

Report to Planning and Licensing Committee



Date of Meeting	30 <sup>th</sup> May 2018
Portfolio	Councillor Daalat Ali
Report Author	Planning & Housing
Public/Private Document	David Allen
	Public

<b>Application:</b> 18/00059/FUL	<b>Township:</b> Pennines	<b>Ward:</b> Littleborough Lakeside
<b>Applicant:</b> Lidl UK GmbH	<b>Agent:</b> Mr Jonathan Harper	
<b>Site Address:</b> site of Belden Cdt Ltd, Stockton Street, Littleborough, OL15 8YJ		
<b>Proposal:</b> Demolition of existing buildings on site and erection of a food store (Class A1) with associated parking and landscaping		

**SITE LOCATION**



## DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee as the development represents a departure from the Development Plan and more than ten objections have been received.

## PROPOSAL SUMMARY

- 2.1 Full planning permission is sought for the demolition of all existing buildings on site and the erection of a Use Class A1 foodstore with associated parking and landscaping.

## RECOMMENDATION

- 3.1 **GRANT planning permission** subject to 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 RECOMMENDATION

- 4.1 The proposed development of land for retail purposes within the Primary Employment Zone represents a departure from the Unitary Development Plan, however it is considered that the benefits that the scheme will bring in providing improved retail choice within Littleborough and employment opportunities, on balance outweigh the harm arising by virtue of the departure from UDP policy.
- 4.2 The sequential site assessment demonstrates that there are no sequentially preferable sites for new retail development in the catchment area and it is not considered that the proposal will have any significant adverse impact on existing, committed and planned public and private investment. Whilst the proposal will result in trade diversion away from existing stores, particularly the existing food stores in Littleborough and Littleborough Town Centre itself, it is not considered that this will give rise to significant adverse impact upon the vitality and viability of Littleborough Town Centre. Appropriate mitigation is proposed in relation to the impact on Littleborough as a whole, including provision of a signalised crossing on Church Street, improvement of public realm within the centre and provision of a car park management plan to encourage linked trips.
- 4.3 The proposal complies with more detailed development management considerations in respect of the design of the store building itself, highway safety, the relationship of the development with adjoining land uses, flood risk, drainage and land remediation requirements. Other impacts of the development are considered further in the report and can be suitably mitigated by the use of appropriate planning conditions.

## **SITE**

The application relates to the former site of Belden CDT Ltd./Carlisle Interconnect Technologies located to the north west of Stockton Street, a cul-de-sac serving an industrial estate which is accessed off Church Street (A58) in Littleborough. The A58 is an important arterial route which connects Littleborough with Rochdale to west and various West Yorkshire settlements, including Todmorden, Ripponden and Halifax to the east. The site lies just over 300m to the west of the core of Littleborough Town Centre.

The immediate surroundings of the site are characterised by commercial and industrial uses. Immediately to the north of the application site are a series of large format industrial and office buildings occupied by McCormick Europe Ltd., along with an associated car park. To the north east of the site is the Fedex depot, whilst immediately east of the site is Stockton Street and the IMO automatic car wash.

To the south the site is bounded by two residential properties which front the A58 – nos. 4 and 6 Church Street. These are two storey semi-detached traditional dwellings which have modest rear gardens separated from the application site by a tall coniferous hedge. The eastern-most of the two dwellings benefits from a vehicular right of way across the application site directly to Stockton Street. To the west of the site lies the Littleborough Health Centre and the former police station, now occupied by The Ark nursery, a nursery and out of school/holiday club.

As noted, the site is accessed via Stockton Street, which connects directly to the A58 (Church Street). Located within close proximity to the site are a number of bus stops – the closest less than 50m away on Church Street between Stubley Mill Road and Charles Street.

The application site itself is currently occupied by two buildings; the larger of the two occupies the majority of the site and is formed of a mixture of buildings combined and extended over time. A more modern, smaller building is located to the south west corner of the site, adjacent to the boundary with the dwellings on Church Street. The site was most recently (until December 2017) occupied by Carlisle Interconnect Technologies, a major supplier to the US aerospace and industrial markets. The business has recently vacated the site, and their only retained facility in the UK is now located in Blackburn.

The site slopes gently south, although the gradient is particularly severe at its north west boundary with the McCormick's site, where there is a steeply banked grassy area. To the south of the site is a raised landscaped area forming part of the radii of the junction of Stockton Street and Church Street.

## **PROPOSAL**

The application seeks full planning permission for the demolition of the existing buildings on site and the erection of a food store (Class A1) with associated

parking and landscaping. The application has been submitted by Lidl UK, who are the intended occupiers of the retail unit.

The net sales area is proposed to be 1,104 sq.m of which 80% (883 sq.m) is intended for convenience goods sales and the remaining 20% being for comparison goods sales. The development would include a dedicated in-store bakery. Opening hours are proposed as 0800 to 2200 Monday to Saturday inclusive and 1000 to 1600 on Sundays. The store would employ up to 40 full time equivalent staff members.

The building itself is of a contemporary design, with a monopitch roof arrangement and full height glazing to the front elevation facing towards Church Street. The building would be constructed of natural stone, curtain wall glazing, silver cladding and render (white and grey). The monopitch roof would be clad in silver. Natural stone would be used on the front elevation and the southernmost sections of the side elevations; the render construction would start approximately  $\frac{1}{4}$  along the length of the building, on the sections further into the site itself. Signage would be integrated within the upper glazed sections.

Access to the site is to be taken from Stockton Street, from approximately the same position as the existing situation, although with a slightly altered arrangement. The vehicular right of way to the rear of the dwellings at 4 and 6 Church Street would be maintained.

The store would have a dedicated servicing area to the north east (rear) of the store building receiving one or two deliveries per day, including frozen and chilled goods which are carried using individual temperature controlled units within the general delivery. Delivery vehicles also remove waste from the store on the return journey to the regional distribution centre.

The development proposes a number of highways improvements within the vicinity of the site:

- Build-out to Stubley Mill Road – to slow speeds of vehicles turning left onto Stubley Mill Road, reduce the crossing distance for pedestrians, prevent opportunity for vehicles overtaking a stationary bus at the stop on the southern side of Church Street entering the right-turn lane into Stubley Mill Road and allow for the construction of the additional pedestrian refuge on Church Street;
- Tightening of radii on the western corner of Stockton Street to reduce the crossing distance across and reduce the speeds of turning vehicles;
- Reinstatement of footway on the eastern side of Stockton Street with dropped kerbs and tactile paving;
- New dropped kerbs and tactile paving on Stockton Street away from the bellmouth with Church Street but still on the desire line for east/west pedestrian movements.

## **RELEVANT PLANNING POLICY**

### **National**

National Planning Policy Framework (NPPF) - Published March 2012

- The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG) - Published March 2014

- The guidance is intended to complement the NPPF and provides a single resource for planning guidance.

## **Local**

### **Adopted Rochdale Core Strategy (RCS):**

The Core Strategy was formally adopted by the Council on 19<sup>th</sup> October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

- SP2 The Spatial Strategy for the borough
- SP3 The Spatial Strategy for the townships
- SD1 Delivering sustainable development
- DM1 General development requirements
- DM2 Delivering planning contributions and infrastructure

#### **SO1 Delivering a more prosperous economy**

- E1 Establishing thriving town, district and local centres
- E2 Increasing jobs and prosperity
- E3 Focusing on economic growth corridors and areas

#### **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**

- G2 Energy and new development
- G7 Increasing the value of biodiversity and geodiversity
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution

#### **SO5 Improving accessibility and delivering sustainable transport**

- T2 Improving accessibility

### **Rochdale Unitary Development Plan (UDP):**

A number of policies contained within the Unitary Development Plan have been saved following the adoption of the Core Strategy. The following saved policies are relevant:

#### **G/D/1 Defined Urban Area**

EC/2 Primary Employment Zones

#### **G/S/1 Hierarchy and Role of Centres**

BE/17 New Development Affecting Conservation Areas  
EM/7 Development and Flood Risk  
EM/8 Protection of Surface and Ground Water

### Supplementary Planning Documents

Oldham and Rochdale Urban Design Guide (September 2007)  
Littleborough Town Design Statement (2005)  
Climate Change Adaptation (June 2012)

### **RELEVANT SITE HISTORY**

15/01028/FUL Demolition of warehouse building to north of the site. Erection of a foodstore (Class A1) and change of use, single storey front extension, external alterations to and refurbishment of existing Class B8 building at end south of site to provide a 'flexible use' retail unit (Class A1, A2, A3 or A5) with associated public realm, vehicular access, car parking, servicing areas and hard and soft landscaping.

*On 7<sup>th</sup> December 2015, Planning and Licensing Committee resolved to grant planning permission subject to a S106 agreement. The S106 agreement remains outstanding and a formal decision has not been issued.*

13/00576/FUL Demolition of existing structures and erection of a class A1 foodstore with associated vehicular access, car parking and landscaping.

*On 28<sup>th</sup> January 2014, Licensing and Regulatory Committee resolved to grant planning permission subject to a S106 agreement. The S106 agreement remains outstanding and a formal decision has not been issued.*

### **CONSULTATION RESPONSES**

Conservation Project Officer - I have considered this proposal for a Lidl store on Stockton Street in Littleborough. The junction of Stockton Street and Church Street is approximately 120m away from the Littleborough Town Centre Conservation Area and there are no other designated heritage assets within the vicinity.

Although the proposal site does not directly affect any heritage assets, I would prefer the visible elevations to reflect the traditional local palette of materials which can also be seen on nearby buildings. For this reason I would prefer to see natural sandstone rather than artificial stone on the south east elevation. As a design detail I would also prefer to see clear glass at high level along the curtain wall of this elevation rather than mirrored glass, although this is not a conservation concern.

I do not object to this proposal in principle as I would welcome an improvement to the existing site, although I would prefer to see natural stone as mentioned above.

Design for Security - The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement dated (12/01/2018 – URN:2017/0950/CIS/01) and a planning condition should be added to reflect the physical security specification listed within section 4 of the appendices within the submitted Crime Impact Statement.

In summary, our support for this application is dependent on the recommendations made within the Crime Impact Statement being incorporated into this proposal

Drainage & Flooding Engineer – The Environmental Agency maps indicate that the proposed plots are located within Flood Zone 1, but the site is located within a Critical Drainage Area.

In accordance with SCP drawing 17033/D/001 and SCP FRA & Drainage Strategy, the following measures are proposed:-

- Cellular crated storage for surface water flow attenuation – detailed design was completed and provided in SCP drawing 17033/D/001. The total provided surface water attenuation volume is 228 cu.m. A hydrobrake® flow restriction of 50 l/s will be applied to the outlet to United Utilities surface water sewer.
- Lidl to receive EA flood alerts and develop a store-based emergency flood plan.

In a clarification email from the Applicant's Drainage Engineer (SCP):- *The brownfield run-off was calculated at approx 99.6 l/s and the 30% reduction from existing run-off was calculated at approx 69.70 l/s. Therefore we firstly proposed a 50% betterment SW discharge rate of 50 litres per second... With the climate change being 30%.*

RBC Drainage Engineer accepts these proposed values.

Suggested conditions:

Condition 1: Foul and surface water shall be drained on separate systems and discharge to the separate foul and surface water sewers in Stockton Street. The connections to UU sewers shall meet any UU requirements as stipulated by agreements between UU and the Applicant.

Reason: This measure is to secure proper drainage and to manage the risk of flooding and pollution.

Condition 2:- The detailed surface water drainage scheme shall be provided in accordance with attenuation storage and flow control shown

on SCP/17033D/001 "Proposed Surface Water Drainage Layout" plan, dated 4.5.18.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Electricity North West - We have considered the above planning application submitted on 06/03/2018 and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

- ENWL distribution substation Python Mill No 2 (315744), within demolition area.
- 6600 volt cables crossing within demolition site boundary.
- ENWL 400 volt out of commission cable within site boundary.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service, at a modest cost, for our electricity assets. This is a service which is constantly updated by our Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website <http://www.enwl.co.uk/our-services/know-before-you-dig>

It is recommended that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Environment Agency - We have no objection in principle to the proposed development, but would wish to make the following comments.

The previous use of the proposed development site as a Tenter Mill Textile and Dye Manufacturing, reservoir/infilled cutting embankment as well as the present use as a Cable and wire manufacturers presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is underlain by a Secondary A aquifer and the River Roch is located 94m from the southern site boundary. The "Desk Study Assessment Report MS/C3721/7272 by Brownfield Solutions Ltd" Report Dated December 2017, submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 121 of the National Planning Policy Framework.

*The Environment Agency also provided a list of suggested site investigation/remediation conditions and a number of informatives to be appended to the decision notice. A number of additional site investigation reports, including a proposed remedial strategy, were later received by the LPA and provided to the EA for further comment – no additional representation was received.*

Greater Manchester Archaeological Advisory Service –

**Comments Received 26.02.2018**

Having checked our records I am satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

**Comments Received 12.03.2018**

Thank you for bringing to my attention the representation by Littleborough Historical and Archaeological Society. Based on a review of our records we do not believe there is any reason to require a photographic survey. We would however have no objections to Littleborough Historical and Archaeological

Society taking photographs prior to demolition and we would be most obliged if they could send us the results for entry onto the Greater Manchester Historic Environment Record.

Greater Manchester Ecology Unit – Although the application site is within the 'area of search' for potential impacts on the Rochdale Canal Special Area of Conservation the application site is sufficiently distant from the Canal and separated from it by significant built development such that no impacts on the Canal are likely to occur.

The buildings to be demolished / converted to facilitate the development have only low potential to support bats and therefore I would not advise that a bat survey is required prior to deciding the application.

I therefore have no objections to the application on nature conservation grounds.

Health and Safety Executive – The proposed development currently lies within the consultation distance of at least one major hazard site and/or major accident hazard pipeline. HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Highways and Engineering –

#### **Comments Received 08.03.2018**

The application site has recent planning applications for 2 similar proposals of the same use.

The applicant has considered the potential trip generation of this proposal using data from the TRICS database. I have checked the locations of the source data all six of which are Lidl Stores slightly larger than the proposed. Each location for the source data is situated on the edge of a Town Centre area or within a Local Centres. The accesses and proximity of the Town Centre varies with each location. Given the location and proposed use I can accept the figures produced using the TRICS Database are robust and parameters used are acceptable. Despite the A58 being a busy route I am satisfied traffic will not be severely impacted as a result of this proposal.

The applicant has provided swept path analysis of the site to demonstrate the turning movements of HGVs servicing the development. The manoeuvring area does overlap with areas for customer parking; parking provision for this proposal with 124 spaces is in excess of the required amount for a development of this size and nature as per the approved Core Strategy; Appendix 5. Given the level of parking provided I would prefer to see the parking area reduced and a dedicated service yard provided to prevent customers and HGVs from meeting.

Stockton Street is currently used to access a number of commercial premises and as a result there is a number of HGVs using the road already. I am happy Stockton Street can accommodate HGV traffic. The addition of a retail element attraction to Stockton Street will see a number of private vehicles and

pedestrians coming to the site. I do however wish to see some protection around the access point to ensure vehicles can enter and exit the site without difficulty.

The additional private vehicles and pedestrian traffic on Stockton Street will see Stubley Mill Road, Stockton Street and the A58 become busier. To operate safely a number of improvements should take place on the Highway alongside this development;

- Upgrading of existing Pedestrian Refuge on Church Street to a controlled Puffin crossing;
- Introduction of dropped kerbs and tactile paving across Stockton Street near to the junction with Church Street;
- Introduction of a Pedestrian Refuge on Stockton Street near to the junction with Church Street;
- The TRO on Stockton Street should be amended and extended on both sides beyond the site access to prevent obstruction of access and egress;
- Create a build out on the junction of Stubley Mill Road to reduce the crossing distance and to reduce vehicle speed when entering Stubley Mill Road;
- Introduction of 20 Mph Roundels on Stubley Mill Road.

These improvements will mean that the development is acceptable and reduce concerns of pedestrian movement across the A58 at this location.

The applicant has proposed introduction of a Pedestrian Refuge on Church Street between Stockton Street and Stubley Mill Road. Whilst it is clearly possible for HGVs to manoeuvre around this refuge it does not leave a great margin of error. In any case we believe the refuge sandwiched between the two junctions is in too close a proximity to operate safely. This short stretch of the Highway becomes quite complicated and we believe it could be counterproductive. I therefore request this feature is removed.

No objections to this development subject to the amendments recommended in the report conditions.

The applicant must either provide S106 or enter into a Section 278 agreement to provide the following;

- Upgrading of existing Pedestrian Refuge on Church Street to a controlled Puffin crossing.
- Introduction of dropped kerbs and tactile paving across Stockton Street near to the junction with Church Street.
- Introduction of a Pedestrian Refuge on Stockton Street near to the junction with Church Street
- The TRO on Stockton Street should be amended and extended on both sides beyond the site access to prevent obstruction of access and egress.
- Create a build out on the junction of Stubley Mill Road to reduce the crossing distance and to reduce vehicle speed when entering Stubley Mill Road.

- Introduction of 20 Mph Roundels on Stubble Mill Road.

### **Comments Received 17.05.2018**

I can confirm I am happy with the revised plan submitted as in appendix 1 (plan ref. SCP/17033/SK01 rev. C). I will also require allocation from the commuted sum to upgrade the crossing on the A58. We have estimated these works at £46,000.

Landscape Design Officer –

#### *A58 and Stockton Street Frontage*

This extends from the police station to the road junction and store entrance. The whole of this stretch is visible from the public realm. The A58 is a strategic route, so high quality frontage treatment is expected, including boundary treatments. Signage could be designed in keeping with the subtle natural stone approach used for the store, as part of a retaining wall feature at the road junction (entrance). A similar artistic approach could be taken in the SW corner of the store, visible from the A58.

#### *Boundaries*

The existing palisade steel fence along the west site boundary – fully visible from the public realm - is unsightly and will detract from the care that the architects have taken with the stoneclad / glazed design of the store. Here is an excellent opportunity to replace the steel palisade fencing by high quality paladin fencing in combination with a robust soft landscape frontage, equal in quality to that at a store entrance and potentially a secondary pedestrian footpath link (as in historic OS plans). The SW corner is not just a carpark boundary, it is the first view of the store by users travelling east on the A58, and by pedestrians accessing the medical centre.

#### *Existing Trees*

BS5837:2012 (and the tree report quotes this) states that “Category B trees should be retained wherever possible.” The tree schedule indicates that trees T1, T2, T3, T4 provide a high landscape contribution to the area. T2 and T3 (both category B2) should be retained.

T1 should be retained for its landscape contribution as in combination with T2, they are a prominent landscape feature of the A58 corridor. However, its structural condition should be investigated further (potential internal decay noted in the schedule). If for arboricultural reasons that as a result of internal decay it would be prudent to remove T1 (*not store visibility*), then it should be replaced by either 2no extra heavy standards of 18-20cm girth (or 2no semi-mature trees of 20-25cm girth) of large-at-maturity tree species, planted in the grass area near T2, to sustain the quality of the prominent landscape feature in the Littleborough landscape.

### *Soft Landscape*

Generally acceptable species choice.

### *Maintenance and Management*

The management plan is acceptable.

Littleborough Historical and Archaeological Society - It is felt that there are some points of interest on the site and it would benefit from a photographic survey. Members of the Society would be happy to be involved in any proposed survey. [Members] feel that a photo record of the remains of the Python Mill, which originally occupied the site, should be recorded. If we are granted access to the site we are willing to undertake this ourselves but appreciate that an escort may be needed.

Public Protection (Environment) – The agreed detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority.

The approved remediation scheme shall thereafter be fully implemented. There shall be no variation of the approved remediation scheme unless otherwise approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme and prior to the commencement of the permitted use/development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared which is subject to the approval in writing of the Local Planning Authority.

Public Protection (Noise/Odours) – This section has no objection in principle to the proposal but would recommend the following conditions:

- Plant noise shall not exceed 28 dB(A) Leq15mins, measured at 1m or a suitable representative point.
- Deliveries are conditioned to the following times: Monday-Saturday 07:00-22:00 Sundays and Bank holidays 08:00-16:00.
- Opening hours are conditioned to the following times: Monday-Saturday 07:00-22:00 Sundays and Bank holidays 08:00-16:00.

- The mitigation measure (acoustic barrier) documented in section 10.5 is constructed as per the submitted plans and specification.

I understand that deliveries could be undertaken between 06:00-07:00 with low impact, however this is dependent upon the refrigeration units being turned off when unloading, I feel that a condition of this nature would be hard to enforce. Additionally it may not be practically realistic for the suppliers to turn the units off when delivering for food safety and or corporate procedure reasons.

### **Additional Comments Received 4<sup>th</sup> May 2018**

I'm happy with the opening hours being amended (0700 to 2300 Mondays to Saturdays; 0800 to 2200 Sundays), in respects of the delivery times my concerns remain and comment is unchanged.

### Strategic Planning –

#### **1. Employment**

Policy EC/2 (UDP -2006) states that change of use outside industrial, business and warehouse uses will not be permitted unless it is ancillary or complementary to the business and industrial nature of the area. The policy is flexible to allow the provision of ancillary and complementary uses such as retail to specifically serve the need of the local workforce only. However, although I agree, in part, the proposal could be considered ancillary and complimentary to the wider employment area; it also intends to serve a wider catchment area beyond and including Littleborough and Central Rochdale. Therefore, I do not consider that the sole purpose of the retail proposed is to serve the Stockton Street Industrial Area and I consider that the proposal is a departure from policy EC/2.

However, NPPF encourages planning authorities to be more sustainable and flexible in their consideration of proposals to ensure sites are in active use over the long term and retail is accepted as an employment generating use. In addition, NPPF indicates that where a site is no longer viable for its intended use then market signals should be used to understand the long term future use for the site. The applicant has indicated that the site in its current use will not be maintained and may not get an end user. It may be preferable in this situation to maintain an active economic use than have the site remain vacant indefinitely, which would be more detrimental to the local economy in the medium to long term.

Policy E2 is consistent with the NPPF approach of being much more flexible with sites which are considered no longer suitable for employment generating uses. Criterion f) supports non-employment uses within employment areas where it does not affect the employment land supply in the borough. I am satisfied that re-location of the existing business could add to the employment land supply if it requires an additional premises or the redevelopment of a site elsewhere in the Borough.

Furthermore, NPPF encourages proposals that will 'have positive improvements to the quality for the built, natural, historical environment and to people's lives'

(Para 9 and 10). It is considered that the proposed development will lead to a well-designed use of the site, more jobs and have wider regeneration benefits for the local area.

In summary, although the proposal is considered a departure against UDP policy EC/2 Primary Employment Zone (PEZ), it does, however, comply with the recently adopted Core Strategy, policy E2 and NPPF. Also, the proposal maintains and is consistent with the core objectives of the Core Strategy in delivering a more prosperous economy, and also balancing the wider regeneration benefits associated with this proposal.

## 2. Retail

The proposal is considered out of centre as it is more than 300 m away from the Primary Shopping Area and therefore will be assessed against Policy E1.

*Policy E1* states that main town centre uses will be focused in the defined town centres, and where there are no suitable sites in, or on the edge, or well connected to, the town centre, district and local centres, will out of centre sites be considered. In considering main town centre uses which are out of centre, policy E1 requires the application of sequential approach and an impact assessment where it exceeds the location requirement. As such, Policy E1 is broadly consistent with the National Policy tests for out-of-centre retail development found in Paragraphs 24 and 26 of the NPPF.

### *National Planning Policy and Guidance*

Section 2 of the Framework seeks to ensure the viability of town centres. Of relevance, paragraph 24 states that:

*“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in accordance with an up-to-date development plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if **suitable** (my emphasis) sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”*

In this context, it is considered that ‘suitable’ includes viable, in that for a site to be suitable it must be viable for the development proposed.

In terms of whether the proposal complies with the sequential test, the checklist below, taken from the PPG (Paragraph: 010 Reference ID: 2b-010-20140306), sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test. These considerations are confirmed below:

With due regard to the requirement to demonstrate **flexibility** (my emphasis), has the **suitability** (my emphasis) of more central sites to accommodate the proposal been considered? Where the proposal is located in an out of centre location, preference should be given to accessible sites that are well connected to the town centre; and to

consider the scope for flexibility in the format and/or scale of the proposal. It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed but rather to consider what contributions more central sites are able to make individually to accommodate the proposal.

In assessing the viability of a site the PPG states that:

The sequential test seeks to deliver the government's 'town centre first' policy. However as promoting new development on town centre locations can be more expensive and complicated than building elsewhere local planning authorities need to be realistic and flexible in terms of their expectations (Paragraph: 012 Reference ID: 2b-012-20140306).

### *The Sequential Approach/Test*

Catchment Area (CA) including area of search

- to serve an area that broadly equates to a 0-10 minute drive-time of the site.
- a site area of in excess of 1,876 sq. m;
- appropriate provision for car parking spaces;
- main road proximity/visibility and ease of access; and
- Appropriate servicing and access arrangements.

As well as the criteria set out above, the parameters for the sequential assessment has also been informed by existing and historic shopping and leisure patterns in the local area. According to the Rochdale Retail and Leisure study 2010 and 2016, Littleborough draws most of its trade from Rochdale Central (Zone 1) and Littleborough (Zone 2).

In this instance the identification of the catchment area is considered proportionate and appropriate to the nature and scale of the proposed development. Therefore, in terms of the requirements of the sequential test outlined in NPPF, the applicant has considered and assessed a number of sequentially preferable sites in the borough:

1. ARC Car Wash, Featherstall Road;
2. Land to the West of Hare Hill Road;
3. Hare Hill Mill, Hare Hill Road;
4. Land at Todmorden Road/Ebor Street;
5. Citizen Advice Rochdale, 104-106 Drake St, Rochdale, OL16 1PQ
6. Fisherman's Home, Drake Street, Rochdale
7. Former Dream's Bar, corner of Water Street and Drake Street, Rochdale.
8. Units 1-3, 1 Drake Street, Rochdale, OL16 1RE
9. 14 Drake Street, Rochdale, OL16 1NT
10. 24-26 Drake Street, Rochdale, OL16 1NT
11. 33 Drake Street, Rochdale, OL16 1RX
12. Site of 42-46 Drake Street and 9 Nelson Street, Rochdale.
13. 44-46 Yorkshire Street, Rochdale, OL16 1JW
14. 1,303.2 sq. m
15. For sale

16. 99 Yorkshire Street, Rochdale, OL16 1DW
17. 103 Yorkshire Street, Rochdale, OL16 1DR
18. 142 Yorkshire Street, Rochdale
19. 246 – 250 Yorkshire Street, Rochdale
20. 26 St Marys Gate, Rochdale, OL16 1DZ
21. AGE UK Metro Rochdale, 12 South Parade, OL16 1LP
22. Former John Peers Hair Studio, 3 South Parade, Rochdale, OL16 1LR
23. Wheatsheaf Shopping Centre, Rochdale
24. Rochdale Exchange Shopping Centre, Rochdale
25. Rochdale Riverside (recently approved scheme within Rochdale Town Centre)

In summary, all the sites highlighted were discounted either because the sites were unavailable, too small or big and/or unsuitable. Based on the information set out by the agent, I am satisfied that there are no sequential preferable sites within or on the edge of Littleborough and Rochdale Town Centre. Therefore, it is considered that the proposal meets the sequential site assessment, as set out within paragraphs 24 the NPPF.

### *Impact*

In regard to retail impact, Paragraph 26 of the NPPF states that in justifying proposals for edge or out of centre retail development the following should be considered:

1. The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
2. The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.

#### *1. Impact upon committed and planned investment*

The test is only of impact upon committed or planned investment in the catchment area; in this instance the test is restricted to the Catchment Area (CA) adopted. The only centre to have a committed in-centre scheme is Rochdale Town Centre. I agree with the position in the Planning Statement (PS) that the location and the scale of the proposed food store, is not considered to have an adverse impact on the redevelopment of the town centre. With regards to Littleborough Town Centre, there is currently no planned or committed schemes or elsewhere in the CA.

#### *2. Impact upon Town Centre Vitality and Viability*

I consider that the trade draw and trade diversion assumptions made in the PS are plausible and that the proposed development is unlikely to lead to significant adverse impact on existing convenience retail floorspace in Littleborough. The primary trade diversion is likely to be from freestanding food stores in the Rochdale urban area. The PS complies with the NPPF test of impact and it is considered the impact on town centre vitality and viability in the PCA is not likely to be significantly adverse and will most likely leave the existing Co-operative and Sainsbury's stores at least trading at sustainable levels.

### **Conclusion**

Although, the proposal is a departure to UDP policy EC/2 Primary Employment Zone (PEZ), Core Strategy policy E2 and NPPF are given more weight, particularly in relation to the need to be flexible on employment generating sites.

In terms of the sequential approach, I am satisfied that fully complies with the NPPF requirement for a sequential site assessment for new retail development which is not situated within a defined centre. In addition, I do not consider that the proposal will not have any significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.

There are many regeneration related benefits that the scheme will bring which may help to improve the local area and provide retail choice and job opportunities. These likely benefits will need to be balanced against the departure in deciding whether or not to approve the application.

Strategic Transport Planning Co-ordinator – No comments received to date

United Utilities – Following review of the Flood Risk Assessment, we can confirm the proposals are acceptable in principle to United Utilities. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. 410.05068.00006, Dated January 2018) which was prepared by SLR. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. Surface water discharging to the surface water sewer should be restricted to a maximum pass forward flow of 6.5 l/s. The development shall be completed in accordance with the approved details.

A public sewer crosses this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

The applicant must comply with our standard conditions, a copy of which is enclosed, for work carried out on, or when crossing aqueducts and easements. This should be taken into account in the final site layout, or a diversion/abandonment will be necessary, which will be at the applicant's expense. The applicant should not assume that a diversion/abandonment of the water main will be acceptable or possible. Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This

includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

Recommend a condition requiring a sustainable drainage management and maintenance plan for the lifetime of the development.

### **Additional Comments Received 16.05.2018**

Following review of the Surface Water Drainage Layout drawing SCP/17033/D/001 Rev -, I can confirm that this is acceptable to United Utilities.

### **REPRESENTATIONS**

The applicant has undertaken public consultation, with consultation response cards being mailed out to 3,975 local residents and the launch of a dedicated information web page.

Letters of notification were sent by the LPA to surrounding neighbours, notices displayed in the vicinity of the site and a notice placed in the local press. Upon receipt of amended plans additional letters of notification were sent by the LPA to neighbouring properties and previous respondents.

23 letters of objection have been received, summarised as follows:

- Littleborough is already well catered for by the Co-op and Sainsbury's and doesn't need another supermarket chain – concern that competition would lead to the closure of the Co-op;
- The Council should be looking after small, independent retailers in Littleborough – the store opening would result in closure of these retailers as a result of competition;
- Supermarkets dominate food sales and don't support the local economy;
- In-store bakery and 'off-licence' will compete with existing facilities in Littleborough;
- Note that there are already Lidl/Aldi stores in Rochdale, Milnrow and Todmorden and consider Littleborough is therefore already well served;
- Given the static to reducing population of Littleborough it is difficult to see the justification to increase retail grocery services.

*Officer's Response: The question of the acceptability of the principle of development is considered in detail in the relevant analysis section below.*

- Additional traffic along the A58 will make journeys even more difficult for residents from various streets which feed onto the A58 including Stubley Mill Road, Clay Street and Whitelees Road;
- Suggest a 20mph limit through Littleborough if development were to go ahead;
- Consider that traffic lights should be provided at the junction of Stockton Street/Church Street and note that the junction already suffers from vehicle accidents;

- Consider increased traffic is likely to add to the difficulty of pedestrians safely crossing the road and note that the nearby car wash, combined with existing bus stops, already creates additional points to be closely observed;
- Question the accuracy of submitted TRICS data in the Transport Statement as some of the comparable sites do not compare to the location of the proposed store;
- Question the use of Picady 9 junctions software in the Transport Statement and suggest that use of computer modelling to predict traffic flows has proven unreliable;

*Officer's Response: The impact of the development on the surrounding highway network is considered in full detail in the relevant analysis section below.*

- Do not consider that the contemporary building will complement the area given most surrounding properties are constructed of stone and not of a modern design;

*Officer's Response: Views on design are always somewhat subjective; however, Officers consider that the proposal represents a contemporary and attractive building which seeks to respond to the local context by combining lightweight glazing on the most prominent elevation with use of materials commonly found within the local vernacular including natural stone.*

- Concern that the store will encourage groups of youths to congregate;

*Officer's Response: Whilst the perception/fear of crime may represent a material planning consideration, this must be based on sound reason and be accompanied by a reasonable evidential basis. There is nothing in this circumstance to suggest that the development proposal would directly lead to anti-social behaviour by way of youths congregating on the site. The application is accompanied by a Crime Impact Statement which informed the design and layout of the site; where feasible measures to reduce the potential for anti-social behaviour have been integrated into the proposal.*

- Any jobs created are likely to be low paid or zero-hour contracts or otherwise insecure and of dubious benefit to enriching the local community.

*Officer's Response: Lidl operate a local recruitment policy and in this instance the store is proposed to employ 40 full time equivalent staff members. The detail of any potential employment contracts is not a material planning consideration; the development will support and contribute to the local economy by virtue of the additional employment it will provide.*

In addition, letters of objection were received on behalf of ASDA Stores Ltd. and Sainsbury's Supermarkets Ltd., summarised as follows:

- Consider that the submitted Transport Assessment is deficient in a number of areas;
- The study area in the TA excludes a number of serious accidents that have occurred in the vicinity of the site and does not explore the causation of these or consider the impact of additional development trips on the likelihood of accident occurrence;
- The proposed site access should be subject to a Road Safety Audit to ensure the design does not introduce any road safety issues;
- There is potential for vehicle-vehicle and vehicle-pedestrian conflict within the site by virtue of no restrictions on delivery and servicing timings;
- The TA offers no justification for why increased parking provision has been provided;
- The trip generation potentially underestimates the likely traffic using the development and, thus, highway impact of the development proposals.

*Officer Response: The above points are considered in further detail in the relevant highways analysis section below.*

- Consider that there is no indication within the Planning Statement that the current units on site are unfit for future employment use and note that the site has not been marketed to potential new tenants;
- Consider there is no indication that the wider industrial estate does not represent a viable location to continue to provide employment land uses within Littleborough;
- With reference to Policy EC/2 of the UDP; do not consider that the application proposals would satisfy the definition of 'small-scale' or ancillary to the industrial park, with anticipated revenues of over £8.5 million per annum and a catchment area population of 51,161 going beyond serving the needs of the local workforce;
- Accept that the proposed development will create jobs within the retail sector, but retail proposals should appropriately be focused towards defined town centres to support the vitality and viability of centres, and should not be accommodated on edge or out of centre locations at the expense of valuable and viable employment land which is protected by planning policy for employment uses.

*Officer Response: The departure from Policy EC/2 of the Unitary Development Plan is considered in detail in the relevant analysis section below.*

- Question the view that the site occupies an edge of centre location, being approximately 350m from the closest boundary of the central shopping area and therefore comprising an out of centre location;
- Consider the evidence base for the impact assessment (which relies on data from the 2010 Rochdale Retail and Town Centre Study) to be out of date;

- Question whether an appropriate allocation of trade diversion (13.1%) has been applied within the retail impact assessment for Littleborough;
- Accept that a significant proportion of convenience trade is leaked from Littleborough to major convenience shopping destinations elsewhere in the Borough but consider the assumption that only 26.9% of trade would be diverted from defined centres is too low and the assumption that 10% of trade for the proposed foodstore will be derived from inflow is questionable;
- Note that a benchmarking exercise has not been undertaken as part of the retail impact assessment – any impact on the Sainsbury's store would take the store below the expected benchmark based on the data available highlighting the need for the assessment to be appropriate and up to date.

*Officer Response: The above points are considered in further detail in the relevant principle of development analysis section below.*

57 letters of support have been received, summarised as follows:

- Lidl would increase competition and improve choice and range of goods available in Littleborough;
- Consider that the proposal will promote passing trade in the village – hope that the store will allow parking for sufficient time for people to visit local shops as well;
- Consider the proposed store to be impressive;
- The development would result in fewer journeys by car to other supermarkets – reducing pollution and saving money and reducing traffic congestion within and on routes to Rochdale and Todmorden;
- Provides additional facilities in close proximity for the elderly who struggle to make trips into Rochdale by public transport;
- The development will bring additional employment to the area;
- Consider that more shops are needed to cope with demand from additional residential developments and population growth in the area;
- Suggest that secure bike storage is needed on site for people to use whilst shopping;
- Note the value for money Lidl provides as a store operator;
- Consider that the proposal will not impact on the environment as the site is previously developed land;
- Consider landscaping in the site may be good to provide additional habitats and improve appearance of brownfield site;
- Suggest that improvements should be sought to the existing path/bridleway from Whitelees Road through to Church Street;
- Suggest that it would be a positive to see inclusion of electric vehicle charging points within the car park due to an existing lack of such facilities outside Manchester city centre.

## **ANALYSIS**

### **Principle of Development**

The application site lies within the Defined Urban Area, as designated under the Rochdale Unitary Development Plan Proposals Map. Saved policy G/D/1 is therefore relevant to any applications on the site and the supporting text to this policy states that new development should be located in the urban area, so as to support urban regeneration and to protect the countryside. The application also lies within an area designated as a Primary Employment Zone under the provisions of the Unitary Development Plan proposals map.

Littleborough Town Centre is defined in policy terms by the boundary of the primary shopping area (focused on Harehill Road) and the extent of the secondary shopping area, the western boundary of which sits near the junction of Church Street with Morgan Street.

The National Planning Policy Framework defines, for retail purposes, 'edge of centre' to be a location that is well connected and up to 300 metres from the primary shopping area. Although well connected, the application site sits approximately 330m from the boundary of the Littleborough primary shopping area. The site is therefore considered, in planning terms, as out of centre.

The National Planning Policy Framework requires the application of a sequential approach to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan. This requires applications for main town centre uses to be located in town centres, then in edge of centre locations and, only if suitable sites are not available should out of centre sites be considered.

### *Employment Land*

Policy EC/2 of the Unitary Development Plan states that change of use outside industrial, business and warehouse uses will not be permitted in Primary Employment Zones unless it is ancillary or complementary to the business and industrial nature of the area. The policy is flexible to allow the provision of ancillary and complementary uses such as retail to specifically serve the need of the local workforce only. Although an argument could be made, in part, that the proposal could be considered ancillary and complimentary to the wider employment area; it also intends to serve a wider catchment area beyond and including Littleborough and Central Rochdale. Therefore, officers do not consider that the sole purpose of the retail proposed is to serve the Stockton Street Industrial Area and the proposal must be considered a departure from policy EC/2.

However, the NPPF encourages planning authorities to be more sustainable and flexible in their consideration of proposals to ensure sites are in active use over the long term and retail is accepted as an employment generating use. In addition, the Framework indicates that where a site is no longer viable for its intended use then market signals should be used to understand the long term future use for the site.

The site is currently vacant, with the previous occupier Carlisle Interconnect Technologies having moved out of the site in December 2017. The applicant

has indicated that the site in its current use will not be maintained and may not get an end user, as a result of the physical make-up of the building itself – the original and largest building on the site is constructed over an undercroft which limits the weight of equipment that can be installed on the suspended floor. The historic design of the building also incorporates a set of supporting pillars at 5m centres which prohibits the site from upgrading its current manufacturing layout to a typical 'lean principled cellular layout'. The existing arrangement represented a significant barrier to the expansion of the previous occupier and would therefore represent a key limitation for a potential future occupier/investor. It may therefore be considered preferable in this situation to maintain an active economic use than have the site remain vacant indefinitely, which would be more detrimental to the local economy in the medium to long term.

From the submission it is clear that the site has not been marketed for B1, B2 and B8 uses and therefore a proven lack of demand has not been tested through any marketing process. However, and notwithstanding the constraints posed by the site for the previous user, evidence has been previously provided to indicate the current buildings are constrained and the site is unlikely to meet alternative modern manufacturing needs. Given the other arguments in favour of the proposed development, the absence of any market testing of the likely vacancy of the site following relocation of the current user, is not felt to be a strong factor weighing against the proposal.

Policy E2 of the Core Strategy is consistent with the more flexible approach of the NPPF towards sites which are considered no longer suitable for employment generating uses and supports uses other than employment where it can be demonstrated that they would be more appropriate and supports other employment generating uses that comply with the policies of the local plan e.g. retail.

The proposal does meet a number of the other requirements under criteria (g) in that it would not impact on the ability of existing employment uses to continue operating from adjoining land; it would not prejudice access or servicing to the adjoining premises and it would enable high quality mixed use employment development close to Littleborough centre and within a sustainable distance from Littleborough transport interchange. The development would keep the site in active economic use in the longer term and would enable investment in a food store which would increase employment opportunities on the site and for the wider area, with a proposed 40 full time equivalent staff members.

Therefore, although the proposal is technically considered a departure against UDP policy EC/2, it is, however, considered to comply with the provisions of the recently adopted Core Strategy, with particular reference to Policy E2, and the aims and objectives of the National Planning Policy Framework. Ultimately, the proposal maintains and is consistent with the core objectives of the Core Strategy in delivering a more prosperous economy, and also balancing the wider regeneration benefits associated with this proposal and it is therefore considered that there are no justifiable reasons to resist the proposal on the grounds of loss of employment land.

## *Retail – Sequential Test*

As noted previously the application site is considered out of centre as it is more than 300m from the Littleborough Primary Shopping Area and the application therefore falls to be assessed against Policy E1 of the Core Strategy.

The 2010 Rochdale Retail and Town Centres study confirms that Littleborough's food retail facilities have a very low convenience goods retention rate from their immediate catchment area, drawing just 19% of such expenditure from its population, with the remaining 81% of expenditure leaking to out of centre foodstores, in this case stores outside of the Littleborough catchment area. It is accepted that there is a need for a further bulk food shopping destination to serve Littleborough as this would potentially reduce unsustainable shopping patterns and to increase food expenditure within Littleborough.

Policy E1 states that main town centre uses will be focused in the defined town centres, and only where there are no suitable sites in, or on the edge, or well connected to, the town centre, district and local centres, will out of centre sites be considered. In considering main town centre uses which are out of centre, Policy E1 requires the application of the sequential approach and an impact assessment where it exceeds the location specific floorspace thresholds. As such, Policy E1 is broadly consistent with the national policy tests for out-of-centre retail development found in Paragraphs 24 and 26 of the NPPF.

Section 2 of the Framework seeks to ensure the viability of town centres; of relevance, paragraph 24 states that:

*“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in accordance with an up-to-date development plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if **suitable** (Officer emphasis) sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”*

In this context, it is considered that 'suitable' includes viable, in that for a site to be suitable it must be viable for the development proposed. In terms of whether the proposal complies with the sequential test, the checklist below, taken from the National Planning Practice Guidance (Paragraph: 010 Reference ID: 2b-010-20140306), sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test:

- With due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal is located in an out of centre location, preference should be given to accessible sites that are well connected to the town centre; and
- Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of

centre site can accommodate precisely the scale and form of development being proposed but rather to consider what contributions more central sites are able to make individually to accommodate the proposal.

In assessing the viability of a site the PPG states that:

*The sequential test seeks to deliver the government's 'town centre first' policy. However as promoting new development on town centre locations can be more expensive and complicated than building elsewhere local planning authorities need to be realistic and flexible in terms of their expectations (Paragraph: 012 Reference ID: 2b-012-20140306).*

The applicant has carried out a detailed sequential assessment, based on a number of parameters including:

- A site that can accommodate an appropriate floorspace;
- A site that can allow for safe manoeuvring of customer and delivery vehicles on site;
- Main road visibility and ease of vehicular access;
- Site easily accessible by a choice of means of transport.

As well as the criteria set out above, the parameters for the sequential assessment have also been informed by existing and historic shopping and leisure patterns in the local area. According to the Rochdale Retail and Leisure study 2010 and 2016, Littleborough draws most of its trade from Rochdale Central (Zone 1) and Littleborough (Zone 2).

In this instance the identification of the catchment area is considered proportionate and appropriate to the nature and scale of the proposed development. Therefore, in terms of the requirements of the sequential test outlined in NPPF, the applicant has considered and assessed a number of sequentially preferable sites in the borough. In summary, all the sites highlighted were discounted either because the sites were unavailable, too small or big and/or unsuitable. Based on the information set out by the applicant, the Strategic Planning service has confirmed that they are satisfied that there are no sequential preferable sites within or on the edge of Littleborough and Rochdale Town Centre. Therefore, it is considered that the proposal meets the sequential site assessment, as set out within paragraphs 24 the NPPF and Policy E1 of the Rochdale Core Strategy.

### *Retail Impact*

In regard to retail impact, paragraph 26 of the NPPF states that in justifying proposals for edge or out of centre retail development the following should be considered:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.

### Impact upon committed and planned investment

The test is only of impact upon committed or planned investment in the catchment area. The only centre to have a committed in-centre scheme is Rochdale Town Centre. Strategic Planning officers agree with the position in the submitted Planning and Retail Statement (PRS) that the location and the scale of the proposed food store is not considered to have an adverse impact on the redevelopment of the town centre. With regards to Littleborough Town Centre, or elsewhere in the CA, there are currently no planned or committed schemes.

### Impact upon Town Centre Vitality and Viability

Littleborough benefits from a prosperous catchment area and the town centre also benefits from a good environment with a strong mix of town centre uses with very low vacancy rates. The 'healthy' town centre is a consequence of natural historic attributes, a prosperous catchment and a strong mix of national and independent/niche retailers. Such assets have assisted Littleborough in retaining trade despite the relatively close proximity to nearby towns like Rochdale, Todmorden and Oldham. However, the historic and physical environment is highlighted as a restriction to potential town centre development, because the unsuitability of units and sites to meet the requirements of modern retailers.

Whilst the impact of the proposal on the vitality and viability of the centre is a matter to be considered given the proposed out of centre location, the issue of competition is not a planning consideration and cannot be used as the basis to justify the refusal of planning permission. In the light of the NPPF, the test is the impact on the performance of the centre as a whole and not on any individual premises.

Littleborough is the smallest of all the town centres in the borough and the type of retail and shops and services generally found there are to meet the day to day needs of the local community. In terms of 'top up' shopping patterns, nearly half of the expenditure came from the local area, which is typical of a small town centre. 'Top up' shopping provides basic essential shopping items required on a day to day basis.

In terms of 'main food' shopping, which comprises of all shopping items normally found in a 'weekly' shop then people are expected to travel to nearby towns or centres to meet this need. In the case of Littleborough, over 80% of the trade is lost to these areas. Clearly, with no existing provisions for 'main food' shopping in the Littleborough area consumer choice and range is not being met and therefore there is an identified deficiency which should be addressed and met. The proposal for a new foodstore is intended to meet the 'main food' shopping needs of the local area and will help to address this deficiency.

The proposal is for additional convenience retail which is to mainly meet the 'main food shopping' need of the Littleborough area and will ultimately claw back trade lost to the nearby towns and centres, reducing the need for people to travel further to meet their main shopping needs. In addition, the proposed store

does not intend to provide everything a mainstream foodstore would normally provide such as a butchery, fishmonger, delicatessen or hot food-counter, and Lidl's store format does not accommodate cash dispensers, customer restaurants, or in-store franchises such as pharmacies, dry-cleaning, opticians or photo processing. Given this, shoppers would still rely on shops and service within the Littleborough town centre to meet these other needs creating the linked trips into Littleborough town centre, which would not take place if customers were visiting supermarkets in other nearby towns and centres with the facilities replicated in Littleborough Town Centre.

Officers have rigorously assessed the submitted Planning and Retail Statement and the Sequential Assessment addendum note (SA). The trade draw and trade diversion assumptions made in the PRS and SA are considered plausible and officers concur that the proposed development is unlikely to lead to significant adverse impact on existing convenience retail floorspace in Littleborough. In terms of the impact of the proposed store on existing shops and services, it is considered that some trade will be drawn away from existing stores, particularly the existing foodstores in Littleborough, but this will not give rise to significant adverse impact upon the vitality and viability of Littleborough Town Centre. This is because Littleborough has a strong expenditure growth which is forecast to continue up to 2026, albeit at a slower rate, allowing for some new retail development to take place to meet the additional need. The primary trade diversion is likely to be from freestanding food stores in the Rochdale urban area. The PRS complies with the NPPF test of impact and it is considered the impact on town centre vitality and viability in the primary catchment area is not likely to be significantly adverse and will most likely leave the existing Co-operative and Sainsbury's stores trading at sustainable levels.

#### *Conclusion on Principle of Development*

Although, the proposal is a departure to Policy EC/2 of the Unitary Development Plan, Core Strategy Policy E2 and National Planning Policy Framework are given more weight, particularly in relation to the need to be flexible on employment generating sites.

In terms of the sequential approach, officers are satisfied that the proposal fully complies with the Framework requirement for a sequential site assessment for new retail development which is not situated within a defined centre. In addition, it is not considered that the proposal will have any significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. The trade draw and trade diversion assumptions made in the submission are considered plausible and it is considered that the proposed development is unlikely to lead to significant adverse impact on existing convenience retail in Littleborough.

There are many regeneration related benefits that the scheme will bring which may help to improve the local area and provide retail choice and job opportunities. These benefits need to be balanced against the policy departure in deciding whether or not to approve the application; however officer's consider

that there are no sustainable retail policy grounds for refusal in this particular case.

### **Design, Layout, Character and Appearance**

Paragraphs 56 and 58 of the National Planning Policy Framework require all new developments, including associated landscaping, regardless of location, to adhere to high standards of design. Policies P1, P2 and P3 of the Core Strategy set out a requirement for good design, improved image and protection and enhancement of character, landscape and heritage.

The proposed layout of the site is relatively simple with the proposed new building lying towards the rear (north) of the site and the car park areas being situated to the front and east of the site, creating an 'L'-shape around the store itself. Servicing, and the siting of plant and machinery, would be to the rear of the building, minimising the visibility of these aspects of the development.

The building itself would be of a contemporary yet simple design, based on the provision of a monopitch roof set above a fully glazed front elevation, facing towards Stockton Street and Church Street in order to ensure that the layout and design of the site maximises legibility and safety by virtue of natural surveillance.

The proposed design can be considered in light of the current appearance of the site, characterised by large warehouse/manufacturing buildings that are functional in appearance and reflect the current industrial use of the site. The existing buildings therefore make no positive contribution to the surrounding area or local townscape. In contrast, the proposed building seeks to be more complementary to the surroundings in scale and design.

As part of discussions between the applicant and the Local Planning Authority, both at the pre-application stage and in dealing with the current application, a number of design improvements have been sought. These include and increase to the height of the roof and inclusion of additional glazing above the canopy level, use of clear glazing as opposed to mirrored, integration of signage within the fabric of the building (although the detail of this matter would be determined at the point at which the applicant submits an application for advertisement consent), use of natural stone as opposed to stone effect cladding and integration of additional soft landscaping to the car park areas.

In using natural stone for the most prominent elevations, the building responds to the most prevalent materials within the local vernacular (especially within the nearby Littleborough Town Centre Conservation Area), and it is noted that these are the aspects of the building that will be read from the public realm outside of the site itself. Lower status elevations make use of render and cladding, however, these will only be seen from the rear car park area and from within the adjacent industrial sites.

The front elevation of the building would be relatively unencumbered, with the trolley bay proposed to be located to the eastern side of the store itself end-on

to the store entrance, thereby minimising the visual impact. A small number of cycle stands are to be provided to the western side of the store front, ensuring that bikes benefit from natural surveillance when unattended – detail of the appearance of the stands is required and a relevant condition therefore recommended.

The western boundary of the site, facing towards The Ark nursery represents a prominent, raised viewpoint into the site from Church Street. Given the difference in levels it is necessary for the developer to provide a form of barrier to this boundary in order to stop any cars which were to overrun spaces, and it is not therefore possible to keep the boundary entirely open. A compromise has been proposed in using a low 'Berry Barrier' with timber fencing. Elsewhere the boundary treatments are comprised of a standard 2.25m high close boarded timber fence.

In line with the requirements of Policy G2 of the Core Strategy and advice contained within the Council's Climate Change Adaptation SPD, in respect of reducing energy demand through design, the building will be required to achieve 'very good' or 'excellent' rating under BREEAM (Building Research Establishment Environmental Assessment Method). This will be secured through an appropriately worded planning condition.

The proposed building, by virtue of its size, scale, height, layout, massing, materials and design, would be compatible with the pattern, density and character of surrounding development, and would sit sympathetically amongst existing buildings and the street scene. The proposal is therefore considered to accord with the requirements of Policies P1, P2 and P3 of the Rochdale Core Strategy, the Oldham and Rochdale Urban Design Guide, the Littleborough Town Design Statement and the NPPF.

### *Trees and Landscaping*

Paragraph 58 of the NPPF states that planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping. Policy G6 of the Core Strategy sets out that development proposals are expected to avoid the loss of existing urban greenspace or features e.g. trees. Policy G7 also requires that development proposals should protect and enhance existing features such as trees, hedges, flora and fauna and promote biodiversity.

The application is accompanied by a tree survey to determine the extent and value of trees within and adjacent to the site which may be affected by any construction works. A total of seven trees were surveyed – none of these were classified as Category A (trees of highest quality and value); two trees were classified as Category B (trees to be retained wherever possible); and five trees were identified as Category C (trees of low quality due to past management or structural defects).

Of particular note are the two prominent Sycamore trees at the front (southern) end of the site, located within an existing areas of soft landscaping. These are

identified as trees T1 and T2. The easternmost, T1 is of category C2 (it is noted that elder appears to be growing in a cavity and the tree has possible internal decay); the westernmost, T2 is of category B2. T3, another Sycamore, located outside of the site at the entrance to the adjacent FedEx facility is also categorised as a B2 specimen.

The tree survey has been reviewed by the Council's landscape design officer who has confirmed that both trees T2 and T3 should be retained. T1 should also be retained for its landscape contribution as in combination with T2, they are a prominent landscape feature of the A58 corridor. However, its structural condition should be investigated further. It is noted that if it would be prudent for arboricultural reasons (i.e. as a result of internal decay) that the tree be removed it should be replaced by either 2no extra heavy standards of 18-20cm girth (or 2no semi-mature trees of 20-25cm girth) of large-at-maturity tree species, planted in the grass area near T2, to sustain the quality of the prominent landscape feature in the Littleborough landscape.

Notwithstanding the above, the remainder of the proposed landscaping scheme, and its accompanying management plan, in respect of new soft landscaping to the site has been assessed by the landscape design officer and deemed acceptable. It is recommended that a condition be attached requiring the implementation of the approved landscape plan and the ongoing maintenance of the site in accordance with the submitted management plan. Subject to the addition of the recommended conditions it is considered that the proposal meets the requirements of Policy G6 and G7 of the Rochdale Core Strategy.

#### *Impact on Heritage Assets*

In considering applications for planning permission the Local Planning Authority must have regard to its duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

The NPPF sets out at paragraph 131, inter alia, that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Great weight should be given to an asset's conservation, and significance can be harmed or lost through development within the setting of an asset.

Consultation has been undertaken with the Council's Conservation Officer who has raised no objection to the application, noting that the junction of Stockton Street and Church Street is approximately 120m away from the Littleborough Town Centre Conservation Area and there are no other designated heritage assets within the vicinity. The heritage significance of the conservation area is in Littleborough as a characterful and historic small town developed through the 17<sup>th</sup> and 18<sup>th</sup> centuries and moulded by the industrial revolution. The traditional

building style and local stone have created a resilient Pennine charm that stands strong against its Pennine surroundings

The Conservation Officer had noted a number of amendments to the scheme that they considered would improve the quality and standard of design, including ensuring that visible elevations reflect the traditional local palette of materials and minimising the use of mirrored glazing. As noted previously, design improvements have been secured via discussions between the LPA and the applicant, including on these matters.

The store front would be set back some 70m from Church Street and therefore would not dominate the street scene. Noting the degree of separation between the site and the conservation area itself, and especially in view of the fact that there would be no direct interface between the development proposal and the conservation area and thereby no inter-visibility, it is not considered that the proposal would impact on the character or significance of the heritage asset.

### **Impact on Neighbouring Land Uses**

Policy DM1 of the Core Strategy sets out the Council's general development requirements and states that proposals should be compatible with surrounding land uses and should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Although some properties in the vicinity would be able to view the proposed development, most notably those fronting the A58, none would have their outlook so affected that living conditions for their occupants would be unacceptably degraded. Some views would be changed but those changes do not necessarily equate to harm or to justify any refusal. The assessment of amenity must be balanced against the visual appearance of the current industrial buildings and the fact that the current industrial user of the building can operate without any planning restrictions on hours of use from the site.

It is noted that the site layout would include car parking immediately adjacent to the boundary with nos. 4 and 6 Featherstall Road – by virtue of the historic relationship between the dwellings and the industrial site, the residential properties are located in close proximity to the application site with separation between rear elevations and the tapered boundary of between 1.25m and 5.6m. The application site at this point is set roughly level with the ground floor windows of the properties. Noting that this would have the potential to adversely impact on the amenity of occupiers by way of noise, disturbance, overlooking and by headlights shining into windows, it is proposed that a 2.25m high timber fence be erected on this boundary to provide an element of both visual and aural screening to the properties.

This boundary is currently demarked by a metal paladin fence, although the occupier at no. 4 has erected additional solid screening on their side of the fence which results in a similar boundary treatment to that proposed in the development. Whilst the proposed boundary treatment would somewhat limit the outlook from the windows of the ground floor of the dwellings, it would be

located to the north and thereby have limited implications with regard to overshadowing and the benefits of the boundary treatment, with regard to the protection it would afford residents from activities within the site boundary, is considered to outweigh this limited harm.

Noting the makeup of the surrounding area, and the commercial nature of the majority of neighbouring land uses, the proposed foodstore building itself is sufficiently distant from any neighbouring residential property as to have any implications with regard to overshadowing, overbearing impact or loss of privacy.

Policy G9 of the Core Strategy sets out that the Council will require that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution. Paragraph 123 of the NPPF established that planning decision should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

The application is supported by a Noise Impact Assessment, containing the results of a noise survey whereby measurements were taken at the nearest noise sensitive receptor to identify the pre-development background noise levels. Manufacturer's technical data (in relation to external plant items including condensers for refrigeration and air conditioning systems) and worst case noise level data of HGV deliveries obtained from an equivalent development was then used to predict the potential worse-case impact of noise from likely activities associated with the proposed development when in use. A noise model has been assembled for the development site and used to predict future noise levels.

It is noted that, as with similar previous proposals for development of the site, the servicing yard for the retail store would be located to the north of the site, away from the neighbouring residential properties at nos. 4 and 6 Featherstall Road. Similarly, external plant and machinery associated with the development would also be located to the north of site, allowing for the building itself to provide a substantial screen to the nearest properties on Featherstall Road.

An assessment has been made under the provisions of British Standard 4142:2014 (Methods for rating and assessing industrial and commercial sound). As a result, mitigation is recommended in the form of a 2.25m high acoustic barrier to the plant area. Subject to the provision of such a barrier, noise from fixed building services plant is predicted to have a low impact. The assessment of noise from deliveries predicted a low impact level from HGV delivery during the daytime; though where deliveries were to take place between 0600 and 0700 hours this would only be if a management plan was in place to commit drivers to switching off refrigeration units in order to meet noise output requirements.

The assessment has been reviewed by the acoustician of the Council's Public Protection (Noise) service which accepts the findings of the noise assessment but raises concerns as to the feasibility of successfully imposing a service yard/delivery management plan due to the difficulties in requiring refrigeration

units on HGVs being turned off with regard to food safety and/or corporate procedure reasons. As a result, they recommend that delivery hours be restricted to 0700 to 2200 hours Mondays to Saturdays and 0800 to 1600 hours on Sundays – a condition to this effect is required and recommended.

With regard to opening hours, no objections are raised by Public Protection to proposed limits of 0700 to 2300 Mondays to Saturdays and 0800 to 2200 Sundays, in line with previous recommendations for the site – a condition to this effect is required and recommended.

In looking at the proposed plant and machinery to be installed to the rear of the building, the public protection officer recommends that a condition be applied requiring that plant noise not exceed 28 dB(A) Leq15 mins, measured at 1m or a suitable representative point. The erection of the acoustic fencing also needs to be secured by way of condition – this can be incorporated into the boundary treatments requirement.

Detail of the proposed lighting of the site, including an assessment of potential levels of light spillage outside of the site boundary, was submitted alongside the application. Consultation on this matter has been carried out with the Council's Public Protection service, which has raised no objection. A condition is recommended which requires the implementation of the external lighting scheme in accordance with the approved details.

It is unavoidable that major demolition or building works can have an impact on the amenity of neighbouring residents, albeit for a temporary period. In order to seek to mitigate these impacts it is recommended that a condition be attached requiring the submission of a Construction Management Plan to the LPA for approval prior to commencement of works on site and ongoing compliance with the duly approved CMP.

In summary, subject to the imposition of the recommended conditions it is considered that the proposed development would not have an adverse impact of the living conditions of the nearby residents and the proposal therefore meets the requirements of Policies G9 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

### **Access and Highways**

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the CS.

Policy DM1 of the Core Strategy sets out that development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements. Paragraph 32 of the National Planning Policy

Framework sets out that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

### *Trip Generation/Capacity of the Highway Network*

The application is accompanied by a detailed Transport Assessment (TA) which considers the traffic and highway implications of the proposed development. The TA contains an estimation of the likely trip generating potential of the site during weekday PM and Saturday peak hours, based on TRICS data. The assessment is based on a robust, worse-case scenario, the results of which are contained below:

<b>Discount Food Retail</b>				
Estimated Weekday PM and Saturday Peak Hour Trip				
Similar Lidl Stores	Weekday PM		Saturday	
	Arrivals	Departures	Arrivals	Departures
Vehicles	69	69	113	122
Pedestrians	35	26	41	37
Cyclists	0	0	1	1
Public Transport	4	5	5	4

The trip rates are compared to the existing use of the site for industrial purposes, noting that the site has the potential to generate a specified number of trips without the need for any additional planning consent. This results in a net trip generation as per the following:

	Weekday		Saturday	
	Arrivals	Departures	Arrivals	Departures
Net Trip Generation	66	35	113	122

In looking at trip types, the TA sets out that latest research on trip types shows that the vast majority of trips associated with new food retail development are not 'new' but are a 'secondary' trip as part of an existing journey. These secondary trips can be split into two types; those 'linked' to other shops and 'pass-by' where trips are already on the main road past the site. For the purposes of the assessment however only 'new' and 'pass-by' trips have been assessed – it is considered that new trips will account for 70% of the expected traffic generated by the development and pass-by trips will account for the remaining 30%.

Assessment of the priority controlled site access and the Stockton Street/Church Street/Stubley Mill Road junction has been undertaken using Junction 9 PICADY software – the models show that both junctions are predicted to operate well within capacity on all movements with the development in place in a 'future year' scenario of 2023.

It is anticipated that there will be just one dedicated delivery per day, increasing to two during seasonal peak period such as Easter and Christmas. Deliveries are proposed to typically take place outside the normal highway peak hours to

minimise disruption or conflict with customers. Recycling and waste is taken away by the delivery vehicles and returned to the regional distribution centre.

The application and supporting information has been assessed in detail by the Local Highways Authority. They note that the applicant has considered the potential trip generation of this proposal using data from the TRICS database. They have checked the locations of the source data all six of which are Lidl Stores slightly larger than the proposed. Each location for the source data is situated on the edge of a Town Centre area or within a Local Centre. The accesses and proximity of the Town Centre varies with each location. Given the location and proposed use they can accept the figures produced using the TRICS Database are robust and parameters used are acceptable. Despite the A58 being a busy route they are satisfied traffic will not be severely impacted as a result of this proposal.

Objections received both from private individuals and on behalf of ASDA Stores raised a number of queries with the use of TRICS data, the use of PICADY Junction analysis and raising concerns that the Transport Assessment is deficient in a number of areas. In response additional information and a rebuttal has been provided by the applicant. The response sets out that the TRICS assessment is considered to be robust, and the TRICS database is noted as being the industry standard approach to assess trip rates for different development site. The trip rates in this TA were obtained from the newest release of the TRICS database and made use of 6 Lidl stores surveyed in 2016. Those 6 Lidl stores were selected as they are of similar size to our proposed development and are from the same retailer which ensures more representative trip rates and trip generation figures. The trip rates and use of TRICS have been accepted by the Highway Authority.

Similarly, Junctions 9 PICADY software is a recognised modelling tool used to assess traffic impacts and uses data from flows observed during traffic surveys altered to account for car usage growth up to 2023. Similarly, the result of the traffic surveys and the results of the PICADY assessment have been accepted by the Highway Authority.

### *Highways Improvements*

The application proposes a number of off-site highway works proposed to improve highway safety in the vicinity of the site, noting that the development will result in an increase in vehicular and pedestrian trips to and from the site, and noting that enhanced pedestrian links to and from Littleborough centre and the surrounding residential areas are required. The highway works can be summarised as follows:

- Build-out to Stubley Mill Road – to slow speeds of vehicles turning left onto Stubley Mill Road, reduce the crossing distance for pedestrians, prevent opportunity for vehicles overtaking a stationary bus at the stop on the southern side of Church Street entering the right-turn lane into Stubley Mill Road and allow for the construction of the additional pedestrian refuge on Church Street;

- Tightening of radii on the western corner of Stockton Street to reduce the crossing distance across and reduce the speeds of turning vehicles;
- Reinstatement of footway on the eastern side of Stockton Street with dropped kerbs and tactile paving;
- New dropped kerbs and tactile paving on Stockton Street away from the bellmouth with Church Street but still on the desire line for east/west pedestrian movements.

These proposed improvements have been reviewed by the Highways Authority and officers have advised that they are satisfied with the proposals. Highways Officers have suggested that a signalised crossing should be installed on Church Street, replacing the existing pedestrian refuge between Charles Street and Box Street. It is recommended this is provided by virtue of the financial contribution from the development to be secured by S106 agreement.

It is also recommended that the existing Traffic Regulation Order on Stockton Street is extended to protect vehicle movements around the site access; this is to be secured by way of a S106 agreement.

Additional concerns were raised in the objection submitted by ASDA Stores Ltd. suggesting that the proposed site access should be subject to a Road Safety Audit and noting that there was potential for vehicle-vehicle and vehicle-pedestrian conflict within the site. Revised tracking plans were produced which demonstrate no conflict between HGV and pedestrian routes within the site. Although deliveries may take place during store opening hours, this is no different from the scenario demonstrated at a wide range of similar stores across the Borough and indeed the country.

In addition to the main Transport Assessment, the application is accompanied by an independent Stage 1 Road Safety Audit. This revealed, in collaboration with additional vehicle tracking research, that the proposed pedestrian refuge on Church Street can be satisfactorily accommodated without resulting in issues for larger vehicles using the junction.

Whilst outline detail of the highway improvements has been provided, a condition is recommended to require the submission of a detailed scheme for approval to the LPA and implementation of the duly approved scheme prior to first occupation of the building.

### *Parking Provision*

A total of 124 car parking spaces are to be provided within the site – eight are to be designated as parent and child standard whilst seven will be DDA compliant. All car park aisles are a minimum of 6m wide whilst car parking spaces themselves are 2.5m wide by 5m in length.

It is noted that the application proposes a level of parking provision in excess of the 117 spaces required in accordance with the standards set out in the Core Strategy. It is, however, noted that the car park is to operate in accordance with an agreed Car Park Management Strategy, which provides for the operation of

the car park as a free benefit for visitors to Lidl with a maximum length of stay of 2 hours, with a minimum 1 hour return period. This allows for and encourages linked trips between the site and Littleborough centre – noting this factor it is not considered inappropriate for the development to provide marginally in excess of the normal car parking standard, as cars will likely be present in the car park for longer than average.

Five Sheffield cycle parking stands are proposed to be located to the south of the store, in close proximity to the store entrance, providing adequate facilities for those accessing the store using bicycles. Detail of the design of the cycle stands is required and a relevant condition is recommended.

### *Travel Plan*

The application is accompanied by a travel plan which contains a number of proposed measures focussed on influencing greater use of sustainable transport by staff when travelling to and from the site. The travel plan demonstrates that a large number of residential areas lie within the immediate 2km walk accessibility isochrones and therefore employees from the immediate local area will be able to access the site by foot. Similarly, Littleborough, Shore, Smithy Bridge, Dearnley, Smallbridge, Wardle, Calderbrook and the western edge of Rochdale itself are within a 5km cycle distance from the site. The topography, with a few exceptions, is generally flat and conducive to cycling. Cycle stand provision on site will ensure that both employees and customers will benefit from secure storage provision.

The nearest bus stop to the site is approximately 80m to the south, on the A58 Church Street and is therefore well within the recommended walking distance. The centre of Littleborough also benefits from a small bus interchange at the railway station with access to additional services. The site therefore benefits from access to regular services to Rochdale, Shore, Smithy Bridge, Wardle, Smallbridge, Stubley, Todmorden, Burnley, Ripponden, Sowerby Bridge and Halifax. Similarly, the railway station itself (approximately 600m from the site) benefits from frequent services to Rochdale, Manchester, Leeds, Blackburn and Wigan.

The travel plan will be coordinated by the store manager and Lidl UK will provide appropriate funding for implementation of measures and initiatives, marketing of the travel plan and annual monitoring. Travel surveys will be undertaken in order to understand how staff and customers travel and what would encourage them to make changes for the first five years of store operation. It is anticipated that 31% of staff will travel to work by non-single occupancy private car mode; through implementation of travel plan measures it is intended that this will increase to 34% by year five. These measures will include provision of a travel awareness information/welcome pack to all staff, providing travel information noticeboards for customers, providing cycle parking/storage facilities and changing/locker facilities for staff and the set-up of an informal car sharing scheme for staff members. A condition is recommended to be attached requiring the implementation of measures within the travel plan document.

## *Highways Conclusion*

In light of the above, it is considered that the site represents a sustainable location accessible by varying modes of sustainable transport including walking, cycling and public transport. The trip generation calculations and junction modelling within the submitted Transport Assessment demonstrate that the development would not have a detrimental impact on the operation and safety of the surrounding highway network, including with regard to junction capacity. Sufficient parking provision would be made on site for the store, with the benefit of providing a 2 hour parking period to encourage linked trips into Littleborough centre. The proposal is considered to accord with the content of Policies T2 and DM1 of the adopted Core Strategy and with the relevant requirements of the National Planning Policy Framework.

## **Ecology**

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. Paragraph 109 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. Policy G7 of the Core Strategy requires that no development should result in a net loss in biodiversity and geodiversity.

The application is accompanied by a Preliminary Ecological Appraisal which notes the following:

- No roosting bats have been identified within the existing buildings on site, however, in case of the unlikely event that roosts become established within the buildings demolition is to be carried out under the supervision of a licensed Ecological Clerk of Works (ECoW);
- To avoid disturbance to any active nesting birds, existing scrub within the site is to be cleared outside of the bird breeding season. A relevant condition to this effect is proposed to be attached, requiring that a survey is carried out and submitted to the LPA in advance should works be required to be carried out during the breeding season;
- In order to avoid the limited risk of killing/injuring of any common reptiles any suitable habitat on site is to be cleared in a sensitive manner under the direct supervision of a ECoW and in accordance with an agreed methodology;
- A bank of Japanese Knotweed (an invasive weed) was evidenced on the northern site boundary. As a result the appraisal notes the need for appropriate treatment during site clearance, and the implementation of measures to avoid spread/return of the weed. A relevant condition is recommended.

A condition is proposed to be attached requiring the demolition, site clearance and development to be carried out in accordance with the avoidance and mitigation measures set out within the ecological appraisal. A condition is also

proposed requiring the submission of a scheme of biodiversity enhancement measures, in accordance with the recommendations of the ecological appraisal.

Consultation has been undertaken with the Greater Manchester Ecology Unit which has noted that although the application site is within the 'area of search' for potential impacts on the Rochdale Canal Special Area of Conservation the application site is sufficiently distant from the Canal and separated from it by significant built development such that no impacts on the Canal are likely to occur. They concur that the buildings to be demolished to facilitate the development have only low potential to support bats and have raised no objections to the application on nature conservation grounds.

Subject to imposition of the recommended conditions it is considered that the development proposal meets the requirements of Policy G7 of the Rochdale Core Strategy and the relevant provisions of the National Planning Policy Framework.

### **Flood Risk and Drainage**

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment.

The site falls wholly within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). Nonetheless, given the scheme represents 'major' development and is located within the Littleborough Critical Drainage Area, the application is accompanied by a Flood Risk and Drainage Assessment.

The site is previously developed land and therefore comprises a mix of hardstanding, roofing, car parking and a small grassed area. Due to its elevation and inland location the site is not deemed to be at risk of tidal flooding and the site is located wholly within an area with a less than 0.1% probability of fluvial flooding from the River Roch. Environment Agency mapping indicates that the site is also within an area at very low risk of surface water flooding. The site does however lie in an area benefitting from flood defences and is subject of residual flood risks for canal and reservoir breach flooding.

In accordance with National Planning Practice Guidance the development is considered to fall within the 'less vulnerable' flood risk vulnerability classification – as the site is located within Flood Zone 1 the proposal is considered to satisfy the sequential test set out within Paragraph 101 of the NPPF. The submitted FRA does, however, recommend that a flood emergency plan should be created, outlining flood risks to the site and the actions that the occupier should take should a flood alert be issued by the Environment Agency – a relevant condition is recommended.

The application is accompanied by details of the proposed site drainage layout. The detail has been reviewed by the Council's Drainage and Flooding engineer who notes that the proposals include for cellular crated storage for surface water flow attenuation to a total volume of 228 cu.m. A hydrobrake® flow restriction of 50 l/s is to be applied to the outlet to the existing United Utilities surface water sewer on Stockton Street.

The drainage engineer has accepted the applicant's proposed run-off and climate change values and has raised no objection to the proposed drainage scheme, subject to the imposition of appropriate conditions requiring the implementation of the scheme prior to first occupation of the building and requiring that foul and surface water are drained on separate systems.

Consultation has been undertaken with the Environment Agency, which has not returned comment on drainage matters, and with United Utilities, which has confirmed that the surface drainage proposals are acceptable to them.

### **Land Remediation**

Policy G9 of the Core Strategy sets out that the Council will reduce all forms of pollution, contamination and land instability in the Borough by requiring that any risks arising from contaminated land or instability, and appropriate actions to address these risks, are identified prior to any development taking place on that land and the identified actions are taken.

Paragraph 120 of the National Planning Policy Framework sets out that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location.

The application is supported by a number of reports detailing the findings of site investigations and setting out proposed remedial measures, a number of which were received after the Environment Agency had provided initial comment. These have been reviewed in detail by the Council's Public Protection service which has confirmed their acceptability.

A condition is therefore recommended which requires the development to be carried out in accordance with the approved remediation strategy and a verification report submitted to the LPA prior to first occupation of the building. Subject to the imposition of this condition, it is considered that any pollution and contamination risks are satisfactorily mitigated and the proposal would meet the relevant requirements of Policy G9 of the Core Strategy and the NPPF.

### **Archaeology**

Policy P2 of the Core Strategy sets out that the Council will protect the borough's heritage by conserving and enhancing assets of local interest including archaeological sites. Paragraph 128 of the NPPF establishes that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities

should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

A representation was received from the Littleborough Historical and Archaeological Society (LHAAS) noting that the site lies on or within close proximity to the site of the former Python Mill and considered that the site would warrant a photographic survey. Historic maps indicate that the application site lay largely undeveloped until sometime between 1929 and 1936, when an extension was built to Python Mill. Consultation was carried out with the Greater Manchester Archaeological Advisory Service which has advised, upon a review of their records, that they do not consider that it would be reasonable to require a photographic survey of the site. On this basis it is not considered appropriate to impose a condition.

The LPA has, however, liaised with the applicant who has agreed that, subject to phasing and timing programmes, they will grant access to the site for members of the LHAAS to carry out a photographic survey of any uncovered remains.

### **Developer Contributions**

The Community Infrastructure Levy Regulations 2010 and paragraph 204 of the NPPF set out that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

As with previous applications for development of the site for retail purposes, accepting no sequentially preferable site for the proposed food store of the scale proposed can be identified within the Littleborough area, it is considered that there is a need to integrate and promote connectivity between the store and the Littleborough core shopping area to encourage linked customer shopping trips and promote sustainable modes of travel in order to make the development acceptable in planning terms.

The site is situated a short walk away from Littleborough Town Centre. The proposed development would provide a large, albeit privately owned car park, where one does not presently exist. A car park management plan has been provided which makes allowance for customers of the store to park on the site for a maximum of two hours to encourage linked trips. Church Street provides a short, direct pedestrian route along a well-defined well-lit public highway which extends into the centre of Littleborough.

Assessments have previously been carried out with regard to the condition of public realm within Littleborough Town Centre and opportunities for improvement have been identified in the form of features such as pedestrian signage, information boards and landscaping. The applicant has agreed that in order to support the town centre and encourage linked trips between it and the store, they are prepared to make a financial contribution of £90k.

As part of the proposed improvements to the connectivity of the site, it is recommended that a portion of the contribution is allocated to the provision of a signalised crossing on Church Street in order to provide a safe and convenient crossing point across the A58 for customers of the foodstore approaching from residential areas located to the south of Church Street.

In summary it is considered that the proposal meets the CIL tests. The applicant has agreed to enter into a S106 agreement which will secure the provision of a contribution towards provision of a signalised crossing and upgrades to the public realm within Littleborough Town Centre, in accordance with a scheme which would need to be agreed by the Council as part of the implementation of the development.

### **Conclusion and the Balancing Exercise**

The proposal represents a departure from policy contained within the Unitary Development Plan in so far as it seeks permission for the use of land within the boundaries of a designated Primary Employment Zone for retail purposes, however the proposal is not considered to conflict with retail policies set out within the adopted Core Strategy or the National Planning Policy Framework.

The Council's Retail and Town Centres study, which forms part of the evidence base of the Council's Local Development Framework and is therefore of material weight, identifies a deficiency in the convenience (food) retail offer for the Littleborough catchment area, resulting in travel by the local population to more distant convenience food outlets to meet weekly shopping needs. There is therefore considerable trade diversion and leakage occurring primarily to larger stores outside of the catchment area and indeed Borough.

In terms of the sequential approach, officers are satisfied that the proposal fully complies with the Framework requirement for a sequential site assessment for new retail development which is not situated within a defined centre. In addition, it is not considered that the proposal will have any significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. Whilst the proposal would result in some trade being drawn away from existing stores, particularly the existing foodstores in Littleborough, it is not considered that this will give rise to significant adverse impact upon the vitality and viability of Littleborough Town Centre. The primary trade diversion is likely to be from freestanding food stores in the Rochdale urban area.

It is argued the site is no longer economically viable or suitable to meet the modern manufacturing needs that the physical constraints of the construction of the existing buildings on site will make it difficult to attract an economically viable user. In considering the loss of employment land, regard needs to be had to the requirements of the NPPF, which encourages planning authorities to be more flexible in their consideration of proposals to ensure sites are in active economic use over the long term, with retail regarded as an employment generating use.

The proposal would regenerate a presently vacant and underutilised employment site with an alternative employment generating use, boosting employment opportunities within the local area, whilst not compromising the ability of existing adjacent employment uses to continue operating.

To minimise the impact on Littleborough centre itself as a whole, a number of areas of mitigation are proposed. A financial contribution towards provision of a signalised crossing on Church Street and towards improvement of public realm within the centre to improve pedestrian routes between the site, the town centre and surrounding residential areas has been negotiated and can be secured within a Section 106 planning obligation. In addition a car park management plan has been secured enabling customer parking for free for up to 2 hours to further encourage linked trips.

The proposal complies with more detailed development management considerations in respect of the design of the store building itself, highway safety, the relationship of the development with adjoining land uses, flood risk, drainage and land remediation requirements. Any additional impacts can be suitably mitigated by the use of appropriate planning conditions as recommended below.

Taking all of the above into consideration Officers consider the benefits that the scheme will bring in improving the local area and in providing improved retail choice within Littleborough and job opportunities, when taken into the balance, outweigh the harm arising by virtue of the departure from Policy EC/2 of the Unitary Development Plan and accordingly the application is recommended for approval.

### **RECOMMENDATION**

It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to 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 an extension of the existing Traffic Regulation Order on Stockton Street.

That the Head of Planning be authorised to issue the decision notice upon resolution of the above subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans:-
  - Location Plan drawing no. AD 100 Rev. A
  - Proposed Site Plan drawing no. AD 110 Rev. F

- Proposed Building Plan drawing no. AD 111 Rev. C
- Proposed Roof Plan drawing no. AD 112 Rev. A
- Proposed Elevations drawing no. AD 113 Rev. F
- Proposed Boundary Treatments drawing no. AD 114 Rev. G
- Proposed Site Finishes drawing no. AD 115 Rev. G
- Demolition Plan drawing no. AD 102 Rev. A
- Waste Management Plan drawing no. AD 120 Rev. A
- Landscape Details drawing no. R/2040/1B
- Proposed Surface Water Drainage Layout drawing no. SCP/17033/D/001

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

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

- 3 No development shall take place (including any demolition or site clearance works) until a Construction Management Plan (CMP), which shall include the following:
  - a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;
  - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - e) wheel washing facilities;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - h) measures for the protection of the natural environment from accidental spillages, dust and debris;
  - i) hours of construction, including deliveries.

has been submitted to, and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMP without the prior written permission of the Local Planning Authority.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the emerging Core Strategy and the National Planning Policy Framework.

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

- 4 No development or works of site preparation shall take place until such time as a detailed method statement for the removal and management of invasive plant species on the site, including Japanese Knotweed, has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include measures to prevent the spread of the invasive non-native plant species during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall thereafter proceed in strict accordance with the approved method statement.

Reason: In order to secure the removal and prevent the further spread of invasive plant species as defined under the Wildlife and Countryside Act 1981 in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 No development 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.

- 6 No development (including works of demolition or site clearance) shall take place until such time as an Arboricultural Method Statement has been submitted to the Local Planning Authority and approved in writing. The AMS shall include the retention of trees T2 and T3 (as identified in the submitted Tree Survey by Squires Young Landscape Architecture dated December 2017) and any appropriate construction period and long-term protection measures accordingly necessary in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The AMS shall be accompanied by a detailed condition survey of tree T1; should the survey determine that tree T1 is capable of retention, the AMS shall include for the same. Should the survey determine that retention of T1 is unfeasible as a result of the condition of the tree the AMS shall include proposals for adequate

compensatory planting, including a timescale for implementation. The development shall thereafter be carried out in accordance with duly approved AMS.

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 and the National Planning Policy Framework.

- 7 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 8 Notwithstanding any description in the application no above ground construction works shall take place until samples and / or full specification of materials to be used for 'hard landscaping' external site finishes have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of the parking areas, access roads, paths or other hard-surfaced areas. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 9 No above ground works shall take place until such time as a detailed scheme for the finished floor levels and finished external site levels relative to off-site datum point(s) has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the duly approved details.

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

- 10 The development shall be carried out in accordance with the approved remediation strategy as detailed in the following approved reports:
  - Desk Study Assessment Report ref. MS/C3721/7272
  - Geo-Environmental Assessment Report ref. MS/C3721/7316Rev. A

- Detailed Quantitative Risk Assessment (DQRA) for Controlled Waters ref. JMJ/C3721/7511
- Remedial Strategy ref. AJS/C3721/7502
- Chemical Specification for Imported & Site-won Soils (Human Health)
- Quality Control Methodology for Imported and Site Won Soils

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the building 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.

- 11 No works for the construction of the same shall take place until such time as a detailed scheme for the provision of the replacement vehicular access from Stockton Street to 4 Featherstall Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, construction level drawings and detail of the proposed surfacing materials and surface water drainage scheme. The development shall be carried out in accordance with the duly approved scheme.

Reason: In the interests of visual amenity and highway safety in accordance with Policies P3, T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 12 No plant terminals or associated equipment shall be installed until such time as full details of the design, external appearance and position of any such equipment to be installed on or outside of the building has been submitted to and approved in writing by the Local Planning Authority. Any such equipment shall be installed in accordance with the approved details and retained and maintained as such thereafter.

Reason: In the interest of visual amenity in accordance with Policy P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13 No part of the development shall be occupied until such time as a detailed scheme for the provision of cycle stands, in accordance with the details shown on plan ref. AD 110 Rev. F, and including details of the specification, design and appearance of the cycle stands has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the duly approved details and the cycle stands made available for use prior to first occupation of the building hereby approved.

Reason: In the interests of providing safe and secure cycle parking facilities in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 14 No part of the development shall be occupied until such time as the surface water drainage scheme ('Proposed Surface Water Drainage Layout' by SCP drawing no. SCP/17033/D/001) has been implemented fully in accordance with the approved details, including provision of attenuation storage and flow control. For the avoidance of doubt, the site shall be drained via separate systems for the disposal of foul and surface water.

Reason: In the interests of preventing an increased risk of flooding, to ensure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 15 No part of the development shall be occupied until such time as the external lighting for the site has been installed and made available for use in accordance with the submitted lighting strategy by Philips dated 12.01.2018 and the accompanying LiAS Design Notes & Luminaire Schedule (ref. O-2111186 dwg. 00) and Proposed Lighting Layout (ref. O-2111186 dwg. 01). The duly installed external lighting shall be retained and maintained in accordance with the approved details thereafter.

Reason: In the interests of providing a safe and secure site and in the interests of visual amenity and preventing nuisance arising in accordance with Policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 16 No part of the development shall be occupied until such time as all boundary treatments to and within the site including the acoustic barrier to the plant area, which shall meet the specification set out at section 9.1 of the submitted Noise Assessment by Miller Goodall (ref. 101640), have been erected in accordance with the details contained on the approved plan 'Proposed Boundary Treatments' drawing no. AD 114 Rev. F. The boundary treatments shall be retained and maintained in accordance with the approved details thereafter.

Reason: In the interests of visual and amenity and protecting the amenities of neighbouring residents in accordance with Policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 17 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 interest 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.

- 18 No part of the development shall be occupied until such time as a Flood Emergency Plan as recommended by the submitted Flood Risk and Drainage Assessment by SLR (ref. 410.05068.00006), documenting the flood risks to the site and the actions to be taken in the event of a flood alert being issued, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the provisions of the duly approved Flood Emergency Plan.

Reason: In order to appropriately mitigate flood risk to the development and future occupiers in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 19 No part of the development shall be occupied until such time as a detailed scheme of biodiversity enhancement measures for the site, in accordance with the recommendations of the submitted Preliminary Ecological Appraisal by Enzygo ref. CRM.1230.003.EC.R.001, has been submitted to and approved in writing by the Local Planning Authority. The duly approved enhancement measures shall be implemented/installed on site prior to first occupation of the building hereby approved.

Reason: In the interests of biodiversity enhancement in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 20 The demolition of existing buildings, site clearance and development shall be carried out in accordance with the avoidance and mitigation measures set out in the submitted Preliminary Ecological Appraisal by Enzygo ref. CRM.1230.003.EC.R.001.

Reason: To safeguard any protected species which may either live or forage within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 21 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - July 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 Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 22 The net sales area of the retail store hereby approved shall not exceed 1,104 square metres, of which not more than 20% shall be used for the purposes of comparison goods sales.

Reason: In the interest of protecting the viability and vitality of existing centres in accordance with Policy E1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 23 The retail unit hereby approved shall not be open for trade or business before 0700 nor after 2300 hours Mondays to Saturdays inclusive and not before 0800 hours nor after 2200 hours on Sundays.

Reason: In the interests of the amenity of neighbouring occupiers and to prevent nuisance arising in accordance with Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 24 Deliveries to the retail unit hereby approved shall not take place before 0700 nor after 2200 hours Mondays to Saturdays inclusive and not before 0800 nor after 1600 hours on Sundays.

Reason: In the interests of the amenity of neighbouring occupiers and to prevent nuisance arising in accordance with Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 25 Noise from any plant and equipment used in conjunction with the development shall not exceed 28 dB(A) Leq15mins, measured at 1m or a suitable representative point.

Reason: In the interests of the amenity of neighbouring occupiers in accordance with Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 26 The development hereby approved shall achieve a 'very good' or 'excellent' Building Research Establishment Environmental Assessment Methodology (BREEAM) rating or equivalent. The development shall not be occupied until such time as a post construction certificate confirming such an outcome has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials 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.

27 The initiatives and controls contained in the approved Car Park Management Strategy by SCP (ref. 17033 dated 04.05.2018) shall be implemented in full and the development shall operate in accordance with the proposed measures therein.

Reason: In the interests of ensuring sufficient parking provision on site and in order to encourage linked customer shopping trips between the site and Littleborough Town Centre in accordance with Policies E1, T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

28 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. dated April 2018

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.

29 The initiatives contained in the approved Travel Plan by SCP (ref. CT/17033/TP/2) shall be implemented in full and the development shall operate in accordance with the proposed measures therein.

Reason: In the interests of ensuring that the development encourages people to travel to the site by sustainable transport modes in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.