

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO	CASE OFFICER	DATE
PL/2026/0112	Nick Brookman	13 th July 2026

DETERMINATION DATE (EXTENSION OF TIME)

17th July 2026

Address: Birch Business Park, Whittle Lane, Heywood, Rochdale, OL10 2SX

Proposal: Section 73 application to vary conditions 2 (Approved Plans), 3 (Invasive Species), 4 (Tree Protection), 6 (Drainage Strategy), 8 (CMP), 9 (Materials), 11 (Landscaping), 13 (Cycle Parking), 14 (External Lighting), 16 (EV Charging Points), 19 (Acoustic Barrier) and 20 (Energy Statement) of planning permission 24/00453/VRCON

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?	N
	Neighbour comments received?	N

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RK

DATE: 15/07/2026

SITE

The application site relates to the former site of Units B and G of Birch Business Park in the south east corner of the wider industrial estate.

The industrial estate, including the application site, is a major developed site which now forms part of the Places for Everyone Joint Development Plan as an allocated site known as JPA 1.1 Northern Gateway.

Approximately 350m to the south east of the site is the eastbound Birch Services of the M62, whilst 900m north is Heywood Distribution Park. The immediate area surrounding Birch Industrial Estate is farmland, and the topography of the land falls away to the south-east.

The site boundaries are marked by mature trees on all sides, although there are some significant gaps within it at present. The site is accessed via Moss Hall Road / Whittle Lane, the former of which runs along the western boundary of the site and the latter of which runs along the southern boundary.

Birch Business Park lies to the south of Heywood Distribution Park and is also closely located to the wider South Heywood masterplan area approved under application ref. 16/01399/HYBR.

PROPOSAL

This application seeks is a Section 73 application to vary conditions 2 (Approved Plans), 3 (Invasive Species), 4 (Tree Protection), 6 (Drainage Strategy), 8 (CMP), 9 (Materials), 11 (Landscaping), 13 (Cycle Parking), 14 (External Lighting), 16 (EV Charging Points), 19 (Acoustic Barrier) and 20 (Energy Statement) of planning permission 24/00453/VRCON.

The proposed design amendments to the existing permission are set out in the table below:

Description	Approved Layout (Dwg. No. 21033 PL03 Rev. P05)	Proposed Layout (Dwg. No. 25026-HFR-UB-XX-DR-A-9002_P1)
Number of Units	1	1
Gross External Area	8,413m ²	9,331 m ²
Ridge Height	15.1 m	14.2 m
Car parking spaces	89	110
Surface Loading Doors	3	2
Dock Level Doors	6	8

For implementation purposes, this application also proposes to vary the wording of several conditions on planning permission 24/00453/VRCON.

RELEVANT PLANNING POLICY

National Guidance

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

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

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

Adopted Rochdale Core Strategy (CS):

DM1	General Development requirements
SO1	To deliver a more prosperous economy
E2	Increasing Jobs and Prosperity
E3	Focus on economic growth corridors and areas
E4	Managing the release of land to meet future employment needs
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
G4	Protecting Green Belt
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Saved Policies of the Unitary Development Plan (UDP):

EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

RELEVANT SITE HISTORY

25/00723/DOC	Submission of details to comply with condition 16 (EV Charging) of planning permission 24/00453/VRCON – Approved.
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25/00722/DOC	Submission of details to comply with condition 9 (External Materials) of planning permission 24/00453/VRCON – Approved.
24/00453/VRCON	Section 73 (S73) application to remove condition 3 (Occupancy Restriction) of planning permission 22/01148/FUL (Demolition of Units B and G and erection of a warehouse unit (Class B2/B8) with ancillary office space (Class E) including parking, servicing areas, associated works and infrastructure - Resubmission of 21/01489/FUL) – Granted Subject to Conditions
22/01148/FUL	Demolition of Units B and G and erection of a warehouse unit (Class B2/B8) with ancillary office space (Class E) including parking, servicing areas, associated works and infrastructure - Resubmission of 21/01489/FUL – Granted Subject to Conditions
21/01489/FUL	Demolition of existing units B and G and erection of a Class B2/B8 warehouse unit with ancillary office space (Class E), parking, servicing areas, associated works and infrastructure – Withdrawn
21/01508/SO	Request for screening opinion in respect of the erection of a new industrial building including associated parking, landscaping and infrastructure works – EIA Not Required
20/00955/FUL	Retrospective demolition of Unit D and erection of a B2/B8 warehouse unit with ancillary B1(a) office space at Birch Business Park including ancillary office, parking and servicing areas, associated works and infrastructure – Granted subject to conditions
19/00092/REM	Submission of reserved matters pursuant to outline planning permission 18/01048/VRCON relating to the means of access, appearance and landscaping in relation to phase 1 of the development. – Granted subject to conditions
19/00144/VRCON	Application to vary condition 5 (development to be carried out in accordance with submitted Ground Investigation Report) and condition 16 (to refer to updated energy statement submitted) of planning permission 18/01048/VRCON – Granted subject to conditions
18/01048/VRCON	The imposition of additional planning condition to planning permission reference 16/01455/OUT to allow the site to be developed in 2 phases. Subsequent variation in the wording of conditions 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14 and 17 and the removal of condition 15 for achievement of very good or excellent BREEAM rating – Granted subject to conditions.
16/01455/OUT	Outline planning permission by means of layout and scale for the erection of 3 industrial units of B2/B8 use (with ancillary B1) including the provision of car parking and associated infrastructure including the demolition of existing commercial units – Granted subject to conditions

CONSULTATION RESPONSE SUMMARY

Highways and Engineering

No objection.

Environmental Health (Noise)

Objection to suggested Condition 18 amendment.

The Environmental Protection Team have reviewed the submitted Noise Impact Assessment prepared by TRC, Dated: January 2026. The submitted assessment reports representative background sound levels of 56 dB LA90 during the daytime period and 48 dB LA90 during the night-time period. The assessment predicts operational rating levels at the nearest residential receptors significantly below these background sound levels, with the highest predicted rating level being 33.2 dB at receptor R1. The assessment concludes that operational noise from the proposed development would result in a low impact in accordance with BS4142:2014+A1:2019 and would accord with the No Observed Adverse Effect Level (NOAEL). Whilst the assessment demonstrates that the development is capable of operating without causing unacceptable noise impacts, Environmental Health does not consider that sufficient justification has been provided to support the proposed amendment of Condition 18 from 43 dB between 07:00–23:00 and 37 dB between 23:00–07:00 to 56 dB between 07:00–23:00 and 48 dB between 23:00–07:00.

The proposed amendment would represent a significant relaxation of the existing noise controls and would substantially increase the maximum noise levels that could be generated by future fixed plant. The higher background sound levels have been measured during the 2026 survey does not justify increasing the permitted plant noise limits. In particular, the submitted assessment demonstrates that the proposed development is capable of operating at noise levels considerably below both the existing condition limits and the revised limits being sought. It is noted that Condition 18 was originally derived directly from the findings of the Noise Impact Assessment prepared by BWB, Reference: MCP2350, Dated: September 2021, submitted in support of application 21/01489/FUL. That assessment established representative background sound levels of 43 dB LA90 during the daytime period and 37 dB LA90 during the night-time period at the nearest noise-sensitive receptor and recommended that the cumulative rating level from all external fixed plant should not exceed those levels in accordance with BS4142:2014+A1:2019.

The purpose of the condition was therefore to ensure that fixed plant noise remained at a level that BS4142 identifies as resulting in a low impact at nearby residential receptors. The noise limits imposed by Condition 18 were specifically derived from the acoustic assessment supporting the original planning permission and were necessary to make the development acceptable.

Whilst the updated 2026 Noise Impact Assessment records higher measured background sound levels than those identified in 2021, Environmental Health does not consider that this provides sufficient justification for materially relaxing the fixed plant noise limits secured by the extant permission.

The Environmental Protection Team is concerned that increasing the permitted limits from 43 dB(A) to 56 dB(A) during the daytime and from 37 dB(A) to 48 dB(A) during the night-time could have the likelihood to affect nearby residents, especially in the warmer

months when the windows are open and the outdoors is used more frequent, therefore the Environmental Protection Team would not support the variation of condition 18.

Greater Manchester Ecology Unit (GMEU)

No objection.

United Utilities

No objection.

Lead Local Flood Authority (LLFA)

No objection.

REPRESENTATIONS

Letters of notification were sent widely to surrounding units and 2 x Site Notices were displayed in the vicinity of the site on the 23rd February 2026. A notice was also placed in the local press on the 26th February 2026.

No comments were received.

ANALYSIS

Principle of Development

The principle of this development has already been established through the original approval of planning permission 22/01148/FUL.

Planning Officers are aware that the lawful implementation of planning permission 24/00453/VRCON was discussed during pre-application discussions. The alleged works comprised the construction of a kerb line forming the access road into the site, carried out in April 2025, and the digging of a pad foundation in the north east corner of Unit B carried out in October 2025. Officers recognise that whilst no formal confirmation has been made as to the lawful implementation of planning permission 24/00453/VRCON, the implementation of this permission would be a legitimate fallback position and a material consideration for this Section 73 application.

Since the approval of the original planning permission, 22/01148/FUL, the proposed application site is now sited within the Heywood / Pilsworth (Northern Gateway) site allocated under PfE JPA 1.1. The application site is therefore no longer sited within the Green Belt.

This proposal would therefore contribute to the delivery of this allocation and contribute to the proposed 1,200,000 sqm of industrial and warehousing space across the wider allocation.

In accordance with Paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.

This application would deliver a high quality sustainable development and as such, the proposal is in accordance with the relevant adopted Rochdale Core Strategy Policies, Places for Everyone Policies JP-S1 and the National Planning Policy Framework.

The proposed development subject to this application is therefore accepted in principle subject to satisfying all other relevant material considerations which in this instance primarily relate to design, appearance and impacts on noise, heritage, biodiversity, highways and drainage.

Design and Appearance

Paragraph 131 of the NPPF states that *“the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve”*. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Additionally, paragraph 139 sets out that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

CS Policy P1 sets out that high quality design will be required in all new developments and CS Policy C3 requires new development to adhere to high standards of design, respecting context (scale, density, massing, height, layout). CS Policy DM1 states that all development proposals should be of a high quality design and take the opportunity to enhance the quality of the area.

Appearance

The proposed appearance of the development proposed echoes a similar palette of materials to the scheme approved under planning permission 22/01148/FUL.

The building will be primarily clad in vertically laid panels coloured in anthracite. In other areas, horizontally laid goosewing grey panels will break up the long façades. These pockets of lighter cladding will run from ground level to the roof parapet creating continuity and a visual connection between the two main elements of the proposal. To create further continuity, vehicle loading doors will be coloured blue to match the feature banding which addresses the anthracite cladding, offices and entrance area.

This blue banding borders areas of curtain wall glazing to the office façades and highlights where the main entrance is located. The glazing runs in vertical rhythmic strips, providing visual interest and active frontage, whilst reducing the perceived massing of the building.

The glazing to the office areas runs from floor to ceiling in vertically orientated strips. The amount of glass is balanced to provide ample natural light while mitigating the risk of solar gain. Cladding in between the glass strips will also be horizontally laid, matching pockets of cladding to the main warehouse for continuity and reinforcing the language to the office areas which creates a sense of hierarchy and prominence.

The consented roof ridge height is 15160mm whereas the proposed roof ridge height is 14249mm. There were 6 consented dock levellers whereas now 8 are proposed and there were 3 consented level access doors whereas now 2 are proposed.

Roof lights are added across the roof span.

The proposed materials, building profile and overall design of the proposed unit is in keeping with the prevailing character of the wider business park site and the originally consented scheme.

Layout

The proposed principal access to the site is from the existing internal access road.

Upon entering the site, lorry drivers would virtually immediately turn left and drive straight on to access the service yard via inward opening security gates to the north of the building where level access, dock levellers and lorry turning and parking spaces are provided.

A sprinkler tank and pump house are proposed within the northern access and service yard. A substation and waste compound are proposed to the west of the site within the car parking area.

110 staff and visitor car parking including accessible, electric vehicle, cycle and motorcycle spaces have been positioned on the west side of the site.

The building entrance is positioned at ground floor level with office accommodation on the first floor overlooking the car park providing passive security measures and an active frontage to both the site access.

The development seeks to retain the existing boundary tree cover as well as introducing a soft landscaping strategy which proposes new native woodland planting along with the provision of a mixture of specimen trees, evergreen shrubs, ground cover and both amenity and wildflower grassland areas.

Scale

In terms of scale and impact on the surrounding landscape, whilst there would be an obvious significant increase in height over the former Unit B, it is also noted that from most vantage points, including adjacent Public Rights of Way, the proposed building would be viewed in the context of the wider industrial estate.

Notwithstanding the general landscape impact, which would reduce over time, and be well screened by the proposed landscaping strategy, the proposed building is considered to be of an appropriate and acceptable scale for its intended purpose and it would sit comfortably amongst the other buildings on the wider industrial estate.

Summary

Overall, the building appearance, layout and scale provides a contemporary proposal that will set a high standard of design with design choices that will not dominate the landscape and colour choices which create visual interest and break up the building's massing whilst being sympathetic to its setting. The development therefore accords with Core Strategy Policies P1, P3 and DM1, PfE and the NPPF.

Heritage Impacts

Heritage implications were assessed under the originally consented scheme 22/01148/FUL. To summarise that assessment it is acknowledged that Broom Hill Farm lies to the south of the site, on the other side of Whittle Lane. This farm appears to be present on the Yates map of 1786 and is also depicted on the first edition OS map from 1851. While the farm has expanded over time, its historic brick core, including the farmhouse and range of buildings, appears to survive. Broom Hill Farm has therefore previously been identified as a non-designated heritage asset (NDHA) for its architectural and historic interest.

Within the wider area, other designated heritage assets include Birch Conservation Area, approximately 830m to the southeast and Lower Whittle Farm (grade II) approximately 880m to the east.

The Council's Conservation Officer advised under the determination of 22/01148/FUL that the proposed works would not impact the fabric of these designated and NDHA's, but particularly noting its height has the potential to impact on their setting. Given the relative proximity of Broom Hill, the proposal is most likely to affect the setting of this asset.

The originally consented application was supported by a Heritage Impact Assessment which considered the impact on the identified heritage assets. In terms of the NDHA, the Conservation Officer agreed that the farm is already experienced in the context of the modern industrial estate and that this only forms one part of its setting. The area to the south of the site would remain unchanged by the development. The proposed development would be significantly taller than the existing structure and as such would be more prominent within the setting of the NDHA.

It was agreed that overall, the harm to significance and setting of the adjacent asset would be limited, especially considering the implementation of the proposed landscaping strategy. Furthermore, it is recognised that the height of the proposed building has been reduced by almost 1000mm and this reduction would decrease any perceived impact on the adjacent asset thereby introducing a betterment on the previous scheme.

The proposed development is therefore considered to be within the threshold of less than substantial harm which must be weighed against any public benefits derived from the proposal in order to comply with NPPF and Core Strategy Policy P2.

It is considered that the proposal complies with adopted Rochdale Core Strategy Policies P1, P2, P3 and DM1 and the NPPF.

Impact on Residential / Neighbouring Amenity

Paragraph 198 of the NPPF requires new development to be appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In doing so, developments should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

The provisions of the NPPF largely accord with Policy G9 of the adopted Core Strategy, which seeks to reduce the impact of all forms of pollution in the borough by (*inter alia*) requiring new development to not lead to unacceptable increases in noise pollution and seek to control pollution from new development through the use of planning conditions or obligations.

The nearest residential properties are Broom Hill Farmhouse, which is situated approximately 30 metres from the southern site boundary, and The Bungalow, Broom Hill Farm, approximately 55 metres to the south west.

Although the proposed redevelopment of this site represents an increase in scale and thus intensifies the use of the wider site, the end use would be consistent with the established uses taking place on the industrial estate.

With regards to noise, it is acknowledged that the site forms part of the existing industrial estate and the site is currently occupied by industrial buildings.

A new Noise Impact Assessment (NIA) has been provided which concludes that the predicated level of noise from the proposed development are sufficiently low enough at the closest residential dwellings to accord with the relevant guidance contained within the PPG with specific reference to the 'No observed adverse effect level'.

Under the determination of the original consent the provision of a 2.5m acoustic barrier adjacent to the service yard was proposed to prevent any adverse noise impacts particularly during the night. The Council's Public Protection Officer requested conditions to ensure that the barrier was provided and that noise from fixed plant does not exceed specified levels. Whilst no mitigation measures are proposed within the new NIA, the proposed development will still incorporate the previously approved noise barrier to the west of the service yard as shown on the proposed site plan and this would satisfy the previous request made by the Council's Environmental Health team.

Condition 18 is currently worded as follows:

18. Noise from fixed plant shall not exceed 43 dB(A) between 07:00-23:00 and 37 dB(A) between 23:00-07:00 when measured 3.5m from the façade of the nearest noise sensitive receptors. Such noise levels are to include any rating corrections.

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

Condition 18 (now Condition 17) is proposed to be re-worded to (amendments in red):

*17. Noise from fixed plant shall not exceed **56** dB(A) between 07:00-23:00 and **48** dB(A) between 23:00-07:00 when measured 3.5m from the façade of the nearest noise sensitive receptors. Such noise levels are to include any rating corrections.*

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.

The Council's Environmental Health team were consulted on this application and they have objected to the proposed increase in dB(A) as the proposed amendments would represent a significant relaxation of the existing noise controls and this would

substantially increase the maximum noise levels that could be generated from any future fixed plant/machinery.

Environmental Health are concerned that the higher background sound levels measured during the 2026 survey do not justify increasing the permitted plant noise limits. In particular, the submitted assessment demonstrates that the proposed development is capable of operating at noise levels considerably below both the existing condition limits and the revised limits being sought. It is noted that Condition 18 was originally derived directly from the findings of the Noise Impact Assessment prepared by BWB, Reference: MCP2350, Dated: September 2021, submitted in support of application 21/01489/FUL. That assessment established representative background sound levels of 43 dB LA90 during the daytime period and 37 dB LA90 during the night-time period at the nearest noise-sensitive receptor and recommended that the cumulative rating level from all external fixed plant should not exceed those levels in accordance with BS4142:2014+A1:2019.

Planning Officers are not prepared to accept the proposed amendment and whilst the applicants have drawn the LPA's attention to PPG and the neighbouring wider allocation (JPA 1.1), the applicants are prepared to accept the LPA's position.

Condition 18 (now 17) will remain in its current format.

In terms of external lighting, the scheme includes the erection of 8 no. LED lighting columns of 6-8m in height, as well as 28 no. wall-mounted lights. An external lighting assessment has been submitted with the application that provides an assessment of the potential obtrusive light impact to surrounding buildings and the environment within the vicinity of the application site.

This assessment sets out that the luminaires selected will be a combination of column and wall mounted LED fittings, which are to comply with BREEAM requirements; Pol 04 (Reduction of nighttime light pollution), ENE 03 (External lighting) & Part L2A of the building regulations.

The proposed external lighting proposed seeks to minimise dark areas to create a safe environment, whilst avoiding light spillage and light pollution to surrounding areas. Given the separation distance of the application site from surrounding residential properties, the Council's Public Protection Officer has not raised any concerns.

Subject to the suggested conditions, it is considered that the proposed development, through its construction, ongoing use and associated activity, would not cause any significant harm to residential amenity or other surrounding occupiers. The proposed development would therefore accord with adopted Rochdale Core Strategy policy G9 and the NPPF.

Biodiversity, Ecology and Soft Landscaping

Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

The NPPF recognises the important contribution of trees to the character and quality of urban environments, and their role in mitigating and adapting to climate change. Policy JP-G2 of the adopted PfE identifies trees and woodland as vital elements of the green infrastructure network and key features of urban green spaces, which Policy JP-G8 seek to protect and enhance through conserving and managing existing trees of heritage and/or aesthetic value. Policy G6 of the adopted Rochdale Core Strategy sets out provision for enhancing green infrastructure and requires regard to local landscape character and contribute to its conservation or enhancement. Developments should avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value and its development or change of use will help meet other sustainability or local regeneration objectives.

CS Policy G6 requires a replacement planting ratio of at least 2:1 and Policy G7 requires developments to protect existing biodiversity including trees and vegetation.

PfE Policy JP-G8 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 187d and 192b) to achieve demonstrable net gain for biodiversity.

This Section 73 application would remain exempt from Mandatory BNG but the application is still subject to Local Planning Policies referring specifically to PfE Policy JP-G8 and CS Policies G6 and G7 insofar as providing a gain or enhancement in biodiversity.

In this regard, a new Arboricultural Impact Assessment (AIA) accompanies the planning application and it is noted that a number of trees were agreed to be removed during the determination of the original permission. The AIA proposes the removal of 7 trees and the planting of 20 trees which complies with CS Policy G6. An Arboricultural Method Statement (AMS) submitted in support of this application confirms how the existing trees and their root protection areas will be protected on site.

The application is accompanied by an Invasive Species Statement which would superseded the original Avian Ecology method Statement with the view to amending Condition 3 of the previous permission.

A Preliminary Ecological Appraisal also accompanies the planning application which has identified the main habitats on site and determined the suitability of these habitats to support protected and/or notable fauna and flora, with the addition of potential impacts on designated sites.

The GMEU were consulted on this application and they have raised no objection subject to conditions. Accordingly, subject to condition, the scheme is considered to be acceptable in accordance with Core Strategy Policy G6 and G7, PfE Policy JP-G8 and the NPPF.

Highways and Access

A Transport Assessment and Travel Plan accompanies the application. Whilst the proposed car parking provision has been reduced, Highways Officers were consulted as part of this application and they have confirmed that the traffic generation associated with the proposed usage of the application site can be comfortably accommodated on

the surrounding highway. They have also confirmed that the proposed level of parking is in line with the Council's standards.

Highways Services have raised no objections and the proposals comply with the requirements of CS Policy T2 and the NPPF.

Air Quality

Paragraph 187 of the NPPF sets out that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Paragraph 199 of the NPPF also confirms that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

CS Policy G9 sets out that the Council will reduce all forms of pollution in the borough by:

- a. Focusing on measures that reduce air pollution in Air Quality Management Areas, and other areas where pollution levels are unacceptable, particularly around motorways and main roads;
- b. Requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

PfE Policy JP-S5 is also relevant to the assessment of this application insofar as it requires planning applications to be determined in accordance with the most recent development and planning control guidance published jointly by the Institute of Air Quality Management and Environmental Protection UK.

The application is accompanied by an Air Quality Assessment and a qualitative assessment of the potential impacts on local air quality has been undertaken.

Planning Officers agree in that the development will not have significant effects on local air quality during the developments construction or operational phases.

The development is in accordance with the NPPF, PfE Policy JP-S5 and CS Policy G9.

Drainage

Core Strategy Policy G8 requires that new development does not lead to any increased form of flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk and is itself well protected from flood risk and ensures prudent use of water resources.

Policy JP-S4 (Flood Risk and the Water Environment) of PfE expects developments to manage surface water runoff through sustainable drainage systems and development should achieve greenfield run-off rates unless it is demonstrated to be impracticable.

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding. However, the application site does comprise a major development of more than 1 hectare industrial development and accordingly the application has been supported by a Flood Risk Assessment and Drainage Strategy. As the site lies in Flood Zone 1, there is no need for a sequential test or exception test. No other potential sources of flooding of the site have been identified.

During the determination of application 22/01148/FUL, the LLFA reviewed the Drainage Strategy and confirmed that the submission met sustainable design standards within the NPPF. The drainage scheme was then secured by condition alongside a condition requiring a maintenance document explaining how the surface water scheme will be maintained and managed after completion.

In this instance, the applicants appointed Drainage Engineer has set out that the proposed drainage strategy forming part of this application follows the same principles of the drainage strategy previously approved under Condition 6 of 24/00453/VRCON.

The drainage scheme for the development is proposed to be in general accordance with the previously approved Drainage Strategy by Ridge Consultants (dated Sept 2021) and as detailed in the Proposed Drainage GA drg ref BUB-RDG-00-ZZ-DR-C-0501 Rev P5 (dated 12.5.22).

However, national standards and requirements for sustainable drainage systems have been updated since the approval of original application 22/01148/FUL and there is now a greater focus on the re-use of water on site and integration of SuDS into a proposed development.

The LLFA were consulted on this application and they initially commented that:

1. Infiltration should be fully investigated and partial / hybrid options should be assessed.
2. SuDS features and source controls should be considered rather than just using buried attenuation.
3. The design calculations should incorporate a 45% climate change allowance.

Further discussions have taken place, and the proposed development now incorporates swales where feasible to discharge the rear roof pitch and a portion of the proposed car parking area. The drainage strategy has also been amended to suit the greenfield run off rate.

In response to the changes set out within Drainage Planning Strategy Drawing No D00 Rev P4, the LLFA have no objection and the proposed Drainage Strategy is acceptable.

United Utilities were also consulted on this application, and they have confirmed that they have no objection.

Accordingly, subject to condition, the proposed development accords with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

Land Contamination

Policy G9 requires that any risks associated with contaminated land are identified and addressed prior to development. In addition, the borough has been subjected to past coal mining activity, which has left a legacy. It is therefore important that ground conditions are fully considered by developers as part of new development proposals and, where necessary, appropriate remedial measures must be set out and implemented to address any issues of unstable land and ensure safety and stability of new development.

Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

A Phase II Ground Investigation was submitted in support of the original application which confirmed the site posed a low risk to Human Health and a negligible risk to Controlled Water receptors. The report concluded that no further assessment or remedial actions were required. The Council's Public Protection Officer agreed with the conclusions of the submitted Phase II Ground Investigation.

The Environment Agency also agreed with the Phase II Ground Investigation. However, the Environment Agency noted that due to the previous use of the proposed development site as a RAF facility, there is a high risk of contamination that could be mobilised during construction to pollute controlled waters.

As such, they recommended a condition which required remediation of any contamination during development, which has not previously been identified. Subject to the suggested condition, the proposed development meets the requirements of adopted Rochdale Core Strategy policies DM1 and G9 and the NPPF.

Energy

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

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

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

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

- Be carbon neutral by 2038
- Hold cumulative carbon dioxide emissions to without the carbon budget

- Initiate a programme of mitigation to reduce emissions including by:
 - Significantly upscaling solar photovoltaic energy;
 - Reducing heat demand in homes;
 - Moving away from carbon intensive gas as the primary source of heat;
 - Reducing heating and cooling demand for public and commercial buildings;
 - Increasing biofuel use;
 - Enable sustainable choices for travel and decarbonise transport;
 - Significantly upscaling building retrofit; and
 - Increase the delivery of nature-based solutions and biodiversity net gain.

The application is accompanied by an Energy and Sustainability Assessment. The recommended sustainability features for the amended scheme will allow for a 25% carbon reduction from a base Part L Building Regulations 2021. The sustainability features will allow for a 5.76 tonnes reduction in annual CO2 emissions. For this development an EPC rating of A has been targeted. This development is compliant with the aforementioned planning policies through use of passive measures, an air source heat pump and 70 kWp Photovoltaic Panels which will result in an overall 27.10% energy reduction. The energy and carbon savings are to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, submetering of relevant areas, upgrading of 'U' values and occupancy sensing in relative areas, as well as the incorporation of an Air Source Heat Pump and Photovoltaic Panels.

Accordingly, subject to condition, the proposal would be satisfactory in terms of the objectives of PfE policy JP-S2 and CS Policies G1 and G2.

RECOMMENDATION

GRANT, subject to the following conditions:

Plans

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
 - 21033_PL01 Site Location Plan
 - 21033_PL02 Existing Site Plan
 - 25026-HFR-UB-XX-DR-A-9002_P02 Proposed Site Plan
 - 25026-HFR-UB-RL-DR-A-9011_P01 Proposed Roof Plan
 - 25026-HFR-UB-XX-DR-A-9030_P01 Proposed Cycle Shelter
 - 25026-HFR-UB-XX-DR-A-9031_P01 Proposed Waste Compound
 - 25026-HFR-UB-ZZ-DR-A-9010_P01 Proposed GA Plans
 - 25026-HFR-UB-ZZ-DR-A-9020_P02 Proposed GA Elevation
 - 25026-HFR-UB-ZZ-DR-A-9021_P01 Proposed Sections

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.

Invasive Species Method Statement

2. The development hereby approved shall not be carried out otherwise than in strict accordance with the details and timescales contained within the approved Invasive Method Statement by Urban Green.

Reason: To secure the satisfactory control or avoidance of this invasive species of plant which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to spread in the wild, and in accordance with adopted Rochdale Core Strategy policy G7, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Tree Protection

3. No development including works of demolition shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing prior to demolition or development works, in accordance with the Arboricultural Impact Assessment (AIA) ref. UG1236 Rev 03 (18/06/2026) and Arboricultural Method Statement (AMS) ref. UG1236 Rev 03 (18/06/2026) carried out by Urban Green. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy, Policy JP-G7 and JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Trees can be damaged by construction activity and the measures therefore need to be installed in advance.

Contamination

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

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.

Drainage

5. The drainage scheme for the development shall be in general accordance with the Drainage Strategy as detailed in the Drainage Planning Strategy Drawing Reference D00 P4. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and shall be retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with 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.

Drainage Maintenance

6. No part of the development shall be occupied until a sustainable drainage management and maintenance plan for the lifetime of the development is submitted to and approved in writing by the local planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and
 - b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To 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.

CMP

7. The development hereby approved shall not be carried out otherwise than in strict accordance with the Construction Management Plan that comprises the Framework Construction Management Plan (January 2026).

Reason: To minimise detrimental effects to the amenities of surrounding occupiers and the area in general and detriment to the natural environment through the risks of pollution and dangers to highway safety during the construction phase in accordance with Policies DM1, T2, G7 and G9 of the adopted Rochdale Core Strategy, Policies JP-S1, JP-G8, JP-P1 and JP-C7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Materials

8. Development shall be carried out in accordance with the approved details in the document titled 'Material List and Colours to Support Planning Condition 9_RevA of application 24/00453/VRCON.

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

Parking & Hard surfacing

9. No part of the development shall be occupied until a detailed specification for the design and construction of the associated parking and servicing areas, including detail of the surface water drainage strategy and surfacing materials, has been submitted to and approved in writing by the Local Planning Authority. The parking and servicing areas shown on the approved plans shall be constructed in accordance with the duly approved details before the associated building is first occupied, and shall be retained thereafter for their intended purpose.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of highway safety and the free flow of traffic and to ensure the suitable disposal of surface water in order to comply with the requirements of policies T2, DM1 and G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan, Policies JP-S4 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Landscaping

10. The landscaping works shall be carried out in full accordance with the approved details contained within the General Arrangement Plan ref. UG_1236_LAN_GA_DRW_101_P04, Hard Landscape Plan ref. UG_1236_LAN_HL_DRW_201_P04 and Soft Landscape Plan ref. UG_1236_LAN_SL_DRW_301_P05.

All planting, seeding or turfing comprised within the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following occupation of the building or completion of the development, whichever is sooner; 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: In order to achieve a satisfactory level of landscaping in accordance with policies DM1, G6, G7 and P3 of the adopted Rochdale Core Strategy, Policies JP-G8 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Nesting Season

11. 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-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Cycle Storage

12. The development hereby permitted shall not be occupied until such time as the bicycle parking facilities as shown on drawing no. 25026-HFR-UB-XX-DR-A-9030 P01 Proposed Cycle Shelter have been installed as per the approved details and made available for use. The bicycle parking facilities shall be retained as such thereafter.

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, Policy JP-C6 of the adopted Places for Everyone Joint Development Plan and the requirements of the National Planning Policy Framework.

External Lighting

13. Any external lighting that is installed shall be in strict accordance with external lighting scheme as indicated on drawing no. 7091-CBC-00-XX-DR-U-196005 P02.

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.

No External Storage

14. No goods, materials, waste products or containers shall be stored on land outside of the boundaries of the service yard as shown on Proposed Site Plan Drawing 25026-HFR-UB-XX-DR-A-9002_P02 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.

EV Charging

15. The approved electric vehicle charging point scheme as shown on the Proposed External EVC Chargers Layout ref: 7091-CBC-00-XX-DR-U-196004 P02 and the EV Charging Technical Brochure - MaxiCharger Pillar_7.4kW shall be implemented in full prior to occupation of the unit hereby approved.

Reason: In the interests of air quality management in accordance with policy T2 of the adopted Rochdale Core Strategy, Policy JP-S1 and JP-S2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Travel Plan

16. Within 6 months of first occupation of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include the following:

- measures to promote a choice of transport mode;
- a monitoring regime with agreed mode share targets;
- specific measures to manage staff car parking;
- a commitment to increase the provision of cycle parking should the uptake in cycle travel increase;
- monitoring procedures and mechanisms to ensure that the Plan remains effective and is reviewed within a framework approved by the Local Planning Authority.

The approved Travel Plan shall be fully implemented as approved.

Reason: In order to ensure that the development encourages travel to the site by sustainable modes of transport, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy, Policies JP-C3 and JP-C6 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Fixed Plant

17. Noise from fixed plant shall not exceed 43 dB(A) between 07:00-23:00 and 37 dB(A) between 23:00-07:00 when measured 3.5m from the façade of the nearest noise sensitive receptors. Such noise levels are to include any rating corrections.

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.

Acoustic Barrier

18. The unit hereby approved shall not be occupied until the acoustic barrier has been erected in full as indicated on drawing no. 25026-HFR-UB-XX-DR-A-9002 P02. The acoustic barrier shall thereafter be retained in full accordance with the approved details.

Reason: In the interests of the amenity of neighbouring occupiers, in accordance with policies 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.

Energy Statement

19. The development shall be carried out in full accordance with the measures set out in the Energy and Sustainability Statement Ref: 7091-CBC-HR-RP-S-000001, to achieve the specified improvements over the building fabric and building services systems over and above the Building Regulations minimum standards to result in reduced energy demand. The development shall also

include the Variable Refrigerant Flow system, utilising Air Source Heat Pump technology, along with further measures to reduce CO2 including waste facilities to encourage recycling and a reduction in waste. Within 6 months of first occupation of the development hereby permitted a verification statement shall be submitted to and approved in writing by the Local Planning Authority providing evidence of the specified measures.

Reason: In response to the climate emergency, in accordance with policy G2 of the adopted Rochdale Core Strategy, Policies JP-S1 and JP-S2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

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

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

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

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the Statutory Condition does not apply to any permissions granted under Section 73 if permission for the original application was granted before 12 February 2024.

Procedure Statement

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