

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

22/00038/FUL

CASE OFFICER

Majid Mir

DETERMINATION DATE 25.01.2024 EXT OF TIME 31.05.2024

Address: Higher Booth Hollins Farm Rakewood Road Littleborough OL15 0AR

Proposal: Removal and replacement of the existing 10.5m high tower supporting 4no. antennas and 1 no. transmission dish, with a 15m high tower, supporting 12no. antennas and 2no. 0.3 metre diameter transmission dishes and ancillary development including the installation of 2no. GPS modules

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: RG

DATE: 31 May 2024

SITE

The application relates to an existing telecommunications pole and associated equipment sited within two single storey outbuildings. The application site is located in a large field associated with Higher Booth Hollins Farm in Littleborough. The land is undulating with the land rising up towards to the east. The existing telecommunications equipment are located within the green belt.

The existing telecommunications pole with associated equipment has an overall height 11.2m with the top of the antennas being set at height of 10.5. The associated equipment is located within two single storey buildings which are sited approximately 23.5m south of the existing telecommunications pole.

To the north, east and west are surrounding fields. To the south of the application site is the M62 motorway and beyond this a residential property (Lower Booth Hollins Farm), located approximately 111m from the site. There is a bridge over the motorway that is used to access the site by vehicles. The access lane as well as the bridge are identified as a public rights of way. The public right of way also runs northwards along the west of the application site and towards the Farm which is located to the east of the application site (approximately 200m away).

To the east there is a timber pole with a small dish attached on it. There is cabins sited at the foot of the timber pole. The cabins are surround on three sides by a stone wall.

PROPOSAL

The application seeks to replace the existing telecommunications pole which supports 4 antennas and 1 transmission dish with a 15m high telecommunications pole. The pole will support 12 antennas and 2 transmission dishes and other associated equipment including GPS modules. The headframe of the proposed pole will be approximately 3.45m wide and 3.4m tall. The proposed telecommunication pole with the associated equipment will be sited approximately 4.7m further west than the existing telecommunications pole.

The proposal would also seek the telecommunication equipment within one of the outbuildings 'refreshed' and 8 paving stones to create steps up to the existing outbuilding.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional - Places for Everyone Joint Development Plan (PfE)

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:

JP-S1 Sustainable Development

JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

S03	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 green environment
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G9	Reducing the impact of pollution, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
SD1	Delivering sustainable development
DM1	General Development Requirements

Unitary Development Plan (UDP):

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

02/D39944	Determination Of Prior Approval On Proposal To Install A 8M High Telecommunications Monopole With Equipment Cabin And Ancillary Development. Decision: Approved.
00/D38319	Determination On Proposal To Erect A 15M High Telecommunications Monopole With 3 Antennae, 1 Microwave Dish And Associated Equipment Cabin. Decision: Refuse. Reason for refusal: The site is elevated and prominent. It is within an area of Special Landscape Value and Green Belt in the Adopted Unitary Development Plan for Rochdale. The scale and siting of the proposed development would injure significantly the special character of the area, contrary to the provisions of Policy EN/16 (Telecommunications) of the Adopted Unitary Development Plan and be prejudicial to the aims and objectives of the plan and the visual amenities of the area.

CONSULTATION RESPONSES

Natural England (North West Planning)

No comments received to date.

Environment Agency

No objection.

Gtr Manchester Ecology Unit

Summary

I am not aware of any potential ecological issues associated with this development.

Proximity to South Pennines SPA and SAC

The development is located approximately 320m from the South Pennines SPA & SAC with access to the site passing approximately 200m from the SPA/SAC. This is however a very minor development with no likely disturbance to the SAC and whilst theoretically some noise disturbance would occur which could effect the qualifying birds species for the SPA, given the close proximity to the M62 and minor nature of the works, any noise generated would be lower than the background disturbance and temporary.

With regards 5G technology there is currently no evidence that I aware that it has adverse effects to wildlife.

I am therefore satisfied that the development will result in no likely significant effects to the South Pennines SPA or SAC.

Protected Species

Given the footprint of the site will not change, the footprint very small and we have no records of any protected species within the zone of influence of this development, I am satisfied that no further information or measures are required.

Nesting Birds

No nesting habitat appears to be present I am satisfied that no further information or measures are required.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. There appears to be no significant habitat loss or effects on wildlife as a result of this development. With regards biodiversity net gain (not as yet mandatory), this development would likely be exempt as the de minimis threshold is loss of 25sqm of vegetation. No mitigation or net gain requirements therefore appears to be required.

As enhancement, I would suggest one bird box on the existing building. The details can be conditioned.

National Highways

No comments received to date.

Highways And Engineering

This site has an established telecoms use and is remote from the adopted highway network.

Highways raise no objection to this application and we request no specific planning conditions.

Rights Of Way Officer

Highlighted that should the development result in any change to the definitive footpath that this must be approved through separate legislation prior to any

diversion works being undertaken. Requested confirmation of retained access throughout construction period.

Env Health - Noise/Odours

This section has no objections to the proposals.

The Coal Authority

Recommendation of pre-commencement condition and advisory notes.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a notice was posted in the vicinity of the site. No responses have been received.

ANALYSIS

Principle of Development

The application seeks permission replace an existing 10.5m high tower with associated telecommunications equipment with a 15m high tower with associated telecommunications equipment.

The adopted Rochdale Core Strategy does not contain any policies specific to telecommunications application. Paragraph 118 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing. As such, decisions should support expansion of electronic communication networks. However, Paragraph 119 goes on to state that the number of communications masts and sites should be kept to a minimum and be consistent with the needs of consumers. Equipment should be sympathetically designed and camouflaged where appropriate.

Policy JP-C2 of the PfE states that we will support the provision of affordable, high quality, digital infrastructure including enabling the roll-out of latest generation mobile technology and full fibre to the premises connectivity, in a way that maximises coverage whilst protecting townscape quality and ensuring an ability to respond to updated/changing technology.

The site is located close to the M62 motorway and within the green belt. The supporting report states that proposal would provide enhanced 2G, 3G and 4G coverage and new 5G services to Hollingworth, Hollingworth Lake and the M62 to the south of the site for both Telefonica and Vodafone. The proposed telecommunications mast would be a replacement of an existing mast and would be sited close to the existing telecommunications mast. Although it would not be in the exact same position, it would be sited in close vicinity to the existing telecommunications mast and would be sited on the opposite side of the public right of way that runs close to and through the application site. The site is considered to be sequentially preferable to proposing a new mast elsewhere.

The new column and the associated equipment sited on the head frame would be taller and wider than the existing. The supporting report notes that the column needs

to be taller and wider in order to structurally support the wider headframe and upgraded replacement/new antennas on behalf of 2 operators.

Further to the above, it is noted that there two small single storey structures sited within close vicinity of the column. These structures house the associated equipment. The proposal would retain any upgraded equipment within these structures.

Considering that the application proposes the replacement of the existing telecommunications and relocate within close vicinity of the existing column, and to retain the existing structures to house the associated equipment, the proposal would be considered acceptable. However, consideration needs to be given to other material planning considerations discussed below.

Principle of Development – Green Belt

Policy G/D/2 of the Unitary Development Plan (UDP) allocations plan identified the Green Belt within Rochdale and the Core Strategy Policy G4 was to be read alongside policy G/D/2. However, Places for Everyone Joint Development Plan (PfE) was recently adopted by Rochdale Council. Policy JP-G9, supersedes policy G4 of the adopted Core Strategy and makes small amendments to the green belt boundary within Rochdale. It is noted that the application site is retained within the green belt

As such policy JP-G9 of the PfE is therefore relevant to any applications on the site. As stated in Policy JP-G9 of the PfE and the NPPF states that the green belt serves five purposes which are to:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 142 of the NPPF states 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.' Paragraph 152 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 that continues in stating that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF establishes that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions. The proposed development does not fall in to one the exceptions. Additionally, the proposed development does not fall within the forms of

development that paragraph 155 states should not be considered inappropriate in the Green Belt (provided they preserve its openness and do not conflict with the purposes of including land within it). Therefore the development would be considered to be inappropriate development within the Green Belt.

Impact to Character and Appearance

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraphs 131 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The proposed mast would be substantial at 15m in height and top-heavy due to the associated equipment including antennas, dishes and modules. It is acknowledged that such features are visually unattractive but this must be balanced against their necessity in facilitating modern methods of communication and the need to site them in suitable locations for them to function effectively. Whilst the site is located within the Green Belt and the land surrounding the site is open and agricultural in character, it is noted that the site is in close proximity to the M62. Additionally, it is noted there are other structures including other columns and transmission towers within close vicinity to the proposed site and would be viewed together. Siting the mast in a location close to such existing infrastructure as opposed to an isolated site in open countryside is therefore considered to be preferable given that the open and 'green' nature of the area is already somewhat compromised.

As such, considering the existing telecommunications mast would be replaced, the nearby motorway and surrounding structures, it is considered that the proposed installation is acceptable in respect of visual amenity and the application accords with the relevant parts of Core Strategy policies DM1, P2 and P3, PfE and the National Planning Policy Framework.

Amenity

In regards to the proposed developments impact on the amenity of any surrounding residents, it is considered that given the distance between the site and the nearest residential properties (approximately 111m), along with the M62 being sited between the two, it is considered that the proposed development would not result in any

undue harm to the amenity of the nearest residential properties. Furthermore, the Environmental Health department have raised no objection to the proposal.

Highway and Public Right of Way

There is a public right of way that runs along the access to the site (LitFP575) which extends to the west (LitFp574) and north (LitFp516). Public Right of Way LitFp516 splits the single storey structures and runs northwards. The existing column with associated attached equipment is sited to the east of the public right of way, and the proposed is located to the west of the public right of way. The application also proposes to lay slabs by the access and in between the single storey structures. The Public Right of Way Officer requested confirmation that the slabs would retain the existing gradient and not limit members of the public from using the public right of way in any way. The applicant has confirmed that they will be used to allow for the engineer to access the site when using carrying their equipment.

Given the proposed use, vehicle access to the site is only required for construction, maintenance and decommissioning and as such any traffic movements associated with the development are negligible.

The Highways department have raised no objection to the proposal, noting that the proposed development is a replacement of existing telecommunication development and is remote from the adopted highway network. Additionally, no additional conditions have been requested.

The application is considered to be acceptable in respect of highway safety and in this regard, in accordance with the requirements of policy DM1 of the Core Strategy.

Ecology

The site is located within an SSSI Impact Risk Zone. Approximately 320-330m to the east of the site is South Pennine Moor SAC and SSSI. Natural England were consulted however no response has been received. Environment Agency has raised no objection to the proposed development. Greater Manchester Ecology department (GMEU) concluded that the proposed development is likely to have no significant effects to the South Pennines SAC or SSSI. It was noted by GMEU that development is relatively minor in scale in regards to the SAC/SSSI and although theoretically some noise disturbance would occur which could impact on the qualifying birds species for the SPA, given the close proximity to the M62 and minor nature of the works, any noise generated would be lower than the background disturbance and would be temporary. Furthermore, GMEU noted that in regards to 5G technology, there is currently no evidence to suggest that it would have an adverse effect to wildlife.

As such it is considered that proposal would be acceptable and accord with policies G6, G7 and DM1 of the Core Strategy and the NPPF.

Land stability

Core Strategy Policy G9 states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.

The application site falls within the defined Development High Risk Area. The application was supported with a Desk Based Coal Mining Risk Assessment and Shallow Mining Site Investigation Works report. The Desk Based Coal Mining Risk Assessment identified potential shallow mining risks and recommended that intrusive investigation work should be carried out to confirm the risk associated with coal mining. The Coal Authority noted that application site lies in an area where coal mining has taken place at shallow depth and where further historic unrecorded shallow coal mining is likely to have occurred. Additionally, voids and broken ground associated with such works can pose a risk of ground instability and may give rise to the emission of mine gases.

The Shallow Mining Site Investigation Works report noted that investigation found no evidence of workings in the 2 boreholes that were drilled for the investigation. The report added that stabilisation work is recommended beneath the proposed tower. The Coal Authority noted that the conclusion of the Shallow Mining Site Investigation Works report that coal mining legacy poses a risk to stability at the site and that remedial works are required in order to ensure the safety and stability of the development. As such, the Coal Authority recommended the addition of planning conditions and advisory notes. It is however noted that the remedial work would require approval from the Coal Authority and such addition of the condition would be repeating what is already required through other legislation or procedures. As such, the addition of the condition would fail to meet the planning conditions test. It is nevertheless considered appropriate to include details though an advisory note.

Furthermore, the Environment Agency raised no object to the proposal.

Taking note of the supporting report and the recommendations of the Coal Authority, it is considered subject to the inclusion of an acceptable condition the proposal would meet the requirements of Policy G9 of the Core Strategy and the requirements of the National Planning Policy Framework.

Other Matters

The developer has provided a declaration of compliance with ICNIRP Public Exposure Guidelines, certifying that the development has been designed to accord with the requirements of Radio Frequency public exposure. Whilst not resulting in harm, such considerations are considered to weigh neutrally in the overall balance of the application.

Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. Paragraph 40 goes on to state local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot

require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer.

In the application form and supporting report, the applicant has indicated that pre-application advice was sought and no response was received. Consultation was also carried out with local councillors and the constituency's Member of Parliament, with a response being received from a councillor.

The LPA operate a formal, paid Pre-Application service, details of which are readily available on the Council's website. No record of any formal request for Pre-Application advice was received by the LPA, and as such this matter is considered to weigh neutrally in the overall planning balance.

Planning Balance

Paragraphs 152 and 153 of the NPPF state that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The proposed telecommunications column with the attached associated equipment would result in harm to the Green Belt through inappropriateness.

Site Selection

As noted above, the application site can be considered sequentially preferable in that it would see the upgrade of an existing site and limited weight is afforded as a result.

Openness

In assessing the suitability of the site it is acknowledged that a telecommunications column with associated attached equipment and the single storey structures have existed at the site since approximately 2002.

The associated equipment would be retained in the existing single storey structures, however, the proposed column with the associated equipment on the headframe would be taller and wider than the existing column with the associated equipment. Furthermore, the proposed column would be sited approximately 5m west of the existing column.

Both the existing and proposed columns are sited to the north of the parcel of agricultural land and south of a stone wall. It is noted that the landscape in this area does undulate which helps to reduce the visual impact to openness of the proposal

when viewed from the south and west in particular. The site would also not be clearly visible from the north/north-west.

Further to this, the most prominent views of the proposed development would be from the M62 motorway when travelling from west to east. However, this would be for a very limited amount of time and would be seen in the backdrop of the undulating landscape and other equipment within close vicinity to the site. The other equipment includes other columns and fencing and transmission towers.

As such it is considered that the proposed development would cause a small and limited amount of harm to the openness of the green belt.

Conclusion

Paragraph 118 of the NPPF states that an advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Supporting information states that the upgrade of the proposed column and associated telecommunications equipment is required to implement new technologies required for the latest 4G and 5G service provision. The proposed development would provide 2G, 3G, 4G and 5G coverage for two operators. Therefore the associated equipment attached to the column requires upgrading. Additionally, the report notes that the increased height is required to provide equivalent replacement coverage.

With the Government's agenda on telecommunications set out clearly within the NPPF, the increased coverage of 4G and 5G is acknowledged as a significant public benefit.

It is accepted that the proposal is a larger structure which is visually a more obtrusive structure when viewed from some surrounding public vantage points. It is however acknowledged that the development comprises an upgrade to an existing site and the proposal would see the existing column removed.

The proposal will result in a minor degree of additional harm to the Green Belt due to inappropriateness and a slight loss of openness, and this harm is given substantial weight as required by NPPF. However, on balance it is considered that the harm caused will on this occasion be outweighed by very special circumstances consisting of the benefits of the removal of the existing mast, along with the wider benefits in terms of the expansion and progression of the communications network in an isolated location. It is therefore considered that the application complies with the requirements of the PfE and the NPPF.

RECOMMENDATION

GRANT 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:-

Site Location Maps. Drawing no: 100. Rev: D. Received by email on 16/04/2024

Existing Site Plan. Drawing no: 200. Rev: A

Proposed Site Plan. Drawing no: 201. Rev: A

Existing Site Elevation. Drawing no: 300. Rev: A

Proposed Site Elevation. Drawing no: 301. Rev: B

and the development shall be carried out in 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. In the event that the telecommunications tower and associated antennae are inoperative and do not provide a service for a continuous period of 6 months, the structures hereby approved, shall be removed from the site and the land shall be restored, in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, within 18 months from the date on which the plant became inoperative.

Reason: In accordance with Policies P3, G4 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework, as the structures have been assessed as being harmful to the character and appearance of the area and to the Green Belt, outweighed only by the public benefit derived from the proposals. Where no public benefit is provided, the structures would not comprise sustainable development.

4. The existing telecommunication tower shall be removed from site and the site shall be restored to its former state within 28 days of the approved telecommunication tower being first brought into use.

Reason: In the interests of visual amenity. The existing mast is no longer required and its presence along with the approved mast would appear excessive on the site and to accord with policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework.

Procedure Statement

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.

Notes for Applicant:

1 - Ground Investigations and Groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 – Remedial Stabilisation and Verification Report

The Coal Authority have advised that prior to the commencement of the development (excluding the removal of the existing telecommunication tower and associated equipment) remedial stabilisation works to address land instability arising from shallow coal mining legacy will need to be carried out in full in order to ensure that the site is made safe and stable for the approved development. The remedial works shall be carried out in accordance with the Construction Industry Research and Information Association (CIRIA) Abandoned mine workings manual (Ref. C758D) (or the most up-to-date subsequent authoritative UK guidance).

A subsequent verification report will need to be submitted prior to the first use of the development. The verification report shall confirm the completion of any remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity and that the site has been made safe and stable for the approved development. The verification report shall be prepared by a suitably competent person.

Permission will required from the Coal Authority and the applicant should contact the Permitting & Licensing Team before undertaking the remedial works which will disturb Coal Authority property.

3 - Shallow Coal Seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

4 - Public Right of Way

The applicants are advised that they will have to ensure that the legitimate use of the public rights of way network in the area are available to the general public and there are no risks whilst exercising this right. It should be noted that it is an offence to obstruct a public right of way. Any work to alter the formal route of a public right of way will need to be undertaken through a separate application and work to the definitive public right of way must be dealt with legally prior to any work being undertaken. The applicant is advised to contact the Council's Public Rights of Way Officer for further guidance.

5 - Bats

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.