

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00754/FUL

Name and address for correspondence:	Applicant name:
Mr Aiden Phillips Whalley James Campbell Associated Ltd Campbell House 173 Rochdale Road Firgrove Rochdale OL16 3BN	Mr Jordan Howe Howe Rigout and Construction Ltd

Part 1 - Particulars of Application

Date of Application: 13 May 2025

Proposal:	Change of use of the second floor of the existing commercial building from Use Class E to 4 self-contained residential apartments (Use Class C3) including the creation of a mezzanine floor and the erection of 4 x 3 bedroom terraced dwellings and 1 detached 3 bedroom dwelling
Location:	37/39 Dale Street, Milnrow, Rochdale , OL16 3NJ,

Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

Part 3 - 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:

- Site Location Plan
- Proposed Site Plan Drawing No 21.2683.24B
- Proposed Reform Club Elevations and Section Drawing No 21.2683.30A
- Proposed Site Sections 3-3 and 4-4 Drawing No 21.2683.32A
- Proposed Floor Plans Reform Club - Drawing No 21.2683.29B
- Proposed Block 1 Elevations Drawing No 21.2683.26B
- Proposed Block 1 Floor Plans Drawing No 21.2683.25B
- Proposed Block 2 Elevations Drawing No 21.2683.28C
- Proposed Block 2 Floor Plans Drawing No 21.2683.27C
- Phase 1 Geo-Environmental Risk Assessment Referenced 240105.PI.01
- Preliminary Bat Roost Assessment Report Reference CW20-1421 RPT 001
- Nocturnal Bat Survey Report Reference CW20-1421 RPT 003
- Preliminary Ecological Appraisal Report Reference CW20-1421 RPT 002
- Biodiversity Net Gain Assessment Referenced CW20-1421 BNG 001
- Arboricultural Report and Arboricultural Impact Assessment Reference 22292/ME
- Noise Impact Assessment Report Reference P7826-R1-V2 dated 7th November 2024
- Heritage Statement Dated September 2025
- Updated Heritage Note Dated 5th October 2025

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

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, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No above ground works shall take place until samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter. For the avoidance of doubt, these details should relate to windows, doors, roof slates and all elevation materials.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 4 No above ground works shall take place until full details of the alignment, height and appearance of all boundary treatments (fences and walls) to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 5 No above ground works shall take place until full product details and specifications of the proposed footbridge and pedestrian access ramp for the apartments have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 6 No above ground works shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 The two proposed rooflights to be inserted onto the rear, north facing roof slope of the Former Reform Club as shown on Drawing No 21.2683.30A hereby approved shall be of a conservation style set flush to the roof slope.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 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.

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

- 9 No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons.

The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
 - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
- The development shall be carried out in accordance with the approved remediation strategy thereafter.

No part of the development shall be occupied until a verification report demonstrating that the approved remediation has been implemented has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

- 10 Prior to the commencement of development, in accordance with the recommendation of the submitted Arboricultural Report and Arboricultural Impact Assessment Referenced 22292/ME, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how all trees proposed for retention can be suitably safeguarded. The Method Statement should also confirm the procedure for all trees to be removed and the use of geotextiles and a no-dig construction methodology where proposed hard surfaces and development may overlap with root protection areas; and how Arboricultural site supervision will be carried out where works are proposed within and immediately adjacent to root protection areas.

Reason: To safeguard the trees and vegetation to be retained.

Reason for Pre-commencement Condition: Construction works on site have the potential to impact trees from the initial stages and therefore need to be protected prior to works starting on site.

- 11 During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard and as demonstrated in the submitted Arboricultural Impact Assessment Drawing No P.2075.24.T02 Rev B.

Reason: To safeguard the trees to be retained.

- 12 Prior to the commencement of any earthworks or vegetation clearance, an updated site walkover and assessment shall be completed to establish whether any non-native

invasive species are present on site. The results of the assessment shall then be submitted to and approved in writing by the Local Planning Authority. If any non-native invasive species are identified on site, a method statement detailing the eradication or avoidance measures for such invasive species shall be submitted to and agreed in writing to the Local Planning Authority. This statement should include a management plan to avoid the spread of these and include an updated distribution map of the site. The agreed method statement shall be adhered to and implemented in full.

Reason: To eradicate invasive species and protect the biodiversity of the area.

Reason for Pre-commencement Condition: Construction/clearance works on site have the potential to cause the further spread invasive species, which therefore need to be managed sensitively prior to works starting on site.

- 13 The development shall be carried out in accordance with the mitigating recommendations contained within sections 4.3.2 (Amphibians) and 4.3.10 (Hedgehogs) of the Preliminary Ecological Appraisal Report dated November 2025 and referenced CW20-1421 RPT 002.

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

- 14 No external lighting shall be installed on any part of the development hereby approved or across the site unless and until a detailed scheme for the same has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall be designed in accordance with section 4.3.9 of the Preliminary Ecological Appraisal Report dated November 2025 and referenced CW20-1421 RPT 002 and 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 adopted Rochdale Core Strategy, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 15 All proposed planting shall be carried out in accordance with the approved details shown on Drawing No 21.2683.24B within the first planting and seeding seasons following the final occupation of the development. Any trees, plants or shrubs 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.

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.

- 16 No part of the development hereby permitted shall be occupied until a scheme of biodiversity enhancements has been submitted to and approved in writing by the Local Planning Authority. Such measure shall include, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels, hibernaculum, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways') The duly approved scheme shall be implemented in full prior to final occupation of the phase of development to which the measures relate and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with 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 The proposed development must be constructed in line with the requirements of the submitted and approved Noise Impact Assessment Report Referenced P7826-R1-V2 dated 7th November 2024 to achieve the following internal noise levels:

- o 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 30dB(A) Leq (8 hour) in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- o 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7am and 11pm;
- o 45 dB(A) LMax in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;

No part of the development hereby approved shall be occupied until such time as a verification report has been submitted to and approved in writing by the Local Planning Authority to confirm that the approved noise insulation and ventilation scheme measures have been implemented to achieve the required maximum noise levels. The noise attenuation and ventilation measures shall be retained as installed thereafter.

Reason: To protect the amenity of future occupiers in accordance with Policy G9 of the Rochdale Core Strategy.

- 18 No part of the development hereby approved shall be occupied until all vehicle parking spaces have been provided and clearly marked out in accordance with the plans hereby approved. The parking spaces shall be kept available for parking at all times thereafter and shall not be used for any other purpose.

Reason: In order to ensure there is adequate provision for vehicles to be parked and adequate turning and servicing provision clear of the highway in order to comply with Policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 19 No above ground works (other than site clearance) shall take place until full details and specifications of a renewable energy or energy saving scheme (consisting of but not limited to) solar photo-voltaic panels including large scale drawings at a scale of not less than 1:50 and / or air source heat pumps including details of their siting and appearance, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of achieving the objectives of PfE Policy JP-S2 and CS Policies G1 and G2 and in the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-S2 and JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Procedure Statement:

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Date Decision Issued 26 November 2025

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.

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: [Fees for Planning Applications in England](#)

INFORMATIVE:

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk) In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:

Whilst the works have been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

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 Borough 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 are considered to apply.

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.