APPLICATION NUMBER: 20/01384/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01384/FUL	Ryan Killeen	15 December 2020

Address: Land And Gardens To Rear Of 170-176 Hollin Lane, Middleton, M24 5LD

Proposal: Erection of two semi-detached, two-storey accessible/adaptive living dwelling houses with live-in carer accommodation on first floor on a rota basis, with new access, landscaping, parking and alterations to rear gardens of 170 - 176 Hollin Lane - Resubmission of 20/00586/FUL

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	Y
	Neighbour letters expired?	Y	**Press Notice expired?**	N/A

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/A

CONDITIONS	**Pre-commencement conditions proposed?**	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	

CHECKED AND SIGNED OFF BY: KN DATE: 5th January 2021

SITE

The application relates to a parcel of land to the rear of Nos. 170-174 Hollin Lane in Middleton. The land appears to have previously formed the rear garden areas of the same properties, but over time has been left to become overgrown and separated from the small yard areas to the rear of those dwellings. Access to the land parcel is presently restricted by the presence of a single storey side/rear extension at No. 170 Hollin Lane. The rear garden of No. 176 Hollin Lane lies to the north, Nos. 53-57 Kirkstall Road lie to the east and No. 166 Hollin Lane stands to the south. The site of the proposed vehicular access is set across from Nos. 159 and 163 Hollin Lane. The land slopes gradually downward in an easterly direction.

PROPOSAL

Planning permission is sought for the erection of two one and a half storey dwellings on land to the rear of nos. 170-174 Hollin Lane in Middleton. The supporting information states that the dwelling would be fully accessible / adaptive to suit the needs of a future occupier with physical and visual impairment; a property type which is identified within the planning statement as in short supply. The dwelling has been designed to comply with the Lifetime Homes Design Criteria and Rochdale Building Control Guide Approved Document M for dwellings and Lifetime Homes.

The dwelling would have a total ground floor coverage of 15.9m x 7.55m and be formed with a pitched roof with the ridgeline running on an E-W axis. The entrances to each dwelling would be sited on the west facing elevation. The properties would comprise an open plan living and kitchen/dining area, a single bedroom, bathroom, store cupboard and hallway. Private outdoor amenity space would be provided to the side of each dwelling (south and north) and two off-street parking spaces, a turning area and bin storage area would be provided to the front, accessed from a new vehicular access point off Hollin Lane. Construction materials would be red facing brickwork with design detailing, dark grey slate roof tiles and dark grey window frames and doors.

To facilitate the proposed vehicular access to the site, the existing single storey side/rear extension at no. 170 Hollin Lane would be removed.

As part of the proposal to fully utilise the available land area, the rear gardens of nos. 170-174 Hollin Lane would be extended and secured with new boundary fencing. A new off-street parking space surrounded by landscaping would also be provided for no. 170 Hollin Lane, involving the part removal of the existing front boundary wall.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO2	**Creating successful and healthy communities**
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO4	Promoting a Greener Environment
G6	Enhancing Green Infrastructure
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
DM1	General development requirements
SD1	Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):
Guidelines and Standards for Residential Development (June 2016)

RELEVANT SITE HISTORY

99/D36630	Formation of vehicular access to classified road. Granted 1999
19/00324/FUL	Erection of 1 dwelling with associated landscaping and access, together with additional access to a classified road for No. 170 Hollin Lane following demolition of rear extension at 170 Hollin Lane. Includes alterations to the rear gardens of 170 - 174 Hollin Lane. Granted 2019
20/00586/FUL	Erection of 2 no. semi-detached, 2 storey accessible/adaptive living dwelling houses with live-in carer accommodation on 1st floor, following demolition of rear extension at No. 170 Hollin Lane, together with new access to a classified road for No. 170 Hollin Lane and landscaping, parking and alterations to rear gardens of 170 - 176 Hollin Lane.

Refused on 21/08/2020 for the following reasons:

1. The proposed dwellings, by virtue of their proximity to the rear boundary of numbers 170 to 176 Hollin Lane, would result in a demonstrable loss of privacy to those existing neighours. The measured interface distances of

11.1m and 12.9m, as measured from both first floor windows set within the proposal will provide clear views into neighbouring garden areas and habitable room windows and as such falls contrary to policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

2. The proposed development, by virtue of the lack garden space provided to residents, will result in a cramped and overdeveloped site without the benefit of any useable amenity space. This lack of provision will result in amenity harm to the future occupiers of these dwellings and as such falls contrary to policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

CONSULTATION RESPONSES

Highways and Engineering – The applicant has provided ample parking for a development of this size and nature.

We are unconvinced adequate visibility at the site access. The site access is however well established and this development represents only a small intensification of use and we doubt we could sustain an objection to this development on this factor alone.

We have no sustainable objections to this proposal

Landscaping/Tree Officer - No comments received to date

Lead Local Flood Authority/Drainage: **Summary:** No objections received subject to standard conditions relating to the disposal of foul and surface water from the site and the provision of a detailed specification for the design and construction of the associated parking areas and site access

Public Protection (Environment) – **Summary:** No development shall take place until such time as a Phase I Report (Preliminary Risk Assessment) has been completed to assess the actual and/or potential contamination risks at the site and the report has been submitted to, and approved in writing by, the Local Planning Authority.

United Utilities – **Summary:** Request conditions relating to foul and surface water drainage.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice was posted in the vicinity of the site. Four letters of support were received and one letter of objection.

Objection

Loss of privacy for properties to the rear.

This is addressed in the 'amenity' section of the report.

Allegations of fraudulent support.

This report assesses the planning merits of the application upon which the outcome of the application is determined. Letters of support do not constitute a material consideration at this scale.

Support

- The proposal would be beneficial.
- Lack of such properties in the area.
- Increase in outside space
- Improve the quality of the land to the rear.

ANALYSIS

Principle of Development and Contribution to Housing Supply

The proposed application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside. Annexe 2 of the National Planning Policy Framework defines 'previously developed land' as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land in built-up areas, including private residential gardens.

As the site appears to have previously formed part of residential gardens, the site would therefore be considered to represent an area of previously un-developed, or greenfield, land. Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites and focus only on sustainable greenfield sites which provide the best access to a range of services, jobs and facilities and have limited impact on green infrastructure and amenity.

In relation to housing supply, Core Strategy policy C1 requires the provision of at least 460 net additional dwellings per year in the period 2012 to 2028 to assist in the creation of successful, inclusive and mixed communities and meet the housing needs. The policy acknowledges that this is a challenging target and whilst it seeks to ensure that the focus is on maximising the use of brownfield sites it states that the development of greenfield sites may be necessary.

Whilst the latest published information suggests that the Council can demonstrate a five year supply based on the Core Strategy target; this does not preclude the promotion of sustainable development where this can assist in delivering additional

housing to meet local needs. Therefore, whilst a five year supply can at present be demonstrated, the Council must ensure there is no ongoing deficit in supply.

On the basis that the site lies in a sustainable location with good access to public transport provision and local services, provides a form of accommodation in demand within the borough and would contribute to housing supply, the development of a greenfield site such as this for residential purposes in the urban area is acceptable in principle and in accordance with Core Strategy polices C1, C3, SD1 and the National Planning Policy Framework.

Layout, Design and Appearance

The proposed single storey dwellings would be erected on land that is currently vacant and overgrown to the rear of a short terraced row of dwellings. Whilst it is acknowledged that the proposed dwellings would not fit in with the general urban grain, there would be little impact of the proposal from the public realm and the street scene would therefore largely be unaffected. It is noted that the recently approved development to the south of the site (application ref. 16/00774/FUL) resulted in a similar impact on the general urban grain which reduces the weight that can be afforded to this consideration.

The proposed dwelling itself is not of an overly ambitious design but gives regard to the form, scale and proportions of the surrounding built environment. Further to this, the materials proposed are considered complementary to the surrounding vernacular. The layout of the proposed driveway and indicative landscaping details are appropriate for the site and would ensure satisfactory separation between the parking area of the new dwelling and the existing dwelling at No. 170 Hollin Lane. Parking areas, pedestrian access and bin storage have all been given appropriate consideration. The extension of the rear gardens at Nos. 170-174 Hollin Lane will further enhance the totality of the scheme. Changes to the front boundary treatment of No. 170 Hollin Lane to facilitate the additional access point will not have a detrimental impact on the street scene.

Subject to the suggested conditions in respect of boundary treatments, landscaping and materials, the proposed dwelling is considered to be compatible with its surroundings in terms of scale, massing, height, position and design detailing and as such would comply with the requirements of Core Strategy policies P3, C3 & DM1 and the National Planning Policy Framework

Impact on Residential Amenity

Policy DM1 of the adopted Core Strategy and Paragraph 127 of the National Planning Policy Framework requires planning decisions to ensure that new developments create a high standard of amenity for existing and future users. Further to this are the considerations of the Guidelines and Standards for Residential Development SPD which sets the requirements that all new developments should adhere to in their design and layout in order to preserve the standard of amenity enjoyed by surrounding occupiers.

Space Standards

Section 4.1 of the SPD provides space standards which would seek to ensure that new development does not result in the loss of privacy, or an unacceptable overbearing impact surrounding occupiers. The requirements are as followed:

(i) 21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage;
(ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room;
(iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The previous application fell short of the requirements of point a) which subsequently constituted a reason for refusal. This proposal has sought to address this issue through removing the front dormers with rooflights which would inhibit any significant level of outlook towards the rear facing windows of nos. 170-176 Hollin Lane.

The provision of rooflights only to the first floor living accommodation may be considered unacceptable within the context of a family dwelling, however it can be considered acceptable on balance as the supporting statement states the use of the first floor as a non-permanent accommodation for live-in carers. On this basis, the harm to the occupiers would not be so great as to constitute a reason for refusal.

This proposal has been revised since the previous application through the slight reduction in footprint of the buildings to allow for a slight increase in the available garden space, with approximately 45m^2 available for each unit. The provision of a 5m x 5m space to the side and rear would provide a suitable degree of functionality for the occupants.

Therefore, in light of the above assessment, the proposal would accord with Core Strategy Policy DM1, the SPD and the National Planning Policy Framework which amongst other things seek to ensure that developments do not adversely affect the amenity of residents through visual intrusion, overbearing impact or loss of privacy.

Highways, Access and Parking

The Council's Highways Officer considers that proposed development to have ample parking provision which can be safely accessed from the highway. A turning area would be provided so that vehicles associated with the development can enter and leave in forward gear. Whilst this would not be possible for the occupants of 170 Hollin Lane, this is an existing situation. On this basis, the proposed parking and access arrangements are acceptable and in accordance with Core Strategy policies T2 and DM1 and the National Planning Policy Framework.

Drainage and Flood Risk

Details of drainage have not been provided with the application. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way in accordance with the NPPG

hierarchy. In the event of surface water discharging to sewerage the rate of discharge would need to be restricted to the lowest possible rate. For a site of this footprint, it is typical that the flow rate is restricted to <5 l/s. Foul & surface water system shall be separate and only combined at the site's final outfall manhole i.e. in accordance with Building Regulations Part H5 (2010). Permeable hardstanding for the driveway that is specifically designed to facilitate infiltration will reduce and necessitated rainwater discharges from the site to United Utilities' combined sewer. Full details of the proposed drainage strategy, including confirmation of the acceptance of the proposed flow rate to United Utilities' combined sewer, should be secured through condition. Subject to an acceptable drainage scheme in respect of the above being submitted to and approved in writing by the LPA, the requirements of Policy G8 of the Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework would have been met.

Land 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. Consultation has been carried out with the Council's Public Protection Officer who suggests that prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) should be completed to assess the actual and/or potential contamination risks at the site and the report should be submitted to, and approved in writing by, the Local Planning Authority. Subject to an appropriate condition and subsequent actions in respect of the above, the requirements of Policy G9 of the Core Strategy and the National Planning Policy Framework in relation to land contamination would have been satisfied.

Impact on Trees, Landscaping and Biodiversity

Trees to be removed to facilitate the development must be replaced at a 2:1 ratio in accordance with Core Strategy policy G6. This only relates to one tree, identified as T2; and T3 would be removed purely for arboricultural reasons. Whilst the site is constrained, sufficient land is available to provide at least two trees, the details of which can be secured through condition. Mitigation for the hedgerow removal can also be provided through a satisfactory landscaping scheme including heavy stock native shrubs and bushes. A condition requiring no site clearance during the bird breeding season is recommended. Protection measures for existing trees should be implemented prior to construction; again to be required by a suitably worded condition. Subject to conditions and actions in respect of the above, the requirements of Core Strategy policies G6 and G7 and the National Planning Policy Framework will have been met.

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:-

- JCBD-19-159-9 Rev.1 – Location Plan, Existing and Proposed Site Plans
- JCBD-19-159-1 Rev.1 – Proposed Floor Plans
- JCBD-19-159-2 Rev.1 – Proposed Elevations

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

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

3 No development shall take place until an investigation and risk assessment 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 include:
i) a survey of the extent, scale and nature of contamination
ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Rochdale Core Strategy policy G9 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.

4 No development shall take place until a detailed scheme for the disposal of foul and surface water from the site (including surface water from the site access road and parking areas), including detail of ongoing management proposals, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance, shall be accompanied by evidence of an assessment of the site conditions and shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Details of how the drainage scheme will be maintained and managed after completion shall be provided. The duly approved scheme shall be implemented prior to first occupation of the development hereby permitted and retained as such thereafter

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, policy EM/7 of the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

5 Foul and Surface water shall be drained on separate systems.

Reason: To ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6 No development shall take place until finished floor levels for the proposed building relative to agreed off-site datum points have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details before the dwelling is first occupied.

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.

Reason for pre-commencement condition: It will be necessary to determine the finished floor level prior to any below ground excavation works taking place.

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

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

8 No part of the development shall be occupied until a detailed specification for the design and construction of the associated parking areas and site access, including detail of the surface water drainage strategy and surfacing materials, has been submitted to and approved in writing by the Local Planning Authority. The access and parking areas shown on the approved plans shall be shall be constructed in accordance with the duly approved details before the associated buildings are first occupied, and shall be retained thereafter for their intended purpose.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of highway safety and the free flow of traffic and to ensure the suitable disposal of surface water in order to comply with the requirements of policies T2, DM1 and G8 of the adopted Rochdale Core Strategy.

9 (a) 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 have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, 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.

(b) 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.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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 Policy P3 of the Rochdale Core Strategy and the National Planning Policy Framework.

10 No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in

accordance with the approved details. The structures shall thereafter be retained.

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

11 Notwithstanding the details shown on the approved Proposed Site Plan ref. JCB D-19-159-9 and the requirements of condition 2 of this permission, the dwelling hereby approved shall not be occupied until such time as a detailed design for the construction of a waste/recycling bin store has been submitted to and approved in writing by the Local Planning Authority. The duly approved facility shall be provided and made available for use before the first occupation of the dwelling and retained as such thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance with the Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016), policies DM1 and P3 of the Rochdale Core Strategy and the NPPF.

12 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

13 Development shall be undertaken in accordance with the provisions of the approved Arboricultural Method Statement by TBA Mulberry ref. TRE/170HL, dated 24th December 2018. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes A, B, C, D and E of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent overdevelopment and in the interests of amenity in accordance with policy DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

15 Within the next planting season after the felling of the trees hereby approved, a minimum of 2 no. replacement trees shall be planted within the site in accordance with details that have first been submitted to and approved in writing by the local planning authority. If any of the replacement trees are removed, die, become severely damaged or seriously diseased within five years of planting, they shall be replaced by a tree of similar size and species.

Reason: To prevent the net loss of trees and enhance green infrastructure in the borough in accordance with Policy G6 and 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. The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

3. The applicant is encouraged to view guidance to arrange for suitable and lawful waste collection on the council website at http://www.rochdale.gov.uk/pdf/2019-05-13-developer-waste-v2.pdf

Report Author Ryan Killeen