



Town and Country Planning Act 1990 (as amended)

OUTLINE PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 15/01235/OUT

Name and address for correspondence:	Applicant name:
Mr David Miller WYG Building N2 Chorley Business & Technology Centre East Terrace Euxton Lane Chorley Lancashire PR7 6TE	Alderburgh Ltd PAL SIPP PR Davidson & B Davidson

Part I - Particulars of Application

Date of Application: 23 October 2015

Proposal:	Outline planning permission for residential development (including access) and demolition of the existing buildings on site
Location:	Sladen Mill , Halifax Road, Littleborough, Rochdale, OL15 0LB

Part II - Particulars of decision

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

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

Conditions and Reasons:

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than: (i) the expiration of three years from the date of this permission; or (ii) two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:- the layout of the development, the scale and external appearance of the buildings and the landscaping of the site.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

- 3 The total number of residential units included in any application(s) for reserved matters submitted pursuant to condition 2 of this permission shall be limited to a maximum of 35 dwellings and the development shall accord with the following plans:
- Location Plan - 500/SML/LP Rev A
 - Site access - A091153-002 Rev A

Reason: The layout of the proposed development will guide the detailed reserved matters applications, and in the interests of mitigating for the impacts of the development on the surrounding environment, to provide safe access arrangements and provide for an acceptable scale and layout to ensure there would be no reduction in the openness of the Green Belt in accordance with policies P2, P3, T2, G4, G7 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 No above ground works shall take place until details of the finished floor and external site levels of the dwellings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In order to achieve an acceptable relationship between surrounding buildings and to ensure that there would be no reduction in the openness of the Green Belt in accordance with policies P3, DM1 and G4 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters
 - o water courses to include Greenvale Brook and the canal drain which runs parallel with the eastern boundary of the site
 - o ecological systems,
 - o archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any works on site.

- 6 The first reserved matters application shall include the submission of a scheme of intrusive site investigations in relation to coal mining activity and associated features on the site. The intrusive site investigations shall thereafter be undertaken in accordance with the duly approved scheme and a report of the findings, including a scheme of remedial works if necessary, and the submission of a layout plan which identifies appropriate zones of influence for the mine entries on site, and the definition of suitable 'no-build' zones, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. Thereafter, the development shall be carried out in accordance with the layout plan and the scheme of remedial works and a verification report shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: To ensure a satisfactory standard of development that takes account of any land constraints in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Intrusive site investigations are required prior to commencement to ensure a safe form of development.

- 7 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following:
- (i) hours for site preparation, delivery of materials and construction;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) the erection and maintenance of security hoarding;
 - (vi) wheel washing facilities;
 - (vii) measures to control the emission of dust and dirt during construction.
 - (viii) measures to protect the adjacent water bodies during the demolition and construction phases.
 - (ix) details of the locations of any temporary lighting

The duly approved CMS shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings , to ensure any temporary lighting would not harm commuting bats and to prevent any pollution to the nearby water courses during the construction of the development in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy, saved UDP policy NE/2 and the National Planning Policy Framework.

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

- 8 The reserved matters application(s) for the development hereby approved shall accord with the following mitigation measures as detailed within the approved Betts Associates Flood Risk Assessment (May 2015):

- The provision of an 8 metre wide buffer zone along the boundary with Greenvale Brook
- Setting Finished Floor Levels a minimum of 150mm above the external levels (following any regrade)

The development shall be completed in accordance with the approved details and retained as such thereafter.

Reason: In order to ensure that appropriate measures are put in place to prevent flooding of the site in accordance with policy G8 of the adopted Rochdale Core Strategy, saved policy EM/7 of the Unitary Development Plan and the National Planning Policy Framework.

- 9 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 which establishes that no part of the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development including clearance of trees and shrubs shall take place until a methodology for protecting nest sites during the course of the development has been agreed in writing by the local planning authority. Nest site protection shall be provided in accordance with the approved methodology.

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

- 10 No development shall take place until a detailed method statement for the removal or long-term management/eradication of Japanese Knotweed and Rhododendron has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved method statement. The method statement shall include measures to prevent the spread of Japanese Knotweed and Rhododendron during any operations such as mowing, strimming or soil movement, and measures to ensure that any soils brought to the site are free of the seeds/roots/stems of any invasive plant covered under the Wildlife and Countryside Act 1981.

Reason: To ensure the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread in the wild in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As there are invasive species on site a method statement setting out their disposal will therefore be necessary prior to commencement of any building or engineering works on site.

- 11 No development shall take place until the applicant or their agents or their successors in title have secured the implementation of a programme of archaeological works. The programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of site investigation and recording to include:

- geophysical evaluation
- evaluation trenching i) targeting geophysical anomalies and ii) including targeted evaluation trenching of buildings identified in the desk-based assessment and iii) providing an adequate spatial sample of the development site.
- (depending upon the results of the evaluation) area excavation and recording

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological, architectural and historical interest represented.

3. Provision for publication and dissemination of the analysis and report on the site investigation.

4. Provision for archive deposition of the report, findings and records of the site investigation.

5. Nomination of a competent person or persons/ organisation to undertake the works set out within the approved WSI.

Reason: In order to protect and preserve the archaeological and historical significance of potential below ground heritage assets in accordance with policy P2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require demolition and ground works it will be necessary to identify an appropriate archaeological programme prior to commencement of any building or engineering works on site.

- 12 Notwithstanding the details hereby approved, the reserved matters application for the development hereby approved shall be supported by a detailed Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS). The statement shall be prepared in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction. Any approved mitigation or protection measures for trees and shrubs to be retained shall be put into place prior to and remain in place during any construction work for any phase.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the health of trees located within the site and in close proximity to the proposed development in order to preserve their amenity value and the character of the area in accordance with policies G1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13 The first submission of reserved matters shall be accompanied by a scheme for the disposal of foul and surface waters from the site. The surface water drainage scheme shall be based on sustainable drainage principles and shall aim to achieve:
- A 50% reduction in the existing brownfield discharge flow rate to Greenvale Brook
 - At least 50% attenuation of the site's surface water peak runoff flow rate for a 1 in 100 year storm return period allowing for a 40% upper end climate change allowance

The submitted scheme shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved drainage shall be fully implemented and subsequently retained in accordance with the management and maintenance plan.

Reason: To prevent an increased risk of flooding as a result of the development, to ensure that surface water discharge rates are below pre-development levels in accordance with the submitted Flood Risk Assessment and to ensure satisfactory disposal of surface and foul water from the site in accordance with policy G8 of the adopted Rochdale Core Strategy, saved policy EM/7 of the Unitary Development Plan and the National Planning Policy Framework.

- 14 Notwithstanding the details hereby approved, the reserved matters application for the development hereby approved shall include a scheme for habitat enhancements for the site which shall include the provision of bird boxes or equivalent and the planting of native trees and shrub plants. The approved scheme shall be implemented in full accordance with the duly approved details and timetable contained therein.

Reason: In order to achieve appropriate biodiversity enhancements as part of the development in accordance with policies G6 and G7 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 15 No external lighting shall be installed within the site unless a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include:

- o details of the locations of the lighting columns
- o the times when the lights will be operating
- o the design of lighting heads
- o LUX levels from the lights.

The approved scheme shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: To protect the character and appearance of the area; to ensure that there would be no reduction in the openness of the Green Belt and to ensure the lighting would not harm commuting bats in accordance with policies P3, DM1 and G4 of the adopted Rochdale Core Strategy, saved UDP policy NE/2 and the National Planning Policy Framework.

- 16 No development shall take place until a method statement detailing all proposed earthmoving, and construction works (including the design and means of construction of foundations) has first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved method statement.

Reason. In order to protect the water bodies which adjoin the site, in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 17 No development shall take place until a Method Statement and Mitigation Strategy as detailed within the submitted bat survey by The Tyler Partnership and dated 27th May 2015 has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the Method Statement and Mitigation Strategy.

Reason: To safeguard any protected species which may be present within the building in accordance with Policies G6 and G7 of the adopted Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure an appropriate scheme for the protection and conservation of bats.

- 18 The reserved matters applications for the development hereby approved shall include the submission of a Crime Impact Statement and shall demonstrate suitable crime prevention measures are incorporated into the development. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that appropriate measures are put in place to minimise the risk of crime and anti-social behaviour in accordance with policy P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 19 No above ground works shall take place until a scheme to provide highway signage at the junction of Halifax Road and the access into the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be carried in full before any of the dwellings hereby approved are first brought into use the signage shall be retained thereafter.

Reason: In the interest of highway and pedestrian safety, in accordance with policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Date Decision Issued 28 June 2018



.....
Signed on behalf of the Council

Procedure Statement:

The Local Planning Authority worked positively and 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. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

IMPORTANT

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

INFORMATIVE:

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

INFORMATIVE:

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

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

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

INFORMATIVE:

Contractors should be observant for protected species and should any species be found during works, then works should cease immediately and advice sought from a suitably qualified ecologist.

Notwithstanding that Planning Consent is granted it does not absolve the applicant, site owner, developer or any other party involved with the work from ensuring that an application is made for a Natural England Mitigation licence to legally undertake work that will affect bat/s or their roost/place of shelter. If work is undertaken without a licence and bat/s or their roost/s is/are affected then a breach of current wildlife legislation will occur for which penalties are high.

INFORMATIVE:

It is recommend that the developer undertakes further works in line with the guidance provided within 'CLR11 Model Procedures', 'Guiding Principles for Land Contamination' and 'Groundwater Protection: Principles and Practice' which are available on the Environment Agency's website at the following addresses:

<https://www.gov.uk/government/collections/land-contamination-technical-guidance>

Where deep foundations are proposed it is recommend the developer follows the guidance set out within the Environment Agency's document 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' which is available on our website at the following address:

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code

of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

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

The Environment Agency recommends that developer should refer to the Environment Agency's Position statement on the Definition of Waste: Development Industry Code of Practice and; website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.

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

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2010
- o The Waste (England and Wales) Regulations 2011

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

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environment-agency> for more information.

Should any trenches or excavations be required, an escape route for animals that enter the excavation must be provided, especially if left open overnight. Ramps should be no greater than 45 degrees in angle. Ideally any holes should be securely covered. This will ensure no animals are trapped during works.

All excavations left open overnight or longer should be checked prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an ongoing process to the work in hand.