

## **PLANNING AND LICENSING COMMITTEE**

### **MINUTES OF MEETING Wednesday, 30 May 2018**

**PRESENT:** Councillor Rashid (in the Chair); Councillors Shakil Ahmed, Burke, Davidson, Susan Emmott, Howard, Hussain, O'Neill, Rana, Rush, Wazir and Zaheer

**OFFICERS:** J. Holmes (Planning Solicitor), D. Ripa (Development Manager), C. Woods (Highways Team Leader) and M. Garraway (Senior Governance & Committee Services Officer).

**ALSO IN ATTENDANCE:** Councillor Hornby and 12 members of public.

**APOLOGIES FOR ABSENCE:** Councillors Wardle and Taylor

#### **MINUTES**

61 Decision:

That the minutes of the meetings of the Planning & Licensing Committees held on 15th March and 22nd March 2018 be approved as correct records.

#### **DECLARATIONS OF INTEREST**

62 There were no declarations of interest.

#### **EXTENSION TO EXISTING STORAGE AND DISTRIBUTION WAREHOUSE (USE CLASS B8) INCLUDING SERVICE AREA, TURNING AREA AND PARKING AREA (RESUBMISSION OF 16/00705/FUL) AT UNIT 7 CROWN BUSINESS PARK, COWM TOP LANE, ROCHDALE**

63 The Development Manager introduced Planning Application 17/00728/FUL for an extension to existing storage and distribution warehouse (Use Class B8) including service area, turning area and parking area (Resubmission of 16/00705/FUL) at Unit 7 Crown Business Park, Cowm Top Lane, Rochdale.

Councillor Hornby addressed the Committee on behalf of Councillor Sheerin detailing Councillor Sheerin's previous objections to schemes on the site and seeking an amendment to the wording of the landscaping condition to require a revised scheme including heavy standard trees and high quality soil.

Decision:

That planning permission be approved subject to conditions as detailed within the submitted report with the exception of condition 6 which be amended to require a revised scheme including heavy standard trees and high quality soil.

Reason for decision:

The development is acceptable in principle, due to its location within the Defined Urban Area and Crown Business Park and will contribute to economic growth.

**DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF A FOOD STORE (CLASS A1) WITH ASSOCIATED PARKING AND LANDSCAPING AT BELDEN CDT LTD, STOCKTON STREET, LITTLEBOROUGH**

64 The Development Manager introduced Planning Application 18/00059/FUL for the demolition of existing buildings on site and erection of a food store (Class A1) with associated parking and landscaping at Belden Cdt Ltd, Stockton Street, Littleborough.

The Development Manager advised the Committee that the Environment Agency (EA) previously provided comment on the application as summarised on page 33 of the report. Following receipt of these comments the applicant submitted additional information in relation to land contamination issues and provided a 'Phase II' report along with a proposed remediation strategy. The EA commented on these elements on 24th May, raising an objection on the basis that the reports did not demonstrate that the risk of pollution to controlled waters was understood. The EA later confirmed that they were satisfied that their objection could be resolved by way of imposition of a condition requiring the submission of revised reports prior to commencement of development.

The Committee were therefore advised submitted conditions required to be amended as follows:

Condition 5: No above ground works shall take place until such time as a detailed scheme of off-site highway improvement works, in accordance with the outline improvement details shown on plan ref. SCP/17033/SK01 rev. C contained within the submitted 'Technical Note 02' by SCP dated 09.05.2018, has been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be occupied until such time as the duly approved scheme has been fully implemented.

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

Condition 10: No development, including works of demolition or site preparation, 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, in consultation with the Environment Agency. 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:
  - human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
  - adjoining land,
  - controlled waters, groundwaters and surface waters,
  - ecological systems,
  - 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 building(s) 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 Policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Furthermore Condition 26 as recommended within the submitted report required that the development achieve a 'very good' or 'excellent' Building Research Establishment Environmental Assessment Methodology (BREEAM) rating or equivalent, in line with previous proposals for redevelopment of the site. However, the applicant has advised that to achieve a BREEAM rating in this instance would be 'wholly unachievable' due to a lack of previous integration of the standards in the design process for the development to date. It was therefore recommended that the requirement to achieve a BREEAM standard be replaced with a more bespoke and achievable requirement to better reflect the nature of the building proposed and the Council's current energy and new development policies contained within the Core Strategy. As such, it was recommended that condition 26 be replaced with the following:

The building hereby approved shall be constructed to achieve the following:

- A reduction in total predicted carbon dioxide emissions to achieve 10% less than the Building Regulations Target Emission Rate; and
- Provision of a minimum of 10% of predicted energy needs of the development from low carbon energy.

No part of the development shall be occupied until such time as a detailed scheme to achieve the above standards has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented prior to first occupation of the building and a post-installation verification report shall be submitted to the Local Planning Authority for approval in writing within two months of the building first being occupied to demonstrate that the agreed measures have been installed. Thereafter the approved measures shall be retained and maintained in perpetuity.

Reason: To ensure that the development is sustainable and the potential CO2 emissions are reduced in accordance with Policies G1 and G2 of the adopted Rochdale Core Strategy, the Council's Climate Change Adaptation SPD and the National Planning Policy Framework.

It was also necessary to revise condition 28 as follows:

Except where superseded by the provisions of condition 6 of this permission, the landscaping works shown on the approved plans (drawing no. R/2040/1B) shall be carried out in accordance with the approved details and within the first planting season following final occupation of the development hereby permitted. 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. Landscaping shall be maintained in accordance with the provisions of the submitted Landscape Management Document by FDA Landscape Ltd.

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 Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

The Committee considered the views of Mr Jonathan Harper, the agent for the applicant, who addressed the Committee in relation to the application.

Decision:

1. That planning permission be approved subject to the amended conditions as detailed above and those within the submitted report.
2. A Section 106 agreement to secure a financial contribution of £90,000 towards the provision of a signalised crossing on Church Street and public realm improvements in Littleborough Town Centre, and to secure the extension of the existing Traffic Regulation Order on Stockton Street.

Reason for decision:

The scheme will provide benefits in terms of improved retail choice within Littleborough and employment opportunities and the benefits outweigh the harm arising by virtue of the departure from UDP policy.

**ERECTION OF A CROSS SCULPTURE (7M HIGH IN TOTAL) INCLUDING FORMATION OF LANDSCAPED AREA WITH ASSOCIATED STONE WALL BOUNDARY TREATMENT AND THE CREATION OF AN ADDITIONAL PATHWAY FROM THE EXISTING PUBLIC FOOTPATH - RESUBMISSION OF 17/00729/FUL ON LAND AT ROUGHLEE FARM, EDENFIELD ROAD**

65 The Development Manager introduced Planning Application 18/00368/FUL for the erection of a cross sculpture (7m high in total) including formation of landscaped area with associated stone wall boundary treatment and the creation of an additional pathway from the existing public footpath - Resubmission of 17/00729/FUL on land at Roughlee Farm, Edenfield Road.

The Development Manager advised that an additional letter of support for the application had been received by Councillor Gartside.

The Committee considered the views of Mr Stephen Nolan, the applicant, who addressed the Committee in relation to the application.

Decision:

That the application be deferred to a future meeting of the Committee.

Reason for decision:

To enable the applicant the opportunity to clarify in writing the reasons for the very special circumstances which would justify inappropriate development within the Green Belt.

#### **PLANNING APPEALS DETERMINED**

66 Decision:

That the planning appeals recently determined be noted.

#### **PLANNING APPEALS LODGED**

67 Decision:

That the recently submitted planning appeals be noted