

APPLICATION NUMBER: 24/00911/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
24/00911/FUL

CASE OFFICER
Rosalind Gralton

DETERMINATION DATE 11.11.2024 **EXT OF TIME** 19/12/2024

Address: Land South Of Higher Moorgate Cottage, Gristlehurst Lane, Rochdale
OL10 4BJ

Proposal: Refurbishment, extension and conversion of former chicken shed into single-storey dwelling following demolition of buildings to form parking area with associated landscaping and change of use of adjacent land into residential curtilage

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

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?	NA
	Neighbour comments received?	N

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

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA DATE: 19/12/24

SITE

The site relates to a single storey building, understood to be a former chicken shed, of breeze block construction with a pitched single sheet corrugated roof. The building is visibly unoccupied. The building has a pitched, catslip roof with a low eaves height. The site comprises previously developed land.

The site is accessed to the south via an unadopted narrow lane which leads to Bury and Rochdale Old Road (B6222), where there are multiple bus stops providing routes into Bury and Rochdale centres through the Bee Network. The surroundings of the area are predominately rural, with few facilities accessible within close reach. The Bird at Birtle pub is located approximately 300m east of the access from the unadopted lane.

The site is entirely located within the Green Belt . The site is not adjacent to a heritage asset or listed building. A Public Right of Way (HeyFp100) runs north/south along the access into the site, along the eastern boundary. No trees are protected within the curtilage of the site.

PROPOSAL

The application proposes the conversion and extension of the building into a single storey dwelling. Works would include formalising the surrounding land into a residential private garden area.

The proposed works would include the increase of ridge height of the roof from 3.87m to 5.35m, and an increase on the eaves height from 1.28m to 2.45m.

The catslip style roof would largely be removed to create an asymmetrical pitched roof, with timber boarding above eaves level and natural stone facing on the main walls of the property. Existing door and window openings are utilised. Materials proposed include timber boarding, natural stone cladding, natural slate roof coverings and double glazed white UPVC.

In order to convert the existing building, a new insulated cavity wall and external stone outer skin would be created.

Landscaping is proposed on the site plan, including natural stone paving and patio, new planting along the southern boundary, gravel hardstanding. Location of proposed bin storage is detailed on plans.

An outbuilding located across the lane would be demolished and two parking spaces would be created on the retained concrete base.

Submitted calculations –

'In assessing this application, the proposed extension would increase the floor area of the building by circa 8.56% and the volume by 24.29%'

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

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-G1 Landscape Character
JP-G8 - A Net Enhancement of Biodiversity and Geodiversity
JP-G9 The Green Belt
JP-P1 Sustainable Places
JP-H3 Type, Size and Design of New Housing

Adopted Rochdale Core Strategy (CS):

SO2 – Creating successful and healthy communities

C1 – Delivering the right amount of housing in the right places

SO3 – Improving Design, image and quality of place

P1 – Improving image
P3 – Improving design of new development

SO4 – Promoting a greener environment

G4 – Protecting Green Belt

SO5 – Improving accessibility and delivering sustainable transport

T2 – Improving accessibility

DM1 – General Development Requirements

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

23/00028/FUL - Conversion and extension of former chicken shed into single storey dwelling; demolition of existing outbuilding to form parking area and change of use of adjacent land into residential curtilage – Refused 21/03/2024

86/D19943 – Conversion of one dwellinghouse into two – Grant subject to conditions 05/02/1987

CONSULTATION RESPONSES

Highways And Engineering

No objections

Env Health - Noise/Odours

No objections

Rights Of Way Officer

No comments received to date

United Utilities

No comments received to date

Building Control

No comments received to date

Lead Local Flood Authority/Drainage

Objection as a result of lack of information. Pre-commencement condition for details to be provided.

Gtr Manchester Ecology Unit

No objections, however, a shortfall of 0.03BU required to achieve 10%. An off-site contribution is required for area-based units. Planting and retention of 30 years shall be secured via condition.

The statutory biodiversity condition with an HMMP and Biodiversity gain plan required for both off and on-site measures. Whilst this does not form part of the decision notice, I recommend a note is applied to remind the developer of the requirement.

REPRESENTATIONS

The application was advertised by way of site notice and neighbour notification. No comments have been received.

ANALYSIS

Principle of residential development

Planning policy serves to direct new development to the urban area, so as to support regeneration and protect the countryside. The site is previously developed land but is within the Green Belt and therefore outside of the urban area. Policy C1 directs housing to sites that are sustainable, with good access to local services, facilities, shops etc.

The site is located wholly within the Green Belt in a rural area characterised by open hills and countryside. The site is accessed to the south via an unadopted, rural, single track lane which leads to Bury and Rochdale Old Road (B6222), where there are multiple bus stops providing routes into Bury and Rochdale centres – this is only 95m away. The surroundings of the area are predominately rural, with few facilities and local amenities accessible within close reach although The Bird at Birtle pub is located approximately 300m east of the access from the unadopted lane. As the dwelling is in close proximity to bus services, it offers its occupiers the ability to use sustainable transport modes and therefore is considered to be reasonably sustainably location.

Appropriateness of the development

The application site is located within the Green Belt as allocated under the Places for Everyone Joint Development Plan. The National Planning Policy Framework, states that *'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 permanence’.

The NPPF lists the five purposes of the Green Belt:

- 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 154 states that ‘development in the Green Belt is inappropriate unless one of the following exceptions applies of which the following is considered relevant:

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

iv. the re-use of building provided that the buildings are of permanent and substantial construction

When considering planning applications, the NPPF states that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (paragraph 153).

The submitted Green Belt Statement was prepared prior to the publication of the revised National Planning Policy Framework in December 2024. Nonetheless, the exceptions the applicant has applied for are ‘(h) iv’ which states exceptions to inappropriate development apply where in the case of the re-use of buildings where the buildings are of permanent and substantial construction, **and** the proposal would not conflict with the purpose of the green belt or cause substantial harm to the openness of the green belt, and ‘(c)’ which relates to extensions and alterations of buildings in the green belt, where it does not result in disproportionate additions over and above the size of the original building.

The application is supported by a structural survey, prepared by Healey Consulting, dated April 2022, and reviews the structural integrity of the property for conversion purposes. The survey details the external walls are built of a single blockwork skin, located on a concrete raft slab, with a single corrugated metal deck roof. The report details also that to convert the building an external skin is the preferred method of conversion however this could also be completed by internally insulating the property. The conclusion of the report states the shed could be converted into a domestic property, without the need for total demolition. The Council accept the findings of this report and do not dispute the conclusion that the building can be converted without full demolition. As such, it is considered exception (h) iv of Paragraph 154 of the NPPF is satisfied.

As part of the proposals, extensions are proposed. The agent has provided a calculation of the volume and footprint increase. The footprint increase includes the additional footprint that would be created because of the external cladding and insulation. The volume increase would be derived from the increased in eaves and ridge height. The Council’s Guidelines and Standards for Residential Development SPD, at paragraph 5.20 states normally, 35% increase in floor space or volume over and above the original dwelling, would be considered the maximum of appropriate

and not disproportionate, however caveats that the characteristics of properties and proposals vary, and therefore in some instances may be considered disproportionate. The submitted calculations show a 40% increase in volume. While this exceeds the 35% increase as stated within the SPD, the proposed building would still follow the form of the existing agricultural building and therefore Officers consider in this case that the extensions are not disproportionate. Conditions would secure details of appropriate materials to ensure the appearance of the building is acceptable. The proposed extensions, by reason of overall shape and design, does not conflict with purposes of land within it.

However, the converted building; to benefit from the exception, as stated in Paragraph 155 the development must also not conflict with the purposes of the greenbelt and must preserve its openness. As such, both elements of this are assessed below.

Impact on purposes of Green Belt

- a) to check the unrestricted sprawl of large built-up areas;

The proposal is a conversion of an existing chicken shed, and would be an isolated dwelling in the green belt without total demolition. The proposal would not result in the unrestricted sprawl of a large build up area.

- b) to prevent neighbouring towns merging into one another;

The proposal would not adjoin neighbouring towns together.

- c) to assist in safeguarding the countryside from encroachment;

The proposal would not encroach upon the countryside over and above the presence of the existing building.

- d) to preserve the setting and special character of historic towns; and

The proposal is not within the setting or special character of a historic town and would not conflict with this purpose

- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposal would utilise an existing dilapidated building in the green belt and incorporate a small curtilage of surrounding greenfield land and as such would not conflict with urban regeneration.

Impact on openness

Planning Practice Guidance provides further advice on what factors can be taken into account when considering the potential impact of development on openness. This guidance clarifies that assessing this impact requires a judgment based on the circumstances of the case in question. Furthermore, the guidance gives a number of examples where the courts have identified a number of matters which might need to be taken into account in making the assessment. In summary these include, but are not limited to:

- ☐ Openness is capable of having both spatial and visual aspects;
- ☐ The duration of the development, and its irremediability;

- ☐ The degree of activity likely to be generated, such as traffic generation or use of the land by future occupiers.

As alluded to above, openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects.

As part of the re-use of the building, the proposal would increase the height of the roof ridge and eaves height to keep the asymmetrical roof appearance however convert the building for a practical domestic use. The conversion would be facilitated by existing window and door openings, timber cladding, and soft landscaping to define the private residential curtilage. The proposed conversion would maintain an agricultural appearance of the building but facilitate the reuse of a building in the green belt. While the building will be domesticated to an extent, the appearance of the building would not result in that of a suburban dwellinghouse and would not introduce features which are harmful to the visual element of openness. The existing building is in a prominent location adjacent to the lane which is a PROW, however the proposed alterations and reuse of the building will not exacerbate the visual amenity experienced by the users of the PROW.

Spatially the proposal would convert a much larger area of land than just the chicken shed, however with landscaping, the proposed conversion would not result in an unacceptable spatial impact upon the openness of the Green Belt. As such, the proposal would be in compliance with Paragraph 154 (c), and in compliance with PolicyJP-G4 of PfE, and the NPPF.

Visual amenity / Character of the countryside

Paragraph 131 of the NPPF states 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. Rochdale's Core Strategy Policy P2 states that the Council will protect and enhance the Borough's character, including the quality of its countryside. New development is required to integrate successfully.

Policy JP-G1 of Places for Everyone states how development within a landscape character type should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to topography, geology and drainage, land use and field patterns, The area is designated as landscape character area 'Pennine Foothills (West/South Pennines).

The site has an open, rural character and is bordered by open agricultural land. The site is in a prominent location with clear views from the PROW on the unadopted access lane. The proposed dwelling would retain the same overall shape and form of the existing building, albeit raised higher to accommodate a taller headroom. The northern and western boundary of the site has a sparse timber fence which is to be retained as the boundary treatment secured to the site. The southern boundary would be screened by opaque native soft landscaping, secured via condition. The extent of residential curtilage is considered acceptable and not excessive in this rural location.

The proposed dwelling would retain the same overall shape and form of the existing building, minimal hard landscaping is proposed, and further details of materials is secured via planning condition. The proposed boundary treatment would be informal and retain the agrarian appearance of the building. The proposed dwelling would be clad in natural stone and timber boarding with a natural slate. The proposed drawings show the windows and doors to be in white UPVC. While UPVC is not acceptable as it is not sympathetic to a countryside location, details of materials will be secured via condition, with the clear wording that in any discharge of conditions submission timber or aluminium windows are expected. The existing fence would be retained along the north and the southern boundary would be screened by soft landscaping. Hardstanding including stone patio is also proposed although this is limited.

As such, subject to conditions, the proposal is in accordance with Policy P2, P3 of Rochdale Core strategy, Policy JP-P1 of Places for Everyone, and the NPPF.

Living conditions

Places for Everyone Policy JP-H3 states the Nationally Described Space Standards are to be taken into considerations when assessing new dwellings.

In this instance, the property is 3 bedrooms with a minimum bedroom size of 12.9sqm. The size of the dwelling internally is 117.9sqm. As such, the proposal meets the standards for 3 bedrooms space standard for a single storey, 6 bedspace dwelling (95sqm). The garden area in addition to this, would mean occupiers would benefit from an acceptable level of occupier amenity which is in compliance with Policy JP-H3 and the Nationally Described Space Standards.

All rooms have sufficient outlook and light, and it is not considered the occupiers would have any unacceptable level of amenity in the homes.

Access and highway safety

Policy T2 of the Core Strategy requires that development comply with the Council's car parking standards and policy DM1 requires that development provides satisfactory vehicular access with adequate parking, manoeuvring and serving arrangements, taking into account the proposed use and location. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Council's Highways Engineers' were consulted on the application and no concerns were raised. The proposed access is considered acceptable away from the main highway network. Parking arrangements and turning space is considered acceptable (this will be secured by condition), no PROW to be obstructed and no objection raised.

Ecology and Arboriculture

Paragraph 187 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have

limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 187d and 192 b) to achieve demonstrable net gain for biodiversity.

When determining planning applications paragraph 193 of the NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The application site is not allocated for nature conservation under local planning policy and nor is the site subject to any statutory or non-statutory nature conservation designations.

The application is accompanied by a Biodiversity Net Gain Metric, Bat and Bird Surveys, Preliminary Ecological Assessment and Arboricultural Impact Assessment. The Greater Manchester Ecology Unit were consulted as part of the application and raised no objection to the proposals on arboriculture or ecology grounds.

The submitted BNG assessment includes details of habitats and hedgerows lost. The applicant is seeking to deliver the majority on-site including via hedgerow creation, however there is a shortfall of 0.03BU needed to achieve 10% net gain and this will require purchasing from an off site provider or provided on other land within the applicant's control.

Specific to the hedgerow creation, the ecologist states the planting and retention for 30 years should be controlled via condition, and the statutory biodiversity net gain condition, with a HMMP and Biodiversity Gain Plan required for both on and off-site measures.

A bat survey and bird nesting survey were submitted with the application. The Council's Ecological Officers were consulted on the application. No significant issues regarding protected species were identified. An informative was recommended in respect of bats, and a condition restricting works to trees or shrubs during bird nesting season. Separate to the BNG conditions, as mitigation/enhancement for wildlife, it is proposed one bird and one bat box on the converted building be secured to the decision. A condition is proposed as such.

Accordingly, subject to condition, the scheme is considered to be acceptable in accordance with Core Strategy Policy G6, PfE Policy JP-G9 and the NPPF.

Drainage

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. Policy JP-S4 of PfE states 'an integrated catchment-based approach will be taken to protect

the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by: 2) Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants’.

The application site is within Flood Zone 1 and is not within a Critical Drainage Area. The applicant has not provided a drainage strategy. The Council’s Drainage & Flooding Officer was consulted and objected to the proposals on the absence of information, and advised the drainage strategy should be submitted. It is considered appropriate to secure drainage details via a pre-commencement planning condition.

Subject to these conditions being satisfied prior to commencement of the development, officers consider the proposed development would comply with Policy G8 of the adopted Rochdale Core Strategy and Policy JP-S4 of PfE.

Contamination

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. As part of the application the applicant has submitted a Contamination Checklist.

The Council’s Environmental Protection Officer was not consulted on the application and a proposed a pre-commencement condition relating to the submission of a Phase I Contaminated Land Report is secured via condition. Following the submission of an acceptable Contaminated Land Report, a Phase II Site Investigation and Risk Assessment is to be submitted for the Local Planning Authority approval under the same condition. A separate condition is attached to ensure a validation study is also provided and a satisfactory quality of land is provided to ensure the land properties are safe for future end users. Subject to this the requirements of the Core Strategy and NPPF are considered to have been met.

RECOMMENDATION: APPROVE SUBJECT TO 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 and documents:

Existing and Proposed Floor Plans and Elevations – 2288.01 Rev A

Existing and Proposed Site Plans – 2288.02 Rev A

Location Plan – 2288.03

Green Belt Statement – received by the Council 25/11/2024

BNG Metric

Survey and Assessment in Respect of Bat Species and Nesting Birds - Echo Calls Bat Surveys – 12/03/2022

Preliminary Ecological Appraisal – 23/08/2024 - prepared by Arbtech Consulting Ltd

Structural Report prepared by Healey Consulting

BNG Assessment prepared by Arbtech dated 5 September 2024

and the development shall be carried out in accordance with these drawings and documents hereby approved unless otherwise required by the conditions below.

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 until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

4. Notwithstanding any information submitted with the application, no development (except demolition of the garage hereby approved), shall take place until an investigation has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall comprise:

ii) where potential risks are identified by the Preliminary Risk Assessment, a site investigation survey of the extent, scale and nature of contamination and;

ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

5. No site clearance shall take place, including works to trees or shrubs or demolition, between the 1st March and 31st August in any year, unless a detailed bird nest survey has been carried out by a suitably experienced ecologist that shows that no active bird nests are present.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G8 of Greater Manchester Places for Everyone and the National Planning Policy Framework.

6. The Biodiversity Gain Plan shall be prepared in broad accordance with the BNG Assessment dated 5 September 2024 and prepared by Arbtech.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- 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,

has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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

- (a) HMMP has been implemented; and
- (b) Habitat creation and biodiversity enhancement works set out in the HMMP have been completed.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

9. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works and tree-replanting scheme have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of materials to any hard surfaced areas, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works. Works should include proposals for mixed hedgerow planting.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

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 10 years of planting shall be replaced within the next planting season by trees at a 2:1 ratio or shrubs of similar size and species to those originally required to be planted.

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 Core Strategy Policy G6 and G7 and the National Planning Policy Framework. Landscaping and tree replanting.

10. No above ground construction works shall take place until full specifications and samples on site of the materials to be used externally on the building(s) as shown on approved drawing 2288.01 Rev A, and window / door materials which shall be timber or aluminium 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. The development shall be carried out in accordance with the approved details.

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

11. Pursuant to condition 4, and prior to first occupation of any dwelling, a verification report, which validates that all remedial works undertaken on site

were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

12. The car parking to serve the development hereby permitted and as shown on plan 'Proposed Site Plan – 2288.02 Rev A' shall be constructed in full and made fully available for use prior to the development being first occupied and shall be retained thereafter for their intended purpose.

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

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:

(b)1 a Biodiversity Gain Plan has been submitted to the planning authority,

and;

(b)2 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:
 - 1.1 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:
 - iii)i the application for planning permission was made before 2 April 2024;
 - iii)ii planning permission is granted which has effect before 2 April 2024; or
 - iii)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:
 - ii)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)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).
 - 1.5 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.
 - 2.5 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).
 - 3.5 Self and Custom Build Development, meaning development which:
 - iii)i consists of no more than 9 dwellings;

- iii)ii is carried out on a site which has an area no larger than 0.5 hectares; and
- iii)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).

4.5 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:

(b)1 relates to development for which planning permission is granted,

and;

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

The matters are:

- (l)1 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;
- (l)2 the pre-development biodiversity value of the onsite habitat;
- (l)3 the post-development biodiversity value of the onsite habitat;
- (l)4 any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (l)5 any biodiversity credits purchased for the development; and
- (l)6 any such other matters as the Secretary of State may by regulations specify.

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.

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