

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/01330/FUL

CASE OFFICER

Rachel Carney

DETERMINATION DATE 07.05.2024 **EXT OF TIME** 14.08.2024

Address: Hollingworth Lake, The Pavilion Rakewood Road Littleborough Rochdale
OL15 0AT

Proposal: Installation of a high net and lower ground activity course including, timber framed shelter, storage container and 2.4m high boundary fencing and gates
(Resubmission of 22/00568/FUL)

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

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

COMMENTS	Planning Panel comments received?	n
	Neighbour comments received?	y

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

RECOMMENDATION

APPROVE

CHECKED AND SIGNED OFF BY: Melanie Hale

DATE: 14/8/24

SITE

The application site is located adjacent to the southern bank of Hollingworth Lake, located to the south of 'The Pavilion', a small café on the lake side. Access to the site is via the existing public right of way (LitFp449) which runs around the edge of the lane and leads to Rakewood Road.

The application site currently comprises an area of woodland which is located in between two rights of way (LitFp449 and LitFp448) with other undesignated track/paths crossing near the site.

PROPOSAL

Permission is sought for the installation of a high net and lower ground activity course. The applicant states that participants will get the chance to climb, roll, bounce and play on the nets course which is suspended in the air. The activity is suitable for both children and adults and would operate through a paid booking system.

The development would comprise an enclosed area accessed by two gates of 39.9m by 23.9m. Encompassing most of the enclosure, the high nets structure would have a maximum length of 26.09m and width of 18.09m and would comprise suspended nets and supporting structures that would have a maximum height of 7.64.

The nets would be supported on tower 'pods' that would be set out in three rows of 4 and one row of 3. The towers would comprise a steel frame that would be clad in timber with a timber roof and they would be set upon steel posts and supports that would be fixed to the ground. Each of the towers would be linked by various activities that would include swinging bridges, cableway bridges, net bridges, rope bridges, suspension bridges and zig zag bridges and there would also be a large bounce net suspended between four of the towers. Access to the towers would be via a steel and timber staircase.

The main site enclosure would also include a timber framed storage shelter that would measure 12.0m by 6.12m. Towards the east of the site there would be a climbing wall that would have a curved profile of two 5.0m lengths and a height of 4.0m. The application also includes the siting of picnic tables.

At ground level a 100mm deep layer of gravel is proposed. Ground activities associated with the high nets course would also take place.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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-S4 Flood risk and the water environment
JP-G2 Green infrastructure network
JP-G7 Trees and woodland
JP-G8 A net enhancement of biodiversity and geodiversity
JP-G9 The Green Belt

Adopted Rochdale Core Strategy (CS):

E5 Encouraging the visitor economy
E6 Supporting and diversifying the rural economy
C6 Improving health and well being
C8 Improving community, sport, leisure and cultural facilities
P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
G4 Protecting green belt
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity
G8 Managing water resources and flood risk
T2 Improving accessibility
DM1 General development requirements

Unitary Development Plan (UDP):

G/D/2 Green Belt

RELEVANT SITE HISTORY

22/00568/FUL - Installation of a high net and lower ground activity course including timber framed shelter, storage container and 2.4m high boundary fencing and gates – Approved by committee but withdrawn by the applicant before the decision was issued.

CONSULTATION RESPONSES

Network Rail

No comments received to date

Highways And Engineering

No objections. Whilst there is no parking provision highways are satisfied that there is sufficient public parking available in the vicinity.
Request the submission of a Construction Method Statement and a dilapidation survey.

Env Health - Noise/Odours

This section has no objections to the proposals

Tree Officer

No comments received to date

United Utilities

Advice on sustainable drainage for the site.

The site is located on United Utilities land and close to the lake. The applicant should ensure that site access for UU is retained at all times.

Environmental Control (Landfill Gas)

The submitted report is acceptable.

Rights Of Way Officer

No objections. Rights of way in the vicinity of the site should not be obstructed at any time prior, during and following the development. Any damage caused to the rights of way from construction should be repaired.

Gtr Manchester Ecology Unit

A detailed Habitat and Landscape Creation and Management Plan should be conditioned.

Full details of Biodiversity Gain should also be conditioned through a Biodiversity Gain Plan.

No vegetation should take place in the bird nesting period and the boundary fence should be ecologically permeable.

GMP - Design For Security

Confirmed no comments

British Horse Society

No comments received to date

REPRESENTATIONS

The application has been publicised with a site notice, press notice and neighbour notification letters. Nineteen letters of objection have been received and these are summarised below:

- The last application was withdrawn because it was an unsuitable site. Fail to see how moving it 30 feet makes it acceptable.
- The original site was stripped before planning permission granted and the character has been spoilt for nothing.
- Footfall around the lake has increased and at least doubled since Covid.
- The footpath is not designed to take any more traffic.
- The proposal will impact on the local riding school. Horses are flight animals and any unknown noise or environment can cause them to become scared.
- Concerned how construction traffic will access the site. The paths are narrow and not substantial enough to accommodate the weight.
- Concerns over risks to pedestrians from construction.
- The area proposed is used by families having picnics, the local primary school as an outdoor classroom and by people wanting peace and quiet. The noise created will ruin the peace of the area and wildlife.
- A small proportion will enjoy this whilst a much larger proportion will be inconvenienced by it.
- Concerns over the impact on wildlife from this proposal and would impact on the site as a nature reserve.
- The ecological appraisal identifies that two trees would be removed as a result.

- Is there a plan for parking measures to be updated and enforced. This proposal will result in people parking on double yellow lines.
- There is no business plan and the proposal will not be sustainable without it being placed close to parking.
- There is insufficient parking for the development.
- The proposal further commercialises the lake.
- This application is less organic than the last with the addition of a climbing wall overshadowing the memorial bench.
- An eight foot fence is not appropriate in the green belt.
- The application is inappropriate development in the Green Belt and does not preserve the openness of the green belt.
- The submitted green belt assessment is incorrect and there are no special circumstances that merit an exception.
- The green belt assessment incorrectly describes the site as a woodland.
- The development will harm views across the lake.
- The proposal will be an incongruous addition that will create noise and add an industrial looking fence to the natural landscape.
- The ugly structure will be visible from all angles.
- There are other locations better suited to this, such as Littleborough Park, by the visitor centre or in a town centre.
- Any more development at Hollingworth Lake should start with a safe footpath up Rakewood Road.
- More pedestrians on Rakewood Road would result in a danger to pedestrians. This is especially concerning with parties of school children.
- It is not accepted that there are good public transport links.
- The planning statement
- Due to a lack of buses PCSO's do not come to the lake. Who will police the project and antisocial behaviour that will arise as a result of this?
- Concerns that the land ownership certificate on the application is incorrectly completed.

ANALYSIS

Principle of development

The application site is located within the Green Belt. The NPPF paragraph 147 establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 149 sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt. Exceptions to this include (under para 149 b)):

- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Through the provision of a high nets course it is clear that the development would result in the provision of facilities for outdoor sport and recreation. As such, provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, it is considered that the application falls within the exception to inappropriate development in the Green Belt.

Other principle considerations

Policy E5 is also relevant to the application and this focuses on encouraging the visitor economy in the borough, establishing that the Council will promote and support development that can enhance the visitor attraction of the area covering Hollingworth Lake and Country Park (and other assets within the South Pennine Moors area and Littleborough town centre). Policy E5 then continues in establishing that we will support outdoor sport and water based recreation facilities appropriate to the location.

Policy E6 also focuses on supporting and diversifying the rural economy and establishes that, where possible, we will support proposals that enhance facilities for tourism and recreation and improve the recreational and tourist value of Hollingworth Lake (and other identified areas in the borough).

In addition to the above, policy C8 requires that we support and promote the provision of better community, sport, leisure and cultural facilities and policy C6 focuses on improving the health and well-being of the borough through supporting developments such as those which maintain and enhance the boroughs outdoor sport and recreational areas.

The Planning Statement sets out that the target market for the proposed development would be public bookings (adults and children), adventure parties, corporate bookings, school booking and youth groups. It is clear that this development would provide enhanced recreational activities around Hollingworth Lake, providing improved facilities for the local community and visitors to the area. This in turn would encourage further tourists to the area and provide facilities to aid in improving the health and well-being of the local community and supporting the local economy. The application is therefore acceptable in respect of policies E5, E6, C6 and C8 of the Core Strategy.

Impact on openness and visual amenity

Paragraphs 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. Additionally, Paragraph 139 states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

The application seeks the installation of a high nets course that would be constructed in a fenced enclosure. The high nets course would be constructed through the use of towers, between which various nets and bridges would be built. The course would also include a staircase access and within the enclosure there would also be a store, bouldering wall and picnic tables.

The design of the high nets course would be functional for its recreational need. It would be constructed of steel and timber, with the use of timber ensuring that the activity course sits comfortably within its woodland setting while the steel would ensure longevity and reduce maintenance costs compared to if the structure was entirely of timber construction. Within the woodland setting, the height of the structure and particularly the timber pods, would nestle within the surrounding trees, which would provide screening of the development, particularly in the summer months when the

trees are in leaf. Additionally, the paladin (mesh) fencing would be a functional and unobtrusive form of enclosure that would also provide security when the facility is closed and the timber framed shelter and storage container would provide essential shelter and storage in a site that would be relatively isolated from other such facilities.

Full details of materials would be required upon approval and this would include finish details of the timber structures, the steel work and colour of the fence and storage container. For the latter is expected that the climbing wall fence, gates and shelter would be painted a colour that would blend well with the surrounding landscape, such as a moss green. Full details of the proposed gravel surface would also be required.

Further to the above it is considered that the high nets course and associated development, including the climbing wall and shelter would result in an appropriately designed recreational facility that would complement the existing recreational uses around Hollingworth Lake and sit comfortably within its woodland and lakeside setting. The design of the proposal and its setting would also ensure that the development would not harm the openness of the Green Belt or conflict with the purposes of including land within it. It is therefore considered that the form and layout of the development would adequately protect the openness of the green belt and be acceptable in terms of visual amenity, in accordance with policy G4, P1, P2, P3 and DM1 of the Core Strategy and the NPPF.

Ecology and trees

Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposal will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible.

Policy G6 establishes that through development, the Council will sustain and enhance a green network to support growth and regeneration in the borough and provide a high quality environment. Through this we will support new woodland and tree planting in new developments and replace removed trees from a site at a ratio of 2:1 net gains for biodiversity or enhance public access to nature where this is possible.

Paragraph 180 of the NPPF establishes that planning decision should contribute to and enhance the natural and local environment. When determining planning applications paragraph 186 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. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measureable.

A Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment have been submitted with the application, and these reports identify that the existing site habitats comprise lowland mixed deciduous woodland and other neutral grassland. The report identifies both of these habitats to be of poor condition but also establishes that the development would result in a 2.53% gain in habitat units within the site. An Arboricultural Impact Assessment has also been submitted.

Greater Manchester Ecology Unit have reviewed the application and they have advised that both the Preliminary Ecological Appraisal and the Arboricultural Report seem to refer primarily to the site of the previous application. However, they have also confirmed

that the Biodiversity Net Gain Assessment considers the current application site and from that it is possible to infer the impacts of the new proposals on trees and ecology from the previous reports.

The application site is located close to the Hollingworth Lake Site of Biological Importance (SBI). This is designated primarily because the lake supports important bird communities. GMEU advise that the application site does not support habitat of optimal value for the notable bird species associated with the Lake, but it is possible that the proposals could cause increased disturbance to birds using the Lake and the Lake shore. To mitigate this GMEU advise that consideration should be given to the provision of new tree and hedgerow planting between the development site and the lake short, to bolster the tree lines and to provide an improved level of landscaped screening. Also, no artificial lighting of the course should be allowed.

Both these recommendations can be conditioned on approval to ensure that the development does not adversely impact on the SBI.

GMEU also confirm that the development would result in the loss of an area of relatively species poor neutral grassland and several broadland trees. They advise that compensation for the loss of these habitats would be possible but note that no details of new landscaping or enhancement of nearby habitats have been proposed as part of the application. It is therefore recommended that a further condition be attached to any approval requiring submission of a detailed habitat and landscape creation and management plan.

Biodiversity net gain became mandatory on all development sites on the 2nd April 2024, unless the proposals meet a small number of exceptions. Policy JP-J8 also expects development to achieve a measureable net gain in biodiversity of no less than 10%.

In respect of biodiversity net gain, GMEU have advised that it would be possible for the proposals to achieve an overall net gain in Biodiversity either on site or nearby. Currently the BNG Assessment proposes that this could be achieved through enhancements to nearby grassland, but GMEU suggest that new tree, shrub and hedgerow planting ought to be possible in addition to grassland enhancements. To secure these necessary enhancements, full details of biodiversity net gain should be provided in a biodiversity gain plan which can be conditioned.

In regards other matters, GMEU have advised that no vegetation clearance should take place during the bird nesting period, unless nesting birds have been shown to be absent. The design of the boundary fencing should also be ecological permeable to small mammals to allow them to pass freely across the site. Both these recommendations can be conditioned.

Further to the above, although it is acknowledged that some of the reports submitted have not been fully updated to recognise the current site location, GMEU are however satisfied that they can adequately assess the impact on ecology and trees through the information provided and that the impacts from the development can adequately be mitigated. As well as through the conditions already referenced above, mitigation should also include replacement tree planting on a 2:1 ratio, a scheme for the protection of existing retained trees, the removal of invasive species and the submission of a Construction Environmental Management Plan (CEMP). Subject to the inclusion of these conditions it is considered that the application would appropriately protect biodiversity and adequately mitigate against any losses in accordance with policies G6 and G7 of the Core Strategy, policies JP-G6, JP-G7 and JP-G8 of PfE and the National Planning Policy Framework.

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.

As detailed above, the application site is located to the south of Hollingworth Lake with no public vehicle access available and the area of woodland within which the development is proposed is located in between two rights of way (LitFp449 and LitFp448) with other undesignated track/paths crossing near the site.

Information submitted with the application confirms that there would be no vehicle access to the development site from Rakewood Road and that the site is only accessible on foot. Therefore, no increase in vehicular traffic around the lake will be as a result of the development. The application also confirms that customers will be advised to park in the County Park Car Parks and where possible be encouraged to travel by green transport methods. The nearest car park to the site is the former visitor centre car park and planned renovations to this car park will result in an additional 12-15 spaces.

Highway Services have reviewed the application and advised that they do not envisage a great volume of traffic to be generated by the proposals. Whilst the proposals have no parking provision, Highway Services are satisfied that adequate public parking is available in the vicinity. They have also confirmed that whilst the site access is shared with pedestrians, they do not envisage visitors driving along this route.

Highway Services have therefore raised no objections to the application. They have however requested the submission of a Construction Method Statement to assess how vehicle size and movements and on site parking is minimised during construction. A dilapidation survey of the access is also recommended to ensure that any damage to the access through construction is repaired.

Subject to the requested conditions, the development would satisfactorily protect highway safety and accord with the policies T2 and DM1 of the Core Strategy and the NPPF.

Amenity of other users

Concerns have been raised regarding the impact on horse riders around the site. In this respect it must be noted that there are no bridleways around the site and the closest Bridleways are located off Rakewood Road, approximately 500m from the site. Concerns have also been raised over the impact on Dickey Steps Riding School. This again is located approximately 500m from the site.

It is noted that whilst in planning terms the previous application was considered to be acceptable in respect of its impact on horse riders, the applicant has confirmed that following the Planning Committee resolution to approve the application, they made the decision to withdraw the application so that concerns such as the impact on horse riders could be further considered.

As with the previous application, given the distance to the closest bridleways and riding school it is considered that the development would not unduly impact on the safety and amenity of horses and their riders and the application is acceptable in this regard.

Concerns over the impact on other users/visitors to the site have also been raised. In particular, concerns over the impact on the tranquillity of the site have been raised including the impact on the nearby memorial bench. In this respect it is considered that the proposed use is entirely compatible with the existing Hollingworth Lake Country Park in providing an additional outdoor recreation facility. All visitors to the site must approach on foot, ensuring that no disturbances by traffic movements would be experienced and activities associated would small groups of visitors using the high net facility would be appropriate to the existing use of the site.

Further to the above it is considered that the development would not unduly impact on the amenity of other users of Hollingworth Lake and its surroundings and in this regard the application would be in accordance with policy DM1 of the Core Strategy.

Contamination

Policy G9 requires that any risks arising from contaminated land are identified and that any appropriate actions are taken. A Phase 2 Contaminated land report has been submitted with the application and reviewed by the council's Public Protection Officer. The report identified no contaminants of risk to human health and the soil on site was therefore considered to be suitable for the proposed use. The Public Protection Officer has agreed with these findings and advised that no further investigation or action is required.

Conclusion

The development of a high nets course would result in the provision of facilities for outdoor sport and recreation. The development would preserve the openness of the Green Belt and appear acceptable in terms of visual amenity. It would also have no adverse impact on highway safety or on the amenity of other users of the recreational land. Conditions are also recommended to ensure that the development would result in no significant harm to biodiversity and that appropriate tree protection and mitigation is in place.

RECOMMENDATION

APPROVE

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. The permission relates to the following plans:

Location Plan – Drawing no. P03

Existing Site Plan - Drawing no. P02

Proposed Site Plan - Drawing no. HCS0001A – Sheet 1 of 2

Proposed Site Plan - Drawing no. HCS0001A – Sheet 2 of 2

Design - Drawing no. HCS0001A – Sheet 1 of 21

Overall Dimensions - Drawing no. HCS0001A – Sheet 2 of 21

Renders - Drawing no. HCS0001A – Sheet 3 of 21

Climbing Structure Elevations – Bottom (West) – Drawing no. HCS0001A – Sheet no. 4 of 21

Climbing Structure Elevations – Left (South) - Drawing no. HCS0001A – Sheet no. 5 of 21
 Climbing Structure Elevations – Right (North) - Drawing no. HCS0001A – Sheet 6 of 21
 Climbing Structure Elevations – Top (East) - Drawing no. HCS0001A – Sheet 7 of 21
 Fence Outline - Drawing no. HCS0001A – Sheet 8 of 21
 Fence & Gate Details - Drawing no. HCS0001A – Sheet 9 of 21
 Timber Framed Shelter - Drawing no. HCS0001A – Sheet 10 of 21
 Climbing Wall – Bespoke Building Onsite - Drawing no. HCS0001A – Sheet 11 of 21
 Tower Foundation Layout - Drawing no. HCS0001A – Sheet 12 of 21
 Frame Details - Drawing no. HCS0001A – Sheet 13 of 21
 Generic Tower Design - Drawing no. HCS0001A – Sheet 14 of 21
 Tower Timber Elements Dimensions – Drawing no. HCS0001A – Sheet 15 of 21
 Top Beam Dimensions - Drawing no. HCS0001A – Sheet 16 of 21
 Fall Nets Overview - Drawing no. HCS0001A – Sheet – 17 of 21
 Bridge Overview – Drawing no. HCS0001A – Sheet no. 18 of 21
 Stairs Overview - Drawing no. HCS0001A – Sheet 19 of 21
 Large Bounce Net – Openings - Drawing no. HCS0001A – Sheet 20 of 21
 Large Bounce Net – Support Frame - Drawing no. HCS0001A – Sheet 21 of 21
 Universal Gate Product Information
 3d Images 1 – 8
 Example Activity Images

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

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

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally 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 DM1 of the Rochdale Core Strategy, policy JP-S1 of Places For Everyone and the National Planning Policy Framework.

4. Notwithstanding the details shown on drawing no. HCS0001A – Sheet 9 of 21, prior to any above ground works full details, including colour, of the boundary fence and gates, which include small mammal gaps to their base to allow the site to be ecologically permeable, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy, policy JP-S1 of Places For Everyone and the National Planning Policy Framework.

5. No surfacing works shall take place until samples and / or full specification of materials to be used 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 DM1 of the Rochdale Core Strategy, policy JP-S1 of Places For Everyone and the National Planning Policy Framework.

6. No development hereby approved (including all preparatory work) shall take place until a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, specific issues to be dealt with in the TPP and AMS shall be:

- a) Location and installation of services/ utilities/ drainage;
- b) Details of construction within the root protection area or that may impact on the retained trees;
- c) a full specification for the construction of any surfaced areas, including details of the no-dig specification and extent of the areas of surfacing to be constructed using a no-dig specification. Details shall include relevant sections through them; and
- d) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

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

Reason: To ensure that trees around the site are appropriately protected from the development, to accord with policies G6 and G7 of the adopted Rochdale Core Strategy, policies JP-G2, JP-G7 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: To avoid damage to the trees it is important that protection measures are installed prior to development commencing.

7. Notwithstanding the details shown on the approved plans, no above ground works shall take place until details of a replacement tree planting scheme (to be replaced at a ratio of 2:1) has been submitted to and approved in writing. For the avoidance of doubt the scheme shall include details of all trees to be removed, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing trees to be retained, a scheme for the timing / phasing of implementation works.

The tree planting 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 or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the adequate replacement tree planting takes place having regard to its location and the nature of the proposed development and to secure biodiversity mitigation in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, policies JP-G2, JP-G7 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

8. No above ground works shall take place until a detailed Habitat and Landscape Creation and Management Plan has been submitted and approved in writing. For the avoidance of doubt, this shall include details of compensation for lost habitat and also provide new tree and hedgerow planting between the development site and the Lake Shore and a scheme for the timing/phasing of implementation works. The development shall thereafter be completed in accordance with the approved plan and be retained thereafter.

Reason: To ensure that the development include acceptable habitat mitigation and protects the Hollingworth Lake Site of Biological Importance and to accord with policy G7 of the adopted Rochdale Core Strategy, policies JP-G2, JP-G7 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

9. No development hereby approved shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not necessarily be limited to, details of the following: - protection of retained habitats and root zones, site drainage and lighting during construction, timing of works, the location of materials/machinery and compounds and details of an on-site spill kit.

The duly approved Construction Environmental Management Plan shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit harm to the environment during the construction process and in accordance with Core Strategy Policy G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G2, JP-G6 and JP-G7 of Places for Everyone and the National Planning Policy Framework.

Reason: To ensure that any works at the site, including ground works, do not adversely impact the local environment.

10. No development hereby approved shall take place until a Construction Method Statement which details how construction vehicle size and movements shall be controlled and how on-site parking shall be minimised during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved statement.

Reason: To ensure that construction traffic does not result in undue risks to highway users, including pedestrians and to accord with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Given the existing access arrangements and high volume of pedestrians it is important that appropriate traffic management systems are in place for construction traffic before development commences.

11. 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 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 Places for Everyone and the National Planning Policy Framework.

12. No development hereby approved (including all preparatory work) shall take place until a detailed method statement for the removal or long-term management/eradication of invasive plant species on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include measures to prevent the spread of invasive plant species during any operations such as mowing, strimming or soil movement, and measures to ensure that any soils brought to the site are free of the seeds/roots/stems of any invasive plant covered under the Wildlife and Countryside Act 1981. Development and site works shall thereafter be carried out in accordance with the approved method statement.

Reason: To prevent the spread of invasive species and to protect native flora in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G8 of Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: Invasive species should be dealt with before any ground works commence.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) Part 12 (or any equivalent Order following the amendment, re-enactment or revocation thereof) no external lighting shall be installed at the site.

Reason: To protect the biodiversity of the surrounding site and to accord with policy G7 of the adopted Rochdale Core Strategy, policy JP-G8 of Places for Everyone 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

BIODIVERSITY NET GAIN

(1) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the 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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

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.

Please see informatives and notes for further information in relation to the condition, exemptions, transitional arrangements, irreplaceable habitats and the effect of 73(D) of the Town and Country Planning Act 1990.

For more information on the Biodiversity Gain Plan condition, exemptions and transitional arrangements please see Biodiversity net gain - GOV.UK (www.gov.uk) and Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)