

Officer Report

Case Reference: 25/01016/FUL
Location: Former Pink Drips Unit Sandbrook Park Sandbrook Way, Rochdale, OL11 1RY
Proposal: Reconfiguration of site to create dual-lane drive-thru facility including alterations car park layout and landscaping to facilitate subdivision of existing restaurant into two separate units. Alterations to external elevations including new drive thru pick up windows, order canopies and bin storage.
Recommendation: Approve with Conditions
Officer: Anna Hayes

SITE

The Site is located within the Sandbrook Retail and Leisure Park, which sits within Defined Urban Area of Rochdale approximately 1.6 kilometers to the south of the Rochdale Primary Shopping Area. The Park is strategically positioned in the Rochdale area due to its proximity to the surrounding road network with linkages to the Town Centre.

Access is taken from Sandbrook Way onto the A664 Edinburgh Way and the A267 which connects to junction 20 of the M62 Motorway. The application site more specifically, comprises the former Pink Drips Units which is situated to the eastern side of the wider Retail and Leisure Park alongside the existing Pizza Hut unit. The unit was until recently, occupied by Pink Drips Restaurant. However, following the expiry of the lease over a year ago, the unit has since stood vacant.

The unit is built within a surface level car park shared with Pure Gym, Strike Ten Pin Bowling, Copper Pot, Mc Donald's and Pizza Hut, The Trade Centre UK, Subway, KFC, and Travelodge. Just to the south of the site, planning permission has more recently been granted for the erection of a new drive-thru coffee shop (Use Class E) unit with car park, landscaping and associated works (23/00119/FUL).

PROPOSAL

Planning permission is sought for the reconfiguration of the former Pink Drips unit at Sandbrook Retail and Leisure Park to create a dual-lane drive-thru facility, including alterations to the existing car park layout and landscaping to facilitate the subdivision of the existing restaurant into two separate units. The proposal also includes alterations to the external elevations, including new drive-thru pick-up windows, order canopies and bin storage.

To note, the subdivision of the existing Class E(b) unit into 2no. Class E(b) units does not require planning permission since no additional floorspace is created. Permission is sought for the drive thru lanes and external works only.

The development incorporates two separate drive-thru lanes which are both accessed from a new dedicated entry point at the north-western corner of the site. Both drive-thru lanes circulate independently around the building, with the drive-thru lane for unit 2 exiting directly onto the existing retail park circulation road and the drive-thru lane for unit 1 existing into the existing Pink Drips car park. Both lanes would operate as one-way circulation systems for drive-thru customers, separate from the main customer parking areas within the site.

The proposed external works comprise the removal of the existing entrance door and the creation of two new separate entrances to the front elevation to serve both 'Proposed Unit 1' and 'Proposed Unit 2'. The proposed drive-thru pick-up window to unit 1 would be situated to the north-east facing rear elevation of the existing building, whilst the pickup window to unit 2 would be situated to the south-east facing side elevation.

The precise occupier for the new units has not been identified within the application and is therefore assessed on the basis of the class E(b) use with ancillary drive thru facilities.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The development plan for the proposal consists of the Places for Everyone (PfE) Joint Development Plan, Rochdale Core Strategy (CS), adopted 2016, saved Unitary Development Plan (UDP) policies, and the Greater Manchester Joint Minerals Plan April 2013. The Council also has an adopted series of Supplementary Planning Documents and Supplementary Guidance Notes, which are other material considerations.

Places for Everyone Joint Development Plan (PfE) (2024)

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:

Sustainable and Resilient Places

JP-S1 Sustainable Development

JP-S2 Carbon and Energy

JP-S4 Flood Risk and the Water Environment

Greener Places

JP-G1 Landscape Character

JP-G6 Urban Green Space

JP-G7 Trees and Woodland

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places

Connected Places

JP-C1 An Integrated Network

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Rochdale Core Strategy (CS)

SO1 To deliver a more prosperous economy

E1 Establishing thriving town, district and local centres

E2 Increasing jobs and prosperity

E5 Encouraging the visitor economy

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

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

G10 Managing mineral resources

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Managing delivery and monitoring progress

DM1 General Development requirements

SD1 Delivering sustainable development

Rochdale Unitary Development Plan (UDP)

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

There is significant planning history associated with the wider retail park which was granted planning permission in the 90's.

96/D32931 - Erection Of Non-Food Retail Store, Fast Food Outlets Leisure Facility Including Multi-Screen Cinema, Games Arena, Bowling Alley And Theme Pub – Granted 28/05/1996.

93/D30059 - Erection Of Non-Food Retail Store Fast Food Outlets Hotel And Leisure Facility Including Multi-Screen Cinema And Ten Pin Bowling – Granted 20/04/1995.

There is also site specific planning history and these applications are:

07/D48551 which granted consent on the 6th March 2007 for the erection of a single storey restaurant (Use Class A3) subject to conditions.

07/A5605 which granted advertisement consent on the 3rd September for various illuminated and non-illuminated signs including a free standing pole sign and wall mounted signs.

07/D50080 which granted consent on 20th December 2007 for an outdoor seating area associated with the restaurant.

CONSULTATION RESPONSES

Highways and Engineering

Confirms no objections to the proposal.

Environmental Health (Noise/Odours)

No comments received.

Environmental Health (Air Quality)

No comments received.

Greater Manchester Ecology Unit

Confirms no objection subject to conditions including securing a HMMP and submission of a CEMP to protect nearby habitats during construction and prevent the spread of invasive species.

National Highways

No comments received.

Tree Officer

No comments received.

Environment Agency

Confirms no objection to the proposal but recommends the use of flood resistance and flood resilience measures and the use of an access/egress plan agreed with local emergency planners. Recommend the use of the attenuation tank suggested in the Flood Risk Assessment as a minimum feature. Recommend that consideration is also given to managing flood risk.

LLFA

Confirms no objection to the proposal.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the application has been advertised by neighbour notification letters and site notice.

No third-party comments have been received.

ANALYSIS

Principle of Development

The application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). The application site is a previously developed site, and the site is not identified under any other policy designations. It is not within a local centre, linear commercial area or a Town Centre.

Policy E1 of the Rochdale Core Strategy states 'In considering proposals for main town centre uses we will: a. Require the application of the sequential approach, where the application site is not in an existing centre and not in accordance with an up to date development plan;'. Whilst the proposed use falls under a main town centre use as defined within Annex 2 as the Glossary of the National Planning Policy Framework, it is recognised by Officers that the site is a previously developed site which currently lies vacant. Owing to the fact that the proposal relates only to the subdivision of the existing unit into two units (Class E) with associated drive-thru lanes, the proposed development would not be considered a 'new use' given the principle and use of the application site has already been established. On this basis, whilst the proposal is for a main town centre use in an out of centre location, it is not considered that the application is subject to a sequential assessment.

CS Policy E2 also sets out that the Council will ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation and retention of successful businesses and increase the number and quality of jobs to create a more prosperous lower carbon economy.

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

The application site is located within the existing site of Sandbrook Retail Park, accessible by car, a 12 minute walk from bus stops on Manchester Road, and is within close proximity to residential properties located within Milkstone and Deeplish ward, with pedestrian pathways into the site.

The site is a previously developed site located within an existing industrial/commercial area where there are a mixture of larger and smaller employment and retail / restaurant units in close proximity. The proposed development seeks to re-purpose the existing floorspace and bring an established unit back into use again. Therefore, given the proposed development and surrounding land uses and policy designation, it is considered that the principle of development is acceptable and in accordance with the requirements of CS Policies E1 and E2 and the NPPF.

Design

One of the core planning principles of the NPPF is to always seek to secure high quality design. Paragraphs 131 and 135 of the NPPF state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The existing unit would maintain its overall footprint, scale, and general appearance. The proposed introduction of drive thru facilities would not detrimentally impact the visual amenity of the wider area given the precedent already set on site. In this regard, essentially, all external physical operations are limited to those purely required to accommodate the proposed reconfiguration of the unit to include the desired drive thru capabilities.

The proposed elevations are also to be maintained and remain relatively unaltered save for the reopening of block windows to accommodate the necessary drive thru windows or canopies over such windows to protect users against inclement weather. Indicative signage locations are shown on the front elevation drawing, which, if not considered later to be deemed consent, would require the applicant to submit a separate application for express advertisement consent.

Separately, in terms of landscaping, paragraph 136 of the NPPF confirms that “trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible”. CS Policy G6 also highlights the importance of green

infrastructure which should be incorporated into any proposed development scheme where possible.

It is noted that there are several existing trees immediately adjacent to the site along the boundary with Pizza Hut that do currently provide a positive level of amenity value to the area. The proposal seeks to retain these existing trees to the north of the unit whilst also securing the planting of 12no additional trees, with 5no of these trees planted within tree pits within the refurbished car parking area to the south of the unit, adjacent to the existing footpath. A further 7 trees are to be planted primarily to the east of the unit adjacent to the Unit 2 drive thru lane. These trees will help define the boundaries of the site and provide screening to the proposed bin store. From a visual perspective, Officers are satisfied that the proposed planting is purposefully integrated into the proposed development, in accordance with the aims and aspirations of the NPPF and CS Policy G6.

Overall, subject to conditions, the proposals are found to be acceptable in relation to visual amenity and compliant with P1, P2, P3 of the Rochdale Core Strategy as well as design policies contained within the NPPF and PfE.

Residential Amenity, Noise and Pollution

At paragraph 135, the NPPF outlines the importance of planning in securing good standards of amenity for future and existing occupiers of land and buildings. Core Strategy policies DM1, G9, C1 and C6 cumulatively seek to reduce air and noise pollution, and DM1 in particular requires development to not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The site is located within an existing well established retail area and there are no residential properties within close proximity of the site which would be adversely affected by the proposed development and it is not considered that any additional traffic movements into and around the site would be so great as to create unacceptable levels of noise and disturbance. Environmental Health have not provided any comments on the application.

Accordingly, given the existing uses on the site and the fact that the proposed use would look to re-purpose an existing unit that would complement these, it is not considered the proposed unit would result in an unacceptable level of amenity to these nearby residential occupiers, by reason of noise, odour or light pollution.

For the above reasons it is considered that the proposal would be in accordance with the amenity requirements of CS policies DM1 and G9 and PfE policy JP-P6.

Access and Highway Safety

Paragraph 116 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and, in all circumstances,

prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

The Local Highway Authority (LHA) have reviewed the proposals and confirm that the proposed site access is satisfactory and existing, with no changes to the existing highway or new highways proposed as part of this development.

The LHA consider that the drive thru operation is likely to cause problems causing queuing back in the shared parking area causing congestion, compromising the circulation function and blocking disabled parking bays. However, as the location is far away from the highways network and queues are only expected to impact the function of the wider park, which is not the responsibility of the LHA to maintain, the LHA offer no objection to this. However, in consideration of this, and in a bid to reduce any potential congestion, Officers requested that the order point for unit 1 be set further back into the drive thru lane, allowing more cars to queue off the circulation road in the wider car park and in the dedicated lane. This is reflected on the proposed site plan revision E.

In terms of parking, the proposal would result in a net loss of net loss of 16 car parking spaces, providing 6 spaces (including 2 disabled spaces) and 12 electric vehicle spaces. To assist with the application, following a request by the Local Highway Authority (LHA), the applicant produced a parking appraisal and strategy of Sandbrook Park for consideration. The LHA considers the findings of this study to be robust and confirms that Sandbrook Park is nearing capacity in the evening peak but there is still adequate space within the site to accommodate the proposals. On this basis, the LHA confirm no objections to the proposal.

Overall, on the basis of this above, the proposal is found to be acceptable in regard to highway safety and would not be in conflict with p116 of the NPPF and Policy T2 of the Core Strategy.

Ecology and Biodiversity

Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain, subject to some exceptions including 'developments below the threshold', every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

PfE Policy JP-G8 also states that through local planning and associated activities a net enhancement of biodiversity resources will be sought where relevant. Development will be expected to achieve a measurable net gain in biodiversity of no less than 10%.

The Council's ecologist consultee, Greater Manchester Ecology Unit (GMEU), advises that the site has very limited ecological potential, comprising mainly the existing building, hardstanding and a small area of modified grassland, with limited opportunities for protected species. The

submitted BNG Assessment identifies invasive species in the surrounding area and recommends that a Construction Environmental Management Plan (Biodiversity) be secured to protect nearby habitats during construction and prevent the spread of invasive species. An informative is also recommended to advise the applicant of their legal responsibilities should protected species be encountered during works.

The submitted BNG Assessment (Peakecology Ltd, 06/10/2025) and accompanying Small Sites Metric demonstrate a very low baseline habitat value of 0.1676 units and indicate that the proposed planting of 12 new trees would deliver a 14.61% biodiversity net gain. GMEU advises that the LPA can therefore be confident that the Biodiversity Gain Condition can be discharged.

GMEU recommends that a Habitat Management and Monitoring Plan be secured by condition to ensure the long-term management of the new tree planting. GMEU advise that the statutory Biodiversity Gain Condition would apply should planning permission be granted. To discharge this condition additional information will need to be submitted

which includes a Biodiversity Gain Plan, final landscape plan, final version of the BNG

metric, and HMMP).

On the basis of the above and subject to conditions, there are no objections in relation to biodiversity and ecology matters.

Flood Risk and Drainage

Policy G8 of the adopted Core Strategy seeks to ensure that new development does not lead to any form of increased 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.

The site falls within Flood Zone 1 and is subsequently considered to be at low risk of flooding, but the location of the proposed site access is subject to a high chance of surface water flooding. The site is also within 20m of a main river and as such the Environment Agency are a statutory consultee.

The application has been supported with a Flood Risk Assessment and Drainage Strategy (reference S13111-JNP-XX-XX-RP-C-1002 P01 dated June 2026 prepared by JNP Group Consulting Engineers) and supplementary note 'Drainage/ SUDs letter dated 28.07.2026 reference S13111-JNP-XX-XX-CO-C-1002/SLL'.

On the basis of the above cited documents, the LLFA and the EA have confirmed no objection to the proposal. Subject to development being carried out in accordance with the recommendations contained within these reports, there are no objections in relation to drainage and flood risk.

Recommendation: Approve with Conditions

Condition(s) (9)

- 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 The development hereby approved shall be carried out in accordance with the following drawings and documents hereby approved unless otherwise required by the conditions below:

Plans

- Site Location Plan 11649 L001 revision C;
- Proposed Site Plan 11649 L020 revision E;
- Proposed Ground Floor Plan 11649 P020 revision B;
- Proposed Roof Plan 11649 P021 revision A;
- Proposed Elevations Sheet 1 11649 E020 revision B;
- Proposed Elevations Sheet 2 11649 E021 revision B;
- Proposed Street Scene 11649 E022 revision B;
- Proposed Sections 11649 S020 revision B;
- Pick Up Window Details 11649 D020 revision A;
- Order Point Details 11649 D021 revision B;

Documents

- Flood Risk Assessment and Drainage Strategy (reference S13111-JNP-XX-XX-RP-C-1002 P01 dated June 2026 prepared by JNP Group Consulting Engineers
- Drainage/ SUDs letter dated 28.07.2026 (reference S13111-JNP-XX-XX-CO-C-1002/SLL)
- Biodiversity Net Gain Assessment prepared by Peak Ecology 06/10/2025

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

- 3 The development hereby approved shall not be occupied until such time as the recommendations contained within the Flood Risk Assessment and Drainage Strategy (reference S13111-JNP-XX-XX-RP-C-1002 P01 dated June 2026 prepared by JNP Group Consulting Engineers) and Supplementary Note 'Drainage/ SUDs letter dated 28.07.2026 (reference S13111-JNP-XX-XX-CO-C-1002/SLL prepared by JNP Group Consulting Engineers) have been implemented in full and retained and maintained for their intended purpose thereafter.

Reason: In the interest of providing a safe environment in the event of a flood and to prevent an increased risk of flooding further downstream and in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to, and approved in writing by, the local planning authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and include:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan, including a timetable for its implementation and completion;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

The created and/or enhanced habitat specified in the approved HMMP shall be completed, managed and maintained in accordance with the approved HMMP.

Notice in writing shall be given to the Council when the:

- a) HMMP has been implemented; and
- b) habitat creation and enhancement works as set out in the HMMP have been completed.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policies G6 and G7 of the adopted Rochdale Core Strategy and JP-G8 of the adopted Places for Everyone Joint Development Plan.

Reason for Pre-commencement: The HMMP will be required as part of the arrangements to be approved under the statutory BNG condition which requires submission of the Biodiversity Gain Plan prior to commencement of development.

- 5 No development shall take place on any phase of the development (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) for that particular phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) for each phase shall include the following:

- i) Identification of "biodiversity protection zones".
- ii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). I
- iii) The location and timing of sensitive works to avoid harm to biodiversity features.
- iv) The times during construction when specialist ecologists may need to be present on site to oversee works.
- iv) Responsible persons and lines of communication.
- v) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP for each phase shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of biodiversity and the implementation of appropriate mitigation measures during construction, in accordance with the development plan and the National Planning Policy Framework.

- 6 Notwithstanding the details shown on the approved plans, no development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities) and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season

following final occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 No part of the development shall be occupied until such time as the car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made fully available for use. The arrangements shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 8 The development hereby approved shall not be brought into use until such time as details for the design of refuse/recycling bin store has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be installed in complete accordance and made available for use prior to the approved development first being brought into use. The approved refuse and recycling scheme shall be retained as constructed for its intended use thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and 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.

- 9 The development hereby approved shall not be brought into use until such time as details for the design of cycle store has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be installed in complete accordance and made available for use prior to the approved development first being brought into use. The approved cycle store shall be retained as constructed for its intended use thereafter.

Reason: To ensure the provision of satisfactory and secure facilities for cycle storage and in the interests of visual amenity in accordance with Policies P3, T2 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-C6 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Approval Reason(s) (1)

- 1 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.

Informatives (1)

1 BIODIVERSITY NET GAIN

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

(a) a Biodiversity Gain Plan has been submitted to the planning authority,

and;

(b) the planning authority has approved the plan.

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

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

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

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

*original planning permission means the permission to which the section 73 planning permission relates"" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

For the purposes of paragraph 13 (a) above, a biodiversity gain plan is a plan which:

(a) relates to development for which planning permission is granted,

and;

(b) specifies the matters referred to in sub-paragraph 14(2) below:

The matters are:

(g) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;

(h) the pre-development biodiversity value of the onsite habitat;

(i) the post-development biodiversity value of the onsite habitat;

(j) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;

(k) any biodiversity credits purchased for the development; and

(l) any such other matters as the Secretary of State may by regulations specify.

Environmental permit – Flood risk activities

2

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river

- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river • quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

INFORMATIVE:

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Should it be intended to display any advertisement at the premises, the applicant is advised to contact the Local Planning Authority with details to establish whether a separate application is required for approval under the Advertisement Regulations (2007).