

Officer Report

Case Reference: 25/00897/FUL
Location: McCormick Europe Ltd, Whitelees Road, Littleborough,
Rochdale, OL15 8BZ
Proposal: Demolition of existing outbuilding and replacement with single
storey extension to main building together with extension of
the existing retaining wall and car park alterations.
Recommendation: Approve with Conditions
Officer: Anna Hayes

SITE

The application site relates to 138 Whitelees Road in Littleborough, previously the former McCormick Europe Ltd site, more recently acquired by Lancashire Farm Dairies. The site occupies a large area of land with dual points of vehicular access from Stockton Street to the south-west of the site providing access to the dedicated service yard, and to the north-east off Whitelees Road.

This application relates specifically to the northern area of the existing car park to the rear of the main building where the existing service yard and outbuilding is located.

To the south, the area is primarily industrial and commercial, while to the north the area is predominately residential. The nearest residential properties are those to the north east of the site, namely nos. 140 and 142 Whitelees Road and 3 Smithyfield and 140-162 Whitelees Road, all of which are considered non-designated heritage assets.

The site is located within the defined urban area, and sits adjacent to, but outside of, the Littleborough Town Centre Conservation Area (to the north).

PROPOSAL

Planning permission is sought for the demolition of the existing outbuilding within the existing service yard to the north of the building and the erection of a single storey extension to the northeastern elevation. Other works include the extension of the existing retaining wall and car park alterations, with tree planting.

The proposed extension is required to improve operational efficiency, accommodate storage requirements, and support the growth of the business.

The extension would measure around 22m (w) x 22.6m (d) with a ridge and eaves height to match the existing. Proposed external facing materials comprise standing

seam cladding in colour light grey to match the existing, with standing seam cladding in colour dark grey to the roof. The elevations would not contain any openings, with the exception of one 'up and over' door in colour black to the east facing elevation.

RELEVANT PLANNING POLICY

National

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan

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

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

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

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

Sustainable and Resilient Places

JP-S1 Sustainable Development

JP-S2 Carbon and Energy

JP-S3 Heat and Energy Networks

JP-S4 Flood Risk and the Water Environment

JP-S5 Clean Air

JP-S6 Resource Efficiency

Places for Jobs

JP-J1 Supporting Long-Term Economic Growth

JP-J2 Employment Sites and Premises

JP-J4 Industry and Warehousing Development

Greener Places

JP-G1 Landscape Character

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places

JP-P2 Heritage

Connected Places

JP-C1 An Integrated Network

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

SO1 To deliver a more prosperous economy

E2 Increasing jobs and prosperity (partially replaced by PfE policies JP-J3 and JP-J4)

E3 Focussing 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

G7 Increasing the value of biodiversity and geodiversity

G8 Managing water resources and flood risk

G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Managing delivery and monitoring progress

DM1 General Development requirements

SD1 Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1 Defined urban area

EC/2 Primary Employment Zone

Other

The following Supplementary Planning Documents (SPD) are also relevant:

- Guidelines & Standards for Residential Development SPD, June 2016.

Also of relevance are:

- National Design Guide (2019) (Ministry of Housing, Communities and Local Government);

- National Planning Practice Guidance.

RELEVANT SITE HISTORY

The site has extensive planning history. The most recent/relevant planning history is detailed below:

17/00965/FUL - Construction of additional car parking area for 40 cars including associated earthworks within existing site boundary – Approved 12.07.2018

18/01205/FUL - Single storey extension to front of building to extend existing canteen – Approved 19.12.2018

18/01363/DOC - Submission of details to comply with conditions 3, 4, 5, 6, 8 and 9 of planning permission 17/00965/FUL – Request completed 29.01.2019

25/00209/FUL - Installation of 4 new silo tanks to existing service yard together with associated engineering works, fencing and landscaping – Approved 23.06.2025

OTH/2025/1254 - Submission of details to comply with conditions 3 (habitat management and monitoring plan) and 4 (materials) on planning permission 25/00209/FUL – Pending consideration

CONSULTATION RESPONSES

Highways And Engineering;

Confirms no objection to the proposal.

Env Health - Noise/Odours;

Confirms no objection to the proposal.

Env Health - Air Quality;

No comments received to date

Lead Local Flood Authority/Drainage;

The proposed drainage design is acceptable in principle

Environmental Control (Landfill Gas);

Confirms no comments to make on the application.

Greater Manchester Ecology Unit (GMEU);

Confirms no objection to the proposal subject to conditions, including the control of tree planting via a Habitat Management and Monitoring Plan (HMMP).

United Utilities;

No objection subject to a condition requiring the submission of a sustainable surface water drainage scheme and a foul water drainage scheme.

Conservation Officer;

The overall level of harm on the non-designated heritage assets would be minor.

REPRESENTATIONS

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

The Council has received 8 representations including 4 letters of objection and 4 letters of support. The comments received are summarised below:

Object:

- The proposed extension would significantly reduce long-valued views across the valley, harming residential enjoyment and potentially affecting property value.

- Concern that noise levels will increase despite the submitted noise survey, due to possible longer working hours, additional machinery, or increased production associated with the extension.
- The factory already produces noticeable noise, and further disturbance would negatively impact nearby residents, particularly during early mornings and evenings.
- Request that the Council reconsider the proposal due to its negative effects on local amenity and wellbeing.
- If approved, residents request robust noise-mitigation measures, including additional planting (trees and shrubs) to lessen visual and acoustic impacts
- Diminished outlook
- Loss of light and overshadowing house and gardens
- Noise and light pollution
- The proposed extension will be substantially larger than the outbuilding it replaces.
- Concern that submitted plans lack clear measurements and use inconsistent scales, causing confusion over the true size of the extension

Support:

- Accelerate the opening of the new site and create substantial local employment opportunities in Littleborough.
- Notes that Lancashire Farm produces high quality products using locally sourced ingredients.
- Highlights the company's commitment to animal welfare, stating that its products use free range ingredients.
- Supporting this application will help sustain the area's economy and promote long term growth
- benefits of the factory becoming operational are significant and the proposal will have no negative impact on the wider area or local community

Officer Notes:

- During the course of the application, the red line to mark the application site was reduced in order to reflect BNG requirements. As the red line was reduced, no further consultation was considered necessary.
- Loss of a view is not a material planning consideration, nor is loss of property value. These matters therefore hold no weight in the determination of the planning application.

Ground Conditions (Contaminated Land)

The Council's Public Protection team have been consulted on the proposal and offered no objections. The proposal is therefore found to be acceptable in regard to paragraph 196 of the NPPF, which seeks to ensure that any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use.

Ecology

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

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

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

Greater Manchester Ecology Unit (GMEU) have been consulted on the proposal and the comments are summarised below:

Bats and Nesting Birds

Theoretically the small building to be demolished could provide habitat for roosting bats and nesting birds. GMEU however are satisfied that the risks are very low and that the potential risks can be dealt with via appropriate informative notes.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

GMEU confirm no issues with the BNG assessment provided. It demonstrates that 10% net gain is achieved on site through the planting of three urban trees. No further information or measures are requested at this time.

GMEU identify that a 30 year Habitat Management and Monitoring Plan (HMMP) will be required as urban trees are defined as significant by defra. As the HMMP would only cover the three new trees, GMEU are satisfied that this can be controlled by condition. In order to discharge the statutory biodiversity gain condition, the developer will need to:

- Provide the Biodiversity Gain Plan, using the defra template.
- Provide the final version of the HMMP and
- Provide the final version of the statutory metric with the relevant sections of the start page completed.

Based on the above, it is recommended that the proposed tree planting is secured through a Habitat Maintenance and Management Plan and secured by condition. It is also recommended by Officers that any trees to be retained be fenced off and protected in accordance with BS 5837:2012 standards. Subject to these conditions, the proposal is found to be acceptable in regard to biodiversity and compliant with paragraph 197 of the NPPF and PfE Policy JP-G8.

Flood Risk

The development proposes a 0.053 ha extension on existing impermeable hardstanding. The proposed development is located in Flood Zone 1 but is located in a classified Critical Drainage area of Littleborough. Surface water flooding is indicated on the northeast boundary of the current building, in immediate proximity to the proposed extension.

The application is supported by a Drainage Strategy, Flood Maps for Planning a United Utilities SafeDig Map.

The application has been reviewed by the Lead Local Flood Authority (LLFA) and United Utilities (UU). The LLFA and UU confirm that the proposed drainage design is acceptable in principle however it is considered acceptable for further technical matters to be secured by condition. A condition is therefore recommended on this basis and as such is considered to be acceptable in regard to Policy G8 of the Core Strategy and section 14 of the NPPF.

Principle

As set out in PfE policy JP-J1, a thriving, inclusive and productive economy will be sought in all the nine boroughs of Greater Manchester (forming part of the Places for Everyone Joint Development Plan). PfE policy JP-J2 seeks to ensure that there is an excellent supply of employment sites and premises across the Plan area, with sufficient variety in terms of quality, cost and location to maximise the ability to attract and retain jobs and investment. As expressed within policy JP-J4, the development of new and existing industry and warehousing sites is important on a wider scale in helping Greater Manchester maximise its ability to attract and retain business and hence support its long-term economic growth prospects and the availability of local jobs.

Under policies E2 and E3 of the adopted Core Strategy (CS) it is clear that the Council will support existing businesses, in particular under policy E2 which seeks to protect existing employment zones and employment sites and premises (over 0.2ha) and support their retention and redevelopment for employment uses.

In this instance, this existing industrial/employment site is located within a primary employment zone where development and change of use for industrial, business and warehouse uses will be permitted subject to several conditions being satisfied.

The supporting statement confirms that the proposed extension to the main factory building would support the existing employment use and improve operational efficiency, accommodate storage requirements, and support the growth of the business. The extension would support the continued use of the allocated employment site in accordance with the aims and aspirations of PfE policies JP-J1, JP-J2 and JP-J4, and policies E2 and E3 of the adopted Rochdale Core Strategy.

On this basis, the principle of the development is found to be acceptable, as it would support the retention and development of an existing industrial/commercial site within an allocated Primary Employment Zone, subject to all other material planning considerations being satisfied.

Design and Heritage

The application site comprises an industrial unit on a Littleborough industrial estate, positioned at a lower level than Whitelees Road and enclosed by mature boundary hedgerows. To the north, the site adjoins a pair of early semi-detached houses, historically known as Smithy Field, dating to around 1850 and originally built as four back-to-back dwellings with domestic weaving workshops on the upper floors. These stone-built properties retain characteristic historic features, including stone surrounds and mullions, and are identified as non-designated heritage assets due to their age, architectural detailing and historic industrial function. Beyond them lies a row of pre 1850 stone terraced cottages with stone slate roofs, varied window openings and evidence of former workshop use, which, despite later alterations, also meet the local criteria for non-designated heritage assets. Together, these historic properties form an established vernacular group that contributes to the heritage setting immediately adjoining the industrial site.

NPPF paragraph 207 requires applicants to describe the significance of any heritage assets affected by a proposal, including the contribution made by their setting, and to consult the relevant Historic Environment Record, using appropriate expertise where necessary. The NPPF further confirms at paragraph 216 that the effect of a development on a non-designated heritage asset is a material planning consideration, and that decisions should be based on a balanced judgement having regard to the scale of harm or loss and the significance of the asset. At a local level, these principles are reinforced by PfE policy JP P2 and Rochdale Core Strategy policy P2.

Amongst other things, at paragraph 135, the NPPF seeks new development to be: a high standard of design which functions well and adds to the overall quality of the area; be visually attractive as a result of good architecture and landscaping; and establish or maintain a strong sense of place.

Locally, CS policy P3 requires all new developments, including associated landscaping, regardless of location in the borough, to adhere to high standards of design and goes on to list relevant design principles. Further to this, CS policy DM1

sets out general development requirements and details a list of criteria which all development proposals will be expected to demonstrate compliance, including the need for high quality design.

The proposal is for the construction of an extension to the existing building, on an area currently used as a delivery area. The extension would continue the ridgeline of the adjacent section of the building and would use a standing seam cladding to match. As a result, it would be subordinate to the host building as a whole and would be viewed as a sympathetic continuation due to the matching proportions, materials and design.

From a heritage perspective, the proposed extension would bring the industrial building closer to the non-designated heritage assets at Smithy Field and therefore has the potential to affect their setting. To assist with the assessment, a north–south section and a street scene elevation was provided to further understand the relationship between the extension and the heritage assets. The additional drawings have been reviewed by the Conservation Officer who concludes that while these properties are already experienced in the context of the existing industrial building, the increased proximity of the extended built form would introduce some additional visual impact. However, the effect would be limited by the change in levels across the site and the presence of mature landscaping along Whitelees Road, which would help to reduce visibility in public views. It is considered that the overall level of harm would be minor. This is a material consideration in the planning balance in accordance with NPPF paragraph 216.

Overall, the design of the proposed extension is considered acceptable, reflecting the form, proportions and materials of the existing building in a coherent and subordinate way. While the extension would bring the industrial unit closer to nearby non designated heritage assets, the submitted sections and street scene demonstrate that any resulting visual impact would be limited by the existing change in levels and boundary planting. The minor level of harm identified carries weight in the planning balance, but overall, the proposal is considered to meet national and local design policies and is of an appropriate scale and character to the area.

Amenity

Paragraph 135 of the NPPF requires that new development achieves a high standard of amenity for existing and future users. This is reflected locally through CS policy DM1 which requires development proposals to ensure that they “do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy”. Saved UDP Policy EC/2 will only permit new development where proposals will cause no unacceptable environmental or amenity problems in the employment area or adjoining areas.

It is recognised that most new developments will inevitably have some degree of impact on neighbouring properties. However, it is essential that this impact does not become so substantial that it leads to unacceptable harm to residential amenity. To address this, the Guidelines and Standards for Residential Development Supplementary Planning Document (SPD) establishes minimum space standards

specifically designed to safeguard an appropriate level of living conditions for residents.

The policy guidance stipulates clear separation distances between new developments and existing housing. In particular, a baseline distance of 21 metres should be maintained between directly facing windows of habitable rooms. Additionally, a minimum of 14 metres is required between a principal window and any directly facing two-storey elevation that does not contain a principal window to a habitable room. These requirements are intended to ensure that new development does not adversely affect privacy, outlook, or the overall amenity of existing and future occupiers.

In this instance the nearest residential property is 140 Whitelees Road which is situated just north-east of the proposed extension. At an oblique angle, 140 Whitelees Road would be situated around 25m from the proposed extension, with a reduced distance of around 20.6m between the conservatory and the extension.

The proposed extension will measure approximately 10 metres in height at its ridge and 8.5 metres to the eaves. It is proposed to be constructed at a lower ground level compared to number 140 Whitelees Road and will be sited behind well-established vegetation along the shared boundary. The variation in ground levels ensures that, despite its total height, the extension will be perceived as having a reduced overall scale when viewed from neighbouring properties. Furthermore, the specific orientation and siting of the building ensure that the occupants of 140 Whitelees Road will continue to benefit from a clear and direct outlook. Notably, all habitable room windows located on the south gable of number 140 will remain unaffected in terms of light, privacy and outlook, thereby safeguarding existing residential amenity.

Concerns have been raised regarding the potential loss of a view as a result of the proposed extension. While these comments are noted and acknowledged, it is important to clarify that the loss of a private view is not recognised as a material planning consideration. As such, this issue does not carry any weight in the determination of the planning application.

To the east of the site are industrial and commercial properties. From this aspect, the proposed development would not impact on the residential amenity of any neighbouring occupiers or unduly affect any adjoining commercial businesses.

Noise

Turning to noise and disturbance considerations, the supporting statement confirms that the facility operates 24/7 to ensure continuous production and supply. The application is accompanied by a Noise Impact Assessment which identifies the nearest noise sensitive receptors at 140-142 Whitelees Road. It is noted that there are existing earth bunds constructed to provide acoustic screening.

The area where the proposed extension is proposed was previously occupied by external chiller plant (decommissioned at the time of the survey). This area was also

a forklift route as shown on Figure 2. The proposed extension seeks to replace this arrangement and remove this external activity.

A noise survey was carried out over 20th and 21st November 2025 at a location representative of nearby residential properties at 140 -142 Whitelees Road and 3 Smithy Street. The report found that the predicted resultant noise level at the NSRs does not exceed the background noise level which is an indication of a low likelihood of adverse impact. It is anticipated that new external condensing units will be required. These will be located to the southeast of the building, in an area already containing similar units. This location will be fully acoustically screened from the NSRs by the existing building and proposed extension.

The Noise Impact Assessment has been reviewed and considered by the Council's Environmental Protection Team. The Environmental Health Officer concludes that the proposal will not have an effect on nearby neighbours.

There are no objections from the Council's Environmental Health department and Officers have no reason to disagree noting the above factors. The proposal is therefore found to be acceptable, have no unacceptable harm on the amenity of surrounding residents and commercial premises, in accordance with paragraph 135 of the NPPF and CS Policy DM1.

Access and Highway Safety

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 Core Strategy.

The proposal relates to a modest extension to an existing industrial building within an established business park. The Local Highway Authority advise that the development is not expected to generate any notable increase in traffic, the existing level of parking remains appropriate, and the current site access arrangements are suitable. No alterations to the local highway network are proposed, no public rights of way would be affected, and there are no new road safety concerns. Servicing and refuse collection would continue as existing. On this basis, the Highway Authority raises no objections to the development.

Overall, there are no objections to the proposal from a highway and safety perspective and no amendments are required. For this reason, the proposal is found to be in accordance with the NPPF and would not conflict with paragraph 116 and Core Strategy policy T2.

Conclusion

The site is within the defined urban area with an allocated Primary Employment Zone, in an accessible and sustainable location. The proposed extension would support the continued industrial and employment use on the site, supporting economic growth, and would not unacceptably impact on the visual amenity of the area and the residential amenity of the surrounding properties subject to conditions. The traffic generation, access and parking arrangements are also found to be acceptable.

In view of the above, the proposal is considered to comply with relevant local and national policy and is considered to represent sustainable development. On this basis the application is recommended for approval, subject to conditions.

Recommendation: Approve with Conditions

Condition(s) (5)

- 1 The development must be begun not later than the expiration of 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Drawing 083_PLN_090 P04 – Site Location Plan

Drawing 083_PLN_200 P04 – Proposed Ground Floor Plan

Drawing 083_PLN_201 P04 – Proposed Roof Plan

Drawing 083_PLN_202 P04 – Proposed Site Plan

Drawing 083_PLN_300 P02 – Proposed Elevations South East and North West

Drawing 083_PLN_301 P02 – Proposed Elevations North East

Drawing 083_PLN_303 P01 – Proposed Section and Street Elevation

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 The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework

- 4 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 5 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to, and approved in writing by, the local planning authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and include:
- a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat creation (3 trees) to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan, including a timetable for its implementation and completion;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

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

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

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

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

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

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

Approval Reason(s) (1)

- 1 The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore

comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Informatives (1)

BIODIVERSITY NET GAIN

1

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

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

and;

(b) the planning authority has approved the plan.

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

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

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

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

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

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

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

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

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

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

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

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

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places

or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

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

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

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

and;

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

The matters are:

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

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

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

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

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

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