



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00770/FUL

Name and address for correspondence:	Applicant name:
Miss Rachel Baldwin RALA 11 Hackford Close Bury BL8 1XP	Mr Jonny Ainscow Improve My Golf Ltd.

Part I - Particulars of Application

Date of Application: 8 August 2024

Proposal:	The redevelopment of and alterations to the existing driving range facility comprising the provision of first floor bays, an indoor golf facility, a new adventure golf facility, a ball servant enclosure, an extension to the existing car park, widening of the main entrance and associated landscaping works.
Location:	Bowlee Golf Driving Range , Heywood Old Road, Middleton, Rochdale, M24 4TH

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 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 (unless otherwise required by further conditions below) and the development shall be undertaken in accordance with these approved details, including all details of facing materials set out in the Design and Access Statement:

- Location Plan dated 09 August 2024

- Site Location and Block Plan Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0000 Rev P00
- Proposed Ground Floor Site Plan Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0004 Rev P05
- Proposed Plans Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0005 Rev P00
- Proposed Entrance and Ancillary Spaces Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0006 Rev P05
- Proposed First Floor and Ancillary Spaces Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0007 Rev P05
- Proposed Elevations Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0008 Rev P00
- Proposed Site-wide Elevations Drawing No BDR-RALA-ZZ-XX-DR-A-(00)-0021 Rev P00.
- Landscape Proposals Drawing No 1001 dated 06.06.24
- 30m high fencing Reference DW11042302 Rev;
- Planning Statement Rev P00
- Amphibian Survey May/June 2024
- Bat Scoping Survey May 2024
- Preliminary Ecological Appraisal May 2024
- Terrestrial Mammal Survey May 2024
- High Nets Ecological Monitoring Strategy 17 September 2024
- Noise Impact Assessment Reference 11286 dated 4 July 2024
- Crime Impact Statement Ref 2024/0190/CIS/01
- Arboricultural Impact Assessment Referenced TRE/BPDRM dated 23 June 2024
- Arboricultural Method Statement Referenced TRE/BPDRM dated 23 June 2024
- Barbican Sliding Gate Details
- Design and Access Statement Part 1
- Design and Access Statement Part 2
- Design and Access Statement Part 3
- BNG Metric

Reason: To define the permission and for the avoidance of doubt.

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

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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

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

- 4 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

(i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

(ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order.

- 5 Notwithstanding the details shown on the submitted plans, all proposed car parking spaces shall be constructed using permeable materials on a permeable base and provision shall be made to direct water from any other impermeable surface to a rain garden, grass or soakaway.

Reason: In the interests of highway safety, sustainable drainage and to prevent flooding.

- 6 In line with the existing hours of operation, the use hereby permitted shall only operate between 10:00am and 22:00pm on Mondays to Fridays, between 09:30am and 20:00pm on Saturdays and between 09:30am and 17:00pm on Sundays.

Reason: In the interests of the amenity of the area.

- 7 Noise arising from any activity and cumulatively from the venue (as applicable) will not exceed 37dB(A) when measured 1m from noise sensitive receptors.

Reason: In the interests of the amenity of the area.

- 8 No works or development shall take place until the Reasonable Avoidance Measures set out within the submitted Terrestrial Mammal Survey have been implemented in full.

Reason: For the conservation of protected species (Water Vole) and to safeguard identified protected species which live within the site in accordance with Policy JP-G8 of the Places for Everyone Plan and the NPPF.

- 9 Prior to the commencement of any development, the proposed details recommended within the submitted Arboricultural Method Statement referenced TRE/BPDRM and dated 23 June 2024 shall be implemented in full and for the duration of the development.

This includes the requirement to ensure that all trees to be retained are protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

Reason: To safeguard the trees to be retained and define the consent hereby approved.

- 10 The proposed measures set out within the High Nets Ecological Monitoring Strategy dated 17 September 2024 shall be implemented in full and carried out as stated.

Reason: To safeguard the protection of birds and bats in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 11 The development shall be carried out in strict accordance with the approved Landscaping Proposal Drawing Treatment Plan drawing reference 1001 dated 06.06.2024. Prior to first use of the development hereby approved, the approved landscaping details shall be implemented in full accordance with the approved details and shall thereafter be retained.

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 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 G7 of the adopted Rochdale Core, Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

- 12 The development hereby approved shall be implemented in accordance with the recommendations within the Crime Impact Statement dated 1st July 2024.

Reason: For the avoidance of doubt and in the interests of public safety and security in accordance with Policy JP-P5 of the Places for Everyone Plan and the NPPF.

- 13 Details of any external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of the area and to minimise the possibility of inconvenience to the locality.

- 14 Prior to starting development on the construction of the proposed Hi-nets ball stop fencing, no works shall take place until full details of the materials to be used in the construction of the netting and supporting columns hereby permitted have first been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with policies DM1, P1 and P3 of the adopted Rochdale Core Strategy and NPPF.

- 15 Prior to the commencement of development, a Biodiversity Gain Plan shall be prepared in accordance with the Preliminary Ecological Appraisal as prepared by Richard Parkinson and dated May 20th 2024 and 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.

- 16 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.

The development shall thereafter be undertaken in accordance with the approved plan.

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.

17 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.

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.

Date Decision Issued 28 October 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

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:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,
- and;
- (b) the planning authority has approved the plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

For the purposes of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, a biodiversity gain plan is a plan which:

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

and;

(b) specifies the matters referred to below:

The matters are:

- (a) 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;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

ECOLOGY:

Bats can be mobile and cryptic in their habits, and can turn up in unexpected places. Under the Wildlife and Countryside Act 1981 it is an offence to capture, injure or kill a bat, deliberately disturb a bat, or damage or destroy a bat roost. Planning consent does not provide a defence against prosecution under this act. If bats are encountered at any time during works, work must cease and advice sought from a suitably qualified person about how best to proceed.

Under Section 1 of the Wildlife and Countryside Act (1981) it is a criminal offense for a person to intentionally kill, injure or take any wild bird, or damage or destroy the nest of any wild bird whilst that nest is in use or being built. Additional care should be taken through the nesting season which runs from 1st March to 31st August inclusive. If any nesting bird is found or suspected which would be affected by the development, work should cease immediately and a suitably qualified ecologist should be contacted for advice at the expense of the applicant. Planning permission does not provide a defence against prosecution under the aforementioned act.