

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/01058/FUL

CASE OFFICER

Majid Mir

DETERMINATION DATE 02.04.2024 **EXT OF TIME** 02.05.2025

Address: Calderbrook Alpacas Todmorden Road Littleborough OL15 9LY

Proposal: Erection of a stable building following demolition of the existing stable building and outbuildings and excavation of land

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

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

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

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

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: RG

DATE: 02 May 2025

SITE

The application relates to a large plot of land which is greenfield land that is used presently by Calderbrook Alpacas. The site of the proposed development is located to the south of the site. The whole of the site is located within the Green Belt.

To the west of the site is the Rochdale Canal and a number of structures that are predominantly residential. The Canal and some of the properties are non-designated heritage assets. To the east is land set on higher ground. The land appears to be used by a farm with a farmhouse sited further east. A public right of way runs along the south and east of the site.

On the site of the proposed development there are a number of existing structures which are predominantly temporary structures. These included one timber structure, one plastic structure (tent) and one trailer.

The site is also located within a critical drainage area.

PROPOSAL

The application proposes to replace the existing structures with a purpose built single storey structure. The proposed building would be constructed out of timber cladding. The building would have an 'L' form with the measurements 12.8m by 8.8m (length) by 3.8m (width). The building would have a gable roof design. The overall height of the building would be 3.1m with the height to eaves of 2.2m.

The building would consist of 2 stables, husbandry room, bin store room, tack room and feed store.

The application also proposes to excavate some of the land to allow for the construction of the proposed structure.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S6	Resource Efficiency
JP-G1	Landscape Character
JP-G2	Green Infrastructure Network
JP-G3	River Valleys and Waterways
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-P1	Sustainable Places
JP-P2	Heritage
JP-P3	Cultural Facilities
JP-P5	Education, Skills and Knowledge

JP-P6	Health
JP-P7	Sport and Recreation
JP-C1	An Integrated Network
JP-C7	Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

DM1	General Development requirements
SD1	Delivering sustainable development
SO1	Delivering a more prosperous economy
E2	Increasing jobs and prosperity
E5	Encouraging the visitor economy
E6	Supporting and Diversifying the Rural Economy
SO2	Creating successful and healthy communities
C6	Improving health and well being
SO3	To improve design, image and quality of place
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a greener environment
G6	Green Infrastructure
G7	Biodiversity and Geodiversity
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

Unitary Development Plan (UDP):

EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

86/D19157	Landscaping Footpaths And Formation Of Car Park. Decision: Approved.
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CONSULTATION RESPONSES

Canal And River Trust

Requested further information including section drawings, foundation details and drainage details. Alternatively, surface water drainage details can be condition.

Following section and foundation details:

Regarding the confirmation about the cross sections, that is fine and confirms our presumption about the sections. We are satisfied that this information addresses our original concerns.

Conservation And Design

Given the vicinity to the NDHA, a heritage statement should be submitted as part of the application.

The proposed plans indicate that the new stables would be larger but would be of approximately the same height. Given this, it is considered that the impact of the new building would not be dissimilar to the existing.

The Canal and River Trust have requested more information regarding the regrading of the land, so that the impact on the canal can be properly understood. This request is supported, as it is important that the non-designated heritage asset is not adversely affected by the works.

Subject to satisfactory resolution of the above matter, there are no heritage objections.

Environment Agency

No objection to the proposed development. However, the Environment Agency wishes to provide the following guidance:

As some of the development will be within 8m of a statutory main river, these works will require a flood risk activity permit and the specifics of the works proposed will be required to be of a standard satisfactory for this purpose. The permitting process is separate from the planning process.

Env Health - Noise/Odours

No objections to the proposal.

Gtr Manchester Ecology Unit

No evidence of bats was found during the survey and the buildings proposed for demolition was found to have no potential to support roosting bats.

The trees on the site and theoretically the structures do have potential to support nesting birds.

Although no evidence of other protected species was found, the site is potentially suitable for mammals such as hedgehog, hare and badger.

Based on the above, we would make the following recommendations:

- ❑ Any new external lighting must be designed in line with best practice guidelines (e.g. <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>) to avoid impacts on nocturnal animals such as bats.
- ❑ The Reasonable Avoidance Measures (RAMS) provided in the ecology report (Sections 6.2.2 and 6.2.3) to safeguard mammals which may be incidentally found on the site should be followed in full during the construction process.
- ❑ Work (including building demolition and any vegetation and site clearance) should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated that no active bird nests are present.
- ❑ Appropriate pollution prevent measures should be secured to ensure no negative impacts of the works on the adjacent Rochdale Canal, which is selected as a Site of Biological Importance (SBI).
- ❑ Biodiversity enhancements should be delivered by this application, in line with the measures/details identified in section 6.1 of the ecology report.

- ☐ An informative should be used so that the applicant is aware of the legal protection that certain species receive and that the granting of planning permission does not negate the need to abide by the laws that are in place to protect biodiversity. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately and an ecologist/LPA should be contacted.

Following additional information provided:

GMEU would concur with the findings of the Shadow HRA, that the proposed works are anticipated to have no Likely Significant Effects upon the South Pennine Moors SAC and South Pennine Moors SPA, and therefore the LPA can adopt the findings of this report. We would recommend that the LPA record the conclusions of the Stage 1 HRA Screening Assessment within their delegated/Committee Report.

GMEU's previous comments relating to other ecological matters remain valid.

Highways And Engineering

No objection to the proposal. The proposed development is unlikely to have any noticeable impact upon the highway once completed.

Lead Local Flood Authority/Drainage

Since it is located close to the canal and roof water will shed to the grass and then find its way to the canal. Officer concluded that there is no need for a drainage condition. Building Control will be able to review any building drainage details that are developed at the detailed design stage.

Natural England (North West Planning)

The following information is required:

- ☐ A Habitats Regulations Assessment (HRA) is required which will assess all potential impacts from all phases of the proposal on the qualifying features of the European designated sites and their conservation objectives.
- ☐ An assessment of impacts to European and nationally designated bird features and potential Functionally Linked Land (FLL) through further analysis of existing biological data and walkover survey information.

Following additional information provided:

No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Rights Of Way Officer

No comments received to date.

Tree Officer

No comments received to date.

REPRESENTATIONS

ANALYSIS

Principle of development and Green belt

The application site is located within the Green Belt. The Green Belt allocation under policy G/D/2 of the UDP has been superseded by policy JP-G9 of the PFE. No alteration to the sites designated has been made with the adoption of the PFE, with the site being retained within the Green Belt. Policy JP-G9 reiterates the purposes that are served by Green Belt designation. This policy should be read alongside the National Planning Policy Framework (NPPF).

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

Paragraph 154 of the NPPF establishes that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt unless it meets one of the exception criteria identified in the paragraph. These are:

- a) **buildings for agriculture and forestry;**
- b) **the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, 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;**
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

- v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Paragraph 155 of the NPPF states that development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where a set four criteria are met. These are:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

Paragraphs 156-157 relate to major developments or affordable housing. Therefore, the main consideration in regards to this application is assessing whether the principle of development constitutes inappropriate development within the Green Belt and, if so, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

Information submitted with the application states that the proposed building is required to replace existing temporary stables for 'permanent stables' and as such, the applicant argues that the proposal would fall under exception 'A' of paragraph 154. The Town and Country Planning Act 1990 defines agricultural uses as including horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes. No further information or evidence has been provided to confirm the agricultural use of the site.

Insufficient evidence has been provided to show that the site is used for agricultural purposes. However, the site is used by Calderbrook Alpacas. Based on information available, and through officer site visits, the site is clearly used to keep alpacas, with the primary use being recreational in nature. The site covers an area of 1.5ha with another 12ha of land to the north that is also under the ownership of the applicant. Calderbrook Alpacas allow members of the public to visit the site to walk with the alpacas within the site. Calderbrook Alpacas also offers the opportunity for groups and schools to visit the site and to walk, interact and feed the alpacas. Furthermore, it is clear that Calderbrook Alpacas has been running for multiple number of years (approximately 6 years minimum). As such, based on the information available, the proposed development can be considered as outdoor recreation and therefore fall within exception 'B' of paragraph 154.

Exception 'B' allows for certain developments as long as the facilities preserve the openness of the Green Belt and does not conflict with the purposes of including land within it. Therefore consideration needs to be given to the impact of the proposed development on the openness of the Green Belt.

Openness

Paragraph 142 of the NPPF states that ‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.’

“Openness”, for the purpose of Green Belt policy is not formally defined within planning policy or legislation but is taken to mean the absence of built development. The term “openness”, comprises a spatial and visual component which should be assessed in considering whether a proposal preserves the openness of the Green Belt.

In Paragraph 013 (Reference ID: 64-013-20250225) of the Planning Practice Guidance, it provides further advice on what factors can be taken into account when considering the potential impact of development on openness. The guidance makes it clear that when assessing this impact on the openness of the Green Belt, it requires a judgment based on the circumstances of the case. The guidance continues by providing a number of examples where the courts have identified a number of matters which might need to be taken into account in making the assessment. These include, but are not limited to:

- Openness is capable of having both spatial and visual aspects;
- The duration of the development, and its remediability;
- The degree of activity likely to be generated, such as traffic generation.

The existing structures on site are all predominantly temporary structures. These included one timber structure, one plastic structure (tent) and one trailer. These presently house the alpacas. Most of the equipment is stored within the structures or out in the open. The proposed development would replace all the existing structures with one purpose built structure and allow for it to house both the alpacas and equipment. The existing structures have a total volume of approximately 88.2m³ whereas the proposed structure would have a volume of 182.3m³. That would equate to an increase in volume of approximately 122%. However, although the proposed building would be bigger than the structures it replaces, it would consolidate all the structures in to one structure.

Like the temporary structures, the proposed building would be a single storey structure. It would be sited in the same location as the existing structures. Additionally, the land on where the proposed would be sited in relation to the rest of the site (to north) is on lower ground. To the south and to the sides of the proposed building, there are a number of trees that enclose it. To the south and south west of the site there are number of two storey buildings. These buildings are set on lower ground. The canal runs along the east and west of the site with a number of structures associated with the canal also sited to the west and south west. Further west, Todmorden Road runs north to the south and parallel to the site. Further east and north of the site, the land rises up with a number of buildings sited to the north west of the site. The defined urban area is sited approximately 30m southeast of the application site. A part of the access road to the site is located within the defined urban area.

From public vantage points, the proposed development would be visible when travelling along the Canal towpath and from Todmorden Road. The most prominent views of the proposed building will be when travelling north to south and from the west of the site. The proposed building will not be clearly visible during the months the trees are greening. However, during the months when the trees are not greening the building will be visible. However, it will be viewed in the backdrop of the

neighbouring structures to the east, south and west. Furthermore, the consolidation of the structures along with allowing for paraphernalia used with the business to be stored internally would remove the clutter and poor visual appearance of this particular part of the site. In this regard it would reduce the negative visual impact created by the clutter in the Green Belt. Furthermore, the design and materials of the proposed building would be more in keeping with an agricultural building that would be commonly found in the Green Belt. The addition of the proposed structure would have minimal visual impact.

Overall, it is considered that the proposed building would not appear more prominent and would not impact on the openness of the Green Belt any more than the existing structure.

It is therefore considered that the application would accord with policy JP-G9 of the PfE and the NPPF in regards to development in the Green Belt subject to consideration of all other material planning considerations.

Visual amenity and Heritage

The application site is adjacent to or is in close vicinity to non-designated heritage assets. The non-designated heritage assets include the Rochdale Canal (including associated structures) and neighbouring properties. As such, paragraph 216 of the NPPF is of relevance. It states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

The proposed development would see a number of structures removed and a purpose built structure constructed. The proposed structure would be a single storey structure of a similar height to the existing structures on site. However, the structure would have bigger footprint and volume than that of the combined footprint of the various structures. Overall, the design of the structure along with proposed materials (timber cladding) would not be out of character for a rural setting. Furthermore, the structure would be placed in an area of the site which is predominantly enclosed.

As noted above, the proposed building would be most visible from the Canal towpath and Todmorden Road. Both are to the west of the application site. Although the proposed building would be more visible during the months when the trees are not greening, it would be viewed in the context of its surroundings. Overall, the proposed building would not be prominent and would provide a more coherent appearance in contrast to the existing cluttered views.

The supporting heritage statement concluded that the proposed development cause no harm to the non-designated heritage assets. Taking into consideration the design, materials and siting of the proposed development, plus the removal of the existing structures, it is considered that the impact would be neutral.

As such, the design of the proposal is therefore acceptable and accords with policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, Places for Everyone Joint DPD and the NPPF.

Residential Amenity

The application site is located a sufficient distance from any residential properties so as not to result in any detriment to residential amenity with the building sited

approximately 25 metres from the curtilage of the nearest property. Additionally, the canal separates the site from any neighbouring residential properties.

Furthermore, the proposed building would not lead to a notable intensification of the existing use. Nevertheless, the use of the site would be in keeping with the rural environment. Additionally, the Council's Environmental Health Officer has raised no objection to the proposal.

It is therefore considered that the proposal would not unduly harm the amenity of any of the surrounding neighbours and is in accordance with policy DM1 of the Core Strategy and the NPPF.

Highway Safety and Public Right of Way

The application site runs adjacent to the site and connects the site with Todmorden Road. The proposed development does not propose any alterations to the Public Right of Way.

The highways department concluded that the proposed development is unlikely to have any noticeable impact upon the highway and as such raised no objection to the proposal.

It is therefore considered that the proposal would not lead to undue harm to highway safety and would accord with policy DM1 of the Core Strategy and the NPPF.

Ecology, Biodiversity and Trees

The canal is identified as a Site of Biological Importance (SBI) and the Site of Special Scientific Interest Buffer Zone (SSSI). Natural England concluded that the site could have potential significant effects on South Pennine Moors Special Area of Conservation (SAC), South Pennine Moors Phase 2 Special Protection Area (SPA) and the South Pennine Moors SSSI. As such, Natural England requested a Habitats Regulation Assessment (HRA) and an assessment of impacts to European and nationally designated bird features and potential Functionally Linked Land (FLL). Natural England requested that the HRA assess all potential impacts from all phases of the proposal on the qualifying features of the European designated sites and their conservation objectives.

Subsequently, a HRA with accompanying documentation was submitted. The HRA concluded that the screening exercise has shown that without mitigation, the proposed works are anticipated to have no Likely Significant Effects upon the South Pennine Moors SAC and South Pennine Moors SPA site. As such, further assessment in the form of a stage 2 assessment was not required. Natural England and GMEU raised no objection to the conclusion of the HRA report.

The application was also supported by an Arboricultural Report and a Preliminary Ecological Appraisal. The Arboricultural Report 5 trees and 1 group of trees with 2 trees in category 'A', 3 trees in category 'B' and 1 group of trees in category 'C'. The report however, did not recommend felling any trees and concluded that no action is required.

In regards to the Preliminary Ecological Appraisal, the following were the key conclusions from the appraisal:

- ☐ Due to the small scale of the proposed development, no adverse impacts on the nearby SBIs are anticipated.

- ☐ Bats: The appraisal found no evidence of bats. Additionally, the appraisal found that the existing structures had no potential to support roosting bats. There is however potentially suitable habitat to support commuting and foraging bats on in and around the site.
- ☐ Badgers: No field signs of badgers or of badger setts were identified onsite. However, there is potentially suitable habitat on site to support commuting and foraging badgers in the grassland habitat.
- ☐ Birds: No protected or notable bird species were identified on site. However, there is potentially suitable habitat to support nesting birds in and around the site.
- ☐ Otters: No field signs of otters or of otter holts were identified on site and there is no potentially suitable habitat on site to support otters. However, there is potentially suitable habitat adjacent to the site.
- ☐ Water Voles: No field signs of water vole or of water vole burrows were identified on site and there is no potentially suitable habitat on site to support water voles. However, there is potentially suitable habitat adjacent to the site.
- ☐ Beavers: No field signs of beavers or of beaver dams were identified on or adjacent to site and there is no potentially suitable habitat on site to support Beavers.
- ☐ Other notable species: No hares or hedgehogs were identified on site. However, the site has potential to support commuting, foraging, and hibernating hedgehogs and commuting hares in the grassland and scrub habitats.
- ☐ Invasive species: No invasive species were identified on site.

Although no evidence of protected species were identified on the site, there is however potential suitable habitats either on site or within the vicinity of the site. As such the appraisal made a number of recommendations including Reasonable Avoidance Measures (RAMS), lighting to be installed in accordance with the Institution of Lighting Professionals (2018) guidance, installation of faunal boxes and the planting of native species. GMEU raised no objection and recommended a number of conditions and an advisory note.

Further to the above, the Environment Agency raised no objection. However, the Environment Agency noted that the as some of the proposed development will be within 8m of a statutory main river, works for the proposed development will require a flood risk activity permit and the specifics of the works proposed will be required to be of a standard satisfactory for this purpose. The Environment Agency seek to remind the applicant that the permitting process is separate from the planning process.

Subject to the addition of the necessary conditions, it is considered that the proposal would accord with the relevant policies with the UDP, Core Strategy, PfE and the NPPF.

Drainage

The application site is located within a Critical Drainage Area with a small proportion of the site to the east adjacent to the canal within a 1 in 30 year risk of surface water flooding.

The Drainage Officer noted that the since the proposed building is located close to the canal, water from the roof of the proposed building would drain in to the grass and filter to the canal. The Drainage Officer therefore concluded that there is no need for a drainage condition with the detailed drainage scheme being reviewed at the building control stage. However, the Canal and River Trust has stated that the disposal of surface water from site could also impact the stability of the cutting slope.

As such, the Canal and River Trust has recommended the addition of a condition requiring surface water drainage details to be provided. The Canal and River Trust advised that any soakaways should be sited away from the cutting slope to limit any impact on its structural integrity.

Subject to the addition of the condition, it is considered that the proposal would accord with the relevant policies within the Core Strategy, UDP, PFE and the NPPF.

RECOMMENDATION Grant subject to 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:-

- Location Plan. Drawing number: 2331-01
- Existing Plan and Site Section. Drawing number: 2331-02
- Existing Plan and Site Section. Sections B-B & C-C. Drawing number: 2331-07. Received by email on 08/10/2024
- Existing Plans and Elevations. Drawing number: 2331-06
- Proposed Plan and Site Section. Drawing number: 2331-03. Rev: A. Received by email on 08/10/2024
- Proposed Plan and Site Section. Sections B-B & C-C. Drawing number: 2331-08. Received by email on 08/10/2024
- Proposed Plans and Elevations. Drawing number: 2331-04

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 saved Rochdale Unitary Development Plan, the Rochdale Core Strategy, the Places for Everyone Joint DPD and the National Planning Policy Framework.

3. Prior to the installation of the surface water drainage scheme, details of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be completed and maintained in accordance with the approved details thereafter.

Reason: To prevent an increased risk of flooding and minimising the risk of creating land stability as a result of the development in accordance with the requirements of policies G8 and G9 of Rochdale Core Strategy, Places for Everyone Joint DPD and the National Planning Policy Framework.

4. No external lighting shall be installed on the hereby approved development until a detailed scheme has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall be duly implemented in accordance with the approved details and retained as such thereafter.

Reason: In the interests of ensuring the conservation of protected species in accordance with policy G7 of the Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

5. The recommendations made for measures during the construction process as submitted in section 6.2 of the submitted Preliminary Ecological Appraisal (prepared by JCA Limited; reference number: 21680a/JF; dated: 17/01/2024) shall be adhered at all times during the construction process unless first agreed in writing by the Local Planning Authority.

Reason: In order to ensure protected species are appropriately protected from the development and to accord with the requirements of policy G7 of the Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework.

6. 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 Rochdale Core Strategy, Policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework.

7. Prior to first use of the development hereby approved, the biodiversity enhancement as recommended in section 6.1 of the submitted Preliminary Ecological Appraisal (prepared by JCA Limited; reference number: 21680a/JF; dated: 17/01/2024), shall be carried out in full and retained as such thereafter.

Reason: In order to ensure protected species are appropriately protected from the development and to accord with the requirements of policy G7 of Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework.

8. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall be undertaken in accordance with the approved details. For the avoidance of doubt, this shall include pollution prevention measures to ensure works do not adversely affect the canal.

Reason: In order to prevent an adverse impact on the natural environment in accordance with policies DM1 and G7 of the Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The condition relates to the construction phase of the development which poses a threat to the surrounding natural environment and a scheme therefore needs to be agreed in advance of any works taking place.

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. Environment Agency

The Environment Agency has advised that as some of the development will be within 8m of a statutory main river, these works will require a flood risk activity permit and the specifics of the works proposed will be required to be of a standard satisfactory for this purpose. The permitting process is separate from the planning process.

The Environment Agency have advised the applicant to contact the Environment Agency at the earliest opportunity. Further information can be found by visiting <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

2. Canal and River Trust

A canal feeder channel is present to the west of the development site. The Canal and River Trust wish to remind the applicant that they should seek to ensure that the feeder is not disturbed or flows impacted during and after the development works.

3. Bats

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). In the event that a bat is identified during the course of works, then works must cease and an ecologist should be contacted immediately. Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.

4. Birds

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).

5. Protected species

If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately and an ecologist/LPA should be contacted.