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**ITEM 3j - 21/00839/FUL – Cuerden Valley Park, Shady Lane, Cuerden****The recommendation remains as per the original report**

The following consultee responses have been received:

**Clayton-le-Woods Parish Council:** Have lodged the following objections:-

This community asset is renowned for its natural beauty and Cuerden Valley Park Trust themselves call it a '650 acre green oasis'.

This land should be safeguarded and protected from any encroaching development in line with the core strategic objective set out in chapter 7 of our local plan (protect and enhance the built and natural environment so it remains a place with room to breathe) and our policy BNE 1, E. The proposal should not adversely affect the character of a listed building and/or the character of a conservation area and/or any heritage asset including locally important areas. F).

The proposal would have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses).

**The following conditions have been amended (*include reason*):**

No.	Condition												
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>												
2.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="1"><thead><tr><th>Title</th><th>Drawing Reference</th><th>Received date</th></tr></thead><tbody><tr><td>Cuerden Valley Easement Location Plan</td><td>PEG Rev.E</td><td>08 July 2021</td></tr><tr><td>Tree Mitigation Plan</td><td>001 Rev.A</td><td>25 October 2021</td></tr><tr><td>Appendix 5 Tree Protection amended 10/21</td><td>Sht-4 of Total 8</td><td>02 November 2021</td></tr></tbody></table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Cuerden Valley Easement Location Plan	PEG Rev.E	08 July 2021	Tree Mitigation Plan	001 Rev.A	25 October 2021	Appendix 5 Tree Protection amended 10/21	Sht-4 of Total 8	02 November 2021
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3.	<p>No works to trees or hedgerows shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: Nesting birds are a protected species.</i></p>												
4.	<p>Prior to any trees works or felling associated with the development hereby approved a bat roost survey shall be supplied to and agreed in writing by the Local Planning Authority. Any necessary mitigation or method statement shall be adhered to thereafter and implemented in full unless otherwise agreed in writing by</p>												

	<p>the Local Planning Authority.</p> <p><i>Reason: Due to the presence of bats within the vicinity of the site and potential for roosts in trees to change over time.</i></p>
5.	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> <li>a) Risk assessment of potentially damaging construction activities.</li> <li>b) Identification of "biodiversity protection zones".</li> <li>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).</li> <li>d) The location and timing of sensitive works to avoid harm to biodiversity features.</li> <li>e) The times during construction when specialist ecologists need to be present on site to oversee works.</li> <li>f) Responsible persons and lines of communication.</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</li> <li>h) Use of protective fences, exclusion barriers and warning signs.</li> </ul> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To protect against harm to bats and great crested newts.</i></p>
6.	<p>Prior to any earthworks being carried out a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam shall be supplied to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to thereafter and implemented in full unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: Due to the presence of invasive plant species.</i></p>
7.	<p>Prior to the commencement of the development, a method statement setting out Reasonable Avoidance Measures (RAMS) in relation to amphibians, throughout the course of the development hereby approved shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved (RAMS).</p> <p><i>Reason: Due to the potential for disturbance of great crested newts.</i></p>
8.	<p>The development hereby approved shall be carried out in accordance with the details contained in the Appendix 5 Tree Protection amended 10/21 (Ref. Sht-4 of Total 8) and the Arboricultural Implication Assessment (AIA) and Method Statement (ref. EMB0317 / 4588/amndment) received 02 November 2021. All remaining trees must be fully safeguarded in accordance with BS5837.2012 for the duration of the site works unless agreed in writing with the Local Planning Authority.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
9.	<p>All planting comprised in the approved Tree Mitigation Plan (Ref.001 Rev.A)</p>

	<p>received 25 October 2021 shall be carried out in the first planting and seeding seasons following the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><i>Reason: In the interest of the appearance of the locality and to mitigate tree loss.</i></p>
10.	<p>A scheme for the restoration of the site and its surroundings shall be submitted prior to the commencement of the development. This shall detail any changes of ground level or landform, proposed finished levels, means of enclosure, and any minor structures in addition to the final landscaping measures including any planting or turfing. All restoration and landscaping works shall be carried out in accordance with the approved details on completion of the development.</p> <p><i>Reason: To ensure the satisfactory restoration of the site as part of the engineering operations is carried out to mitigate the impact of the development and it's impact on the appearance of the area.</i></p>
11.	<p>Prior to the commencement of the development hereby approved details of any rebuilding and repair works to the stone wall adjacent to the east side of Shady Lane shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.</p> <p><i>Reason: To ensure that the character of the lane is maintained.</i></p>
12.	<p>Prior to any works to the outfall onto the River Lostock a water vole survey to include 100m centred on the final location and working area of the outfall shall be submitted to and agreed in writing by the Local Planning Authority. Any necessary mitigation or method statement shall be adhered to thereafter and implemented in full unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: Due to the potential for water vole in the vicinity of the drainage outfall onto the River Lostock.</i></p>