2023

Drawing No: PL_000 - Location Plans

Drawing No: PL_004 - Proposed Elevations

Received 7th February 2024

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

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

- 4 The turning area and access road identified on the approved plans must be kept clear of car parking and shall not be used for the storage of materials and goods etc. The turning area and access road shall be kept available for turning and access at all times thereafter.

Reason: To ensure that the development is provided with adequate turning areas and access facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy T2 of the Rochdale Core Strategy and JP-C8 of PfE.

- 5 The building hereby permitted shall not be occupied until the parking areas identified on the approved plans have been clearly marked out. The parking areas identified shall not be used for the storage of materials and goods etc. The space(s) shall be kept available for parking at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy T2 of the Rochdale Core Strategy and JP-C8 Of PfE.

- 6 The proposed development hereby approved shall only be used in connection with the existing premises and shall not be independently occupied.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy T2 of the Rochdale Core Strategy.

- 7 The development hereby approved shall not be occupied until a plan showing how a minimum of 14 cycle spaces in the form of 7 (or more) covered and secure cycle parking stands can satisfactorily be provided on site is submitted to, and approved in writing by, the Local Planning Authority.

The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

Reason: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy T2 of the Rochdale Core Strategy and JP-C8 of PfE.

- 8 No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Rochdale Borough Council (in consultation with Transport for Greater Manchester).

The approved CMP shall include agreed safe methods of working adjacent to the Metrolink boundary and shall be adhered to throughout the construction period. The CMP shall provide for: -

- o Construction and demolition methods to be used; including the use of lifting equipment or cranes (which must not oversail the tramway);
- o Loading and unloading of plant and materials, demonstrating due cognisance of the proximity of the overhead power cables carrying 750volts;
- o Construction method where works are in close proximity to tree protection fencing, protecting Metrolink trees; and
- o Measures to control the emission of dust and dirt during construction.

Reason: To safeguard Metrolink infrastructure pursuant to policies and ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

- 9 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall include:

(i) Detailed plan of sewer diversions around the new building, which must show clearly that an excavation exclusion zone to the fence of the railway of 2m is provided. Correspondence from United Utilities to confirm that they are in agreement with the diversions.

(ii) Details of the discharge of the new building's roof drainage to river and headwall arrangement. Although this is a large building, it is not practical to restrict the roof drainage discharge to river to less than 5l/s so a direct connection can be included. Since this is an outfall to main river, the applicant must provide evidence that the headwall complies with EA guidance i.e. points in direction of flow and that the headwall complies with the EA's flood risk exemption requirements:

<https://www.gov.uk/government/publications/environmental-permitting-regulations-exempt-flood-risk-activities/exempt-flood-risk-activities-environmental-permits>

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7

of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 10 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to, and approved in writing by, the Local Planning Authority (in consultation with United Utilities). The sustainable drainage management and maintenance plan shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- (ii) 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 Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of PfE and the National Planning Policy Framework.

- 11 No development shall take place, including any works of demolition, until a lighting design strategy for biodiversity for consideration of bats and the maintenance of a dark corridor for commuting and foraging routes along the river and railway has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

If the lighting plan cannot maintain the dark corridors then further survey work for bats will be required prior to determination, as specified in the ecology report.

Reason: To avoid harm to habitats and species. This accords with Paragraph 175 of the NPPF, Policy G7 of the Rochdale Core Strategy and Policy JP-G8 of PfE.

Reason for pre-commencement condition: As no details of a lighting scheme have been submitted and to ensure there is no harm to habitats and species.

- 12 No tree, shrub or brash clearance shall occur or renovation of the buildings occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to works and written confirmation provided that no active bird nests are present, which has been agreed in writing by the LPA.

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

- 13 No development shall commence, including any earthworks, vegetation clearance or demolition until a method statement detailing eradication or avoidance measures for Himalayan balsam shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of PfE and to ensure the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread in the wild.

Reason for pre-commencement condition: Construction activity increases the risk of invasive species spreading.

- 14 No development shall commence on site (including demolition, preparatory works, earth moving, or materials or machinery brought onto site) until a method statement via a Construction Environmental Management Plan (CEMP) to protect the River Beal from accidental spillages, runoff, dust and debris including a scheme for the provision and management of a minimum of 8-metre-wide buffer zone alongside the river Beal has been submitted to, and approved in writing by, the Local Planning Authority.

All measures will be implemented and maintained for the duration of the construction period in accordance with the approved CEMP. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone shall be free from built development including lighting, domestic gardens, and formal landscaping. The scheme shall include:

- o plans showing the extent and layout of the buffer zone
- o details of any proposed planting scheme (for example, native species)
- o details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- o details of any proposed footpaths, fencing, lighting, etc.

Reason: Land alongside the River Beal is valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity and in accordance with Policy G7 of the Rochdale Core Strategy and Policy JP-G8 of PfE.

Reason for pre-commencement condition: To ensure there is no significant harm resulting from the development which cannot be avoided, adequately mitigated, or as a last resort compensated for.

- 15 No development shall commence on site (including demolition or preparatory works) until an updated walkover survey has been carried out to identify any new badger setts. The updated walkover survey shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall thereafter be carried out in accordance with the details contained in section 4.4.4 of the Preliminary Ecological Appraisal (E3P October 2023).

Reason: To ensure that badgers are not adversely impacted upon as a result of the development in accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of PfE and the NPPF.

Reason for pre-commencement condition: As badgers have been recorded on the site and to prevent any habitat disturbance to badger setts if present.

- 16 Prior to the approved building being brought into use, a Habitat Management and Monitoring Plan (HMMP) for the onsite, and any potential offsite, elements of the Biodiversity Net Gain shall be submitted to, and approved in writing by, the Local Planning Authority. The HMMP must provide mitigation in line with the agreed metric received by the Local Planning Authority on 10th April 2024. This document should be retained and used to inform future monitoring and compliance of the time to target enhancement methods and ongoing management required to maintain the agreed level of habitat distinctiveness and quality.

The HMMP should contain;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period and for a minimum total period of 30 years).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

Reason: In the interests of securing biodiversity enhancement in the long term in accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of PfE and the NPPF.

- 17 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the Phase 1 site assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site and:
 - i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
3. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and Policy G9 of the Rochdale Core Strategy.

Reason for pre-commencement condition: As insufficient information has been submitted with the application and to ensure that the risks associated with contamination are sufficiently dealt with.

- 18 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework and Policy G9 of the Rochdale Core Strategy.

- 19 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling operation and installation, does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection' and in accordance with Policies G8 and G9 of the Rochdale Core Strategy.

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.

Date Decision Issued 14 June 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.

Whilst there is only a low risk of otter being present, the applicant is reminded that under the 2019 Regulation it is an offence to disturb, harm or kill otters. If an otter is found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the otter(s). Natural England should also be informed.

Whilst the works to the property have been assessed as having negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat and the signs of bats 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.

The applicant is advised to note the comments provided by United Utilities dated 18th December 2023.

The applicant is advised that they may be requested to enter into an asset protection agreement with Metrolink depending on the construction methods proposed. Metrolink should be contacted directly. Further details can be found via the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/working-safely>

The following advice is from the Environment Agency:-

Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by: We recommend that developers should:

- o Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination
- o Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- o Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- o Refer to the contaminated land pages on gov.uk for more information
- o Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- o excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- o treated materials can be transferred between sites as part of a hub and cluster project
- o some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- o the position statement on the Definition of Waste: Development Industry Code of Practice
- o The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2016
- o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative ground improvement methods:

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk: <https://www.gov.uk/guidance/water-management->

apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction.

Regulatory position statements

If dewatering and discharging into surface water is required during development, the following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.' <https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the River Beal which, is designated a 'main river'. Some activities are excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: Flood risk activities: environmental permits - GOV.UK (www.gov.uk).