

Officer Report

Case Reference: 25/00622/FUL
Location: Land Adjacent 135 - 137 Whitworth Road Rochdale OL12 0RE
Proposal: Proposed four-storey building comprising retail at ground floor, storage facilities at lower ground floor, and 2no. two-bedroom apartments at upper floors.
Recommendation: Approve with Conditions
Officer: Anna Hayes

SITE

The application site comprises a plot of vacant land situated in between the gable end of both No. 135-137 and No. 127-129 Whitworth Road just north of Rochdale Town Centre. The site is located within a designated local centre/linear commercial area according to the UDP Proposals Map and is surrounded by a mix of predominantly commercial and residential uses. The site fronts Whitworth Road to the east with access to the rear off Noon Sun Street to the west.

Surrounding buildings are predominately two storeys. A number of properties to the western side of Whitworth Road have been extended with flat roof dormer extensions to the front and rear roof planes. It is noted that there is an inconsistent mix of shop front styles along Whitworth Road with much of the traditional facades removed and replaced with UPVC shop fronts and roller shutters. However, William Hill (162 Whitworth Road, opposite) is a well-preserved example of a traditional shop front design (including traditional stall risers with window mullions/transoms and threshold). Mark Twain Public House (127-129 Whitworth Road) is situated immediately to the south and a traditional double fronted brick-built property. To the rear of the site are more recently constructed bungalows.

PROPOSAL

Planning permission is sought for the erection of a new four-storey building within the existing gap between Nos. 135-137 and 127-129 Whitworth Road. Visually, the building will appear as two storeys from Whitworth Road. The development would be mixed use, introducing a new retail unit at ground floor level with a double-fronted shop window with dedicated signage space above. The first floor will accommodate a two-bedroom apartment, while an additional one-bedroom apartment will be situated within the roof space and rear dormer extension. A basement storage room will be provided to support the retail operation.

Access to the flats will be through a separate rear entrance, with a two-storey pitched roof outrigger providing the new entry and stairway. The new enclosed yard area to the rear of the plot would also provide a dedicated area for bin storage, as well as external access to the new basement/storage area via a new staircase.

The elevation drawings indicate facing brick materials to the external elevations (Marshalls Adwick Sunrise) and dark grey slate roof tiles to the pitched roofs and rear dormer. The shop front would be aluminium framed, with aluminium framed double-glaze windows at upper floors. Boundary treatment to the rear is to be the same Marshalls Adwick Sunrise Red facing brick.

Amendments

Throughout the application process, design amendments were implemented, notably the removal of a dormer roof extension at the front of the building and a reduction in both the projection and height of the rear elevation's outrigger, and removal of flat roof design.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The development plan for the proposal consists of the Places for Everyone (PfE) Joint Development Plan, Rochdale Core Strategy (CS), adopted 2016, saved Unitary Development Plan (UDP) policies, and the Greater Manchester Joint Minerals Plan April 2013. The Council also has an adopted series of Supplementary Planning Documents and Supplementary Guidance Notes, which are other material considerations.

Places for Everyone Joint Development Plan (PfE) (2024)

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:

Sustainable and Resilient Places

JP-S1 Sustainable Development

JP-S2 Carbon and Energy

JP-S4 Flood Risk and the Water Environment

Places for Jobs

JP-J1 Supporting Long-Term Economic Growth

Places for Homes

JP-H1 Scale, Distribution and Phasing of New Housing Development

JP-H2 Affordability of New Housing

JP-H3 Type, Size and Design and New Housing

JP-H4 Density of New Housing

Greener Places

JP-G1 Landscape Character

JP-G7 Trees and Woodland

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places

JP-P5 Education, Skills and Knowledge

Connected Places

JP-C1 An Integrated Network

JP-C2 Digital Connectivity

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Rochdale Core Strategy (CS)

SO1 To deliver a more prosperous economy

E1 Establishing thriving town, district and local centres

E2 Increasing jobs and prosperity (partially replaced by PfE policies JP-J3 and JP-J4)

E3 Focussing on economic growth corridors and areas

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places

C2 Focusing on regeneration areas and economic growth/ areas

C3 Delivering the right type of housing

C4 Providing affordable homes

SO3 Improving 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 Enhancing Green Infrastructure

G7 Increasing the value of biodiversity and geodiversity

G8 Managing water resources and flood risk

G9 Reducing the impact of pollution, contamination and land instability

G10 Managing mineral resources

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Managing delivery and monitoring progress

DM1 General Development requirements

SD1 Delivering sustainable development

Rochdale Unitary Development Plan (UDP)

G/D/1 Defined urban area

G/S/1 Hierarchy and Role of Centres (to be read in conjunction with CS policy E1)

S/6 District Centre, Local Centres and Linear Commercial Areas (to be read in conjunction with CS policy E1)

Other

The following Supplementary Planning Documents (SPD) are also relevant:

- Guidelines & Standards for Residential Development SPD, June 2016;
- Design and Planning Process A Guide to Good Practice SPD.

Also, of relevance are:

- National Design Guide (2019) (Ministry of Housing, Communities and Local Government);
- National Planning Practice Guidance

RELEVANT SITE HISTORY

No recent relevant history. Historic maps (1892-1914) indicate that the site was formerly constructed upon.

CONSULTATION RESPONSES

Highways and Engineering

No objection to the proposal.

Environmental Health

No objection subject to conditions.

Greater Manchester Ecology Unit

No objection subject to conditions.

United Utilities

Confirms no comments to make on the application. Recommends that the applicant should consider their drainage plans in accordance with the drainage hierarchy as set out in the NPPF.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the application has been advertised by neighbour notification letters and site notice.

1 objection has been received. These are summarised below:

- Concern that excavating to create a basement could destabilise the public house cellar, negatively impacting its long-established business operations.
- Potential severe restriction of light to the first-floor window of the public house, creating a dark and oppressive environment for the residential apartment above.
- The Noise Impact Assessment was conducted on a typically quiet day, failing to account for higher noise levels during busy weekends when the public house hosts entertainment.
- Worries that the proximity of new flats could compromise the successful running of the public house due to inevitable increased noise complaints.
- Fear that the beer garden's enjoyment and footfall may be affected by nearby bin storage, which could cause unpleasant odours if not properly maintained.
- Limited space between the public house and the proposed development may hinder repairs or replacement of essential equipment, such as the cooler.
- The proposed narrow walkway between buildings raises concerns over safety, darkness, and the potential for anti-social behaviour.
- Lack of parking provision for new flats and the retail unit may worsen current issues, with customers parking illegally and causing obstructions on the busy main road.
- The area already has several empty retail units, questioning the need for another and suggesting that revitalising existing premises would better enhance the street scene.

Officer notes: Dedicated bin storage is provided to the rear of the plot discretely behind proposed boundary wall. Maintenance is a private matter. Others matters raised are addressed in the report below.

Ecology and Biodiversity

Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain, subject to some exceptions including

'developments below the threshold', every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

PfE Policy JP-G8 also states that through local planning and associated activities a net enhancement of biodiversity resources will be sought where relevant. Development will be expected to achieve a measurable net gain in biodiversity of no less than 10%.

In support of the application, the applicant has provided a BNG metric calculation. Greater Manchester Ecology Unit (GMEU) have reviewed the application and have confirmed the following:

- The Small Sites Metric shows that a gain of 0.008 units can be achieved on site (10.10%) through the planting of seven trees and retention and enhancement of grassland to the rear of the site. I have no reason to doubt this assessment. As such, the BNG condition can and should be applied should permission be granted. At condition stage sufficient information will be required to demonstrate how a 10% net gain will be provided, including a Biodiversity Gain Plan and final version of the BNG metric. Additionally, while the submitted gain plan states the proposed enhancements are not significant, we would disagree and recommend that a Habitat Management and Monitoring Plan (HMMP) detailing management prescriptions for a 30-year period is secured as part of the planning process – we would accept that this could be done via condition.

- Notwithstanding the above, the proposed reasonable avoidance measures for hedgehog proposed within the Preliminary Ecological Appraisal (Verity Webster, 2025) should be adhered to and secured via condition. Additionally, protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposal will impact on protected species. Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application; these could include integration of bat or bird boxes into the building on site, as per the PEA.

Officers have no reason to disagree with the above findings. Therefore, will look to recommend the following conditions:

- The statutory BNG condition be applied if permission is granted
- At condition stage, the applicant must provide a Biodiversity Gain Plan and a finalised BNG metric demonstrating delivery of the required 10% net gain.

- A condition securing a Habitat Management and Monitoring Plan (HMMP) for a 30-year period.
- A condition securing the Reasonable Avoidance Measures for hedgehog as set out in the Preliminary Ecological Appraisal (PEA).
- A condition securing biodiversity enhancement measures including bat or bird boxes, as per the PEA.

On the basis of the above, subject to conditions, Officers are satisfied that the proposal would enhance the biodiversity value of the site in accordance with local and national policy as set out in the NPPF.

Other

The land historically was formerly used for residential dwellings with the possibility of infilled cellars underground. The land was formerly owned by the Council however was disposed of on 25 March 2022. The land is still subject to a number of rights and restrictive covenants regarding ensuring that access for any existing services which service the council's land is granted, maintain the land and prevent any rights of lights issues for the council's retained land (which is at the south of the row of buildings between Grasmere Street and no 137). However, these matters do not constitute a material planning consideration and are a separate legal matter.

Contaminated Land

The Council's Environmental Control (Landfill Gas) consultee has been notified of the development. The Officer has confirmed that the area of the site itself appears to have been open space until sometime between 1848-1890 when two buildings were present on site. The area of the boiler and pump were cleared, and this site became a public house by 1890. By the 1950s, the site is shown as being two separate properties with back areas (131 and 133 Whitworth Road). Available aerial photography indicates that the site was housing by the time the photograph was taken (1948). On the basis of the submitted information and in order to ensure the safe development of the site in the interests of the amenity of future occupiers, a condition is recommended requiring the submission of a land contamination investigation and risk assessment to be submitted for approval. On the basis of the above, Officers have no reason to disagree and subject to a suitably worded condition, the proposal would be considered 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.

Principle

As set out in PfE policy JP-J1, a thriving, inclusive and productive economy will be sought in all of the nine boroughs of Greater Manchester (forming part of the Places for Everyone Joint Development Plan).

The site falls within a designated Local Centre, which along with designated Town Centres and District Centres under UDP policy G/S/1, will be promoted as a principal location for shopping, offices, other commercial uses, entertainment, leisure, cultural and community facilities (as well as the main town centre, other town centres and district centres). Local Centres in particular serve, or have the potential to serve, the day-to-day shopping requirements of surrounding areas within a short walking distance of them.

The proposed development comprises a small retail unit with residential accommodation above which would infill a gap site within a designated Local Centre. The addition of a new retail unit to this parade of shops would be appropriate to its setting, in terms of its size and role within its catchment area. The proposed Class E(a) unit at ground floor level would continue to support meeting local shopping needs in an existing local centre and so is compliant with CS Policy E1.

The addition of residential accommodation above the ground floor retail unit would create a mixed-use development which supports the aims and aspirations of the NPPF in promoting social interaction (p.96) and making the effective and efficient use of land (p.124).

The ground floor intended use is Class E(a) and the proposed opening hours are 08:00 to 22:00 Monday to Saturday and 09:00 to 18:00 on Sundays and Bank Holidays.

Overall, there are no objections to the principle of the development and Officers are satisfied that the proposed development would not adversely affect the vitality and viability of the established local centre, subject to full consideration of the following development control issues.

Design

One of the core planning principles of the NPPF is to always seek to secure high quality design. Paragraphs 131 and 135 of the NPPF state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Good design will improve the image and attractiveness of the borough as a place to live, work and visit. Locally, CS policy P3 requires all new developments, including associated landscaping, regardless of location in the borough, to adhere to high standards of design and goes on to list relevant design principles. Further to this, CS policy DM1 sets out general development requirements and details a list of criteria which all development proposals will be expected to demonstrate compliance, including the need for high quality design.

The proposed building would be attached to the south-facing side of 135-137 Whitworth Road. Initially, the plans included a front-facing dormer, which would have

created a visually prominent and unattractive feature in the streetscape. While neighbouring properties do have dormers, these are historic and differ in style; the new dormer would have unacceptably stood out and disrupted the established rhythm and character of the frontage. This difference, along with its forward-facing placement, would have negatively impacted the visual quality of the area. Following design negotiations, the front dormer was removed and replaced with a sympathetic rooflight.

Originally, the proposed plans also included a three-storey flat-roofed outrigger to the rear elevation. By reason of its scale, height and roof form, the outrigger would have appeared overly bulky and visually dominant. Although located to the rear, this elevation is highly exposed within the street scene and directly faces a bungalow with front-facing habitable room windows, making the outrigger particularly prominent. The flat roof design also conflicted with the pitched roof and dormer roof arrangement of the proposed main building, resulting in a discordant and poorly integrated addition. Whilst it is typical for properties along this row to extend outward at the back, the existing examples are all two storeys in height (or lower), preserving the consistent two-storey eaves height. Consequently, design amendments were secured to maintain the rear flat access, but to reduce the height, rearward projection and roof form of the outrigger. The revised plans now achieve an acceptable and sympathetic design.

The proposed building's ridge line will align with that of the adjoining property at 135-137 Whitworth Road, ensuring consistency. While the proposal will exceed the height of the adjacent public house, an appropriate separation will be maintained to clearly distinguish between the two buildings.

The proposed shop front adopts a traditional style with the inclusion of a brick stallriser and slim aluminium frames. The proposed signage placement is also consistent with the adjoining retail units, furthering uniformity within the street scene.

The proposed materials are acceptable in principle, particularly the use of natural slate in the roof and dormer construction and aluminium window frames at upper floors. To ensure a suitable match visually, it is recommended that samples are secured prior to the commencement of any above ground works.

Overall, subject to conditions, the proposals are found to be acceptable in relation to visual amenity and compliant with P1, P2, P3 of the Rochdale Core Strategy as well as design policies contained within the NPPF and PfE.

Residential Amenity

Existing residential amenities

At paragraph 135, the NPPF outlines the importance of planning in securing good standards of amenity for future and existing occupiers of land and buildings. Core Strategy policies DM1, G9, C1 and C6 cumulatively seek to reduce air and noise pollution, and DM1 in particular requires development to not adversely affect the

amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Although it is expected that most new developments will have some impact on neighbours, it is important to ensure that the impact is not so significant that it results in unacceptable harm. As a standard, between new development and existing housing, a base line distance of 21m should be retained to help preserve an acceptable standard of living accommodation for the existing occupiers. Paragraph 4.3 of the 'Guidelines and Standards for Residential Development SPD' does state however that exceptions to these prescribed standards may be acceptable in some circumstances and therefore applications will be considered on their individual merits.

The proposed development would maintain the same building line along Whitworth Road and therefore maintain existing separation distances on this infill site. In acknowledgement of the established character and density of the surrounding area, Officers are satisfied that a reduced distance on the street frontage can therefore be accepted in this instance.

The building line along Noon Sun Street to the rear/west of the site is much less defined with staggered/projecting rear elevations of varying heights. For the most part, the proposed building would fall in line with the neighbouring buildings and therefore the separation distance can be accepted. A new Juliet balcony would be situated to the rear elevation at first floor level. Due to the restricted movement that a Juliet balcony permits (compared with a standard balcony), officers are satisfied that there would not be unacceptable loss of privacy to neighbours from this window opening.

To the side elevation of 135-137 Whitworth Road, also owned by the applicant, there are windows and soil and vent pipes. To accommodate the proposed development, these will be relocated and there will be modifications to the internal layout, as described within the supporting Planning Statement. The proposed arrangement appears acceptable, and the proposal would not unduly comprise the living conditions of the neighbouring occupiers.

Officers note the objections received referring to the potential loss of light to a first-floor window to the adjacent public house/residential flat. To the side elevation of the public house there are no first-floor windows, only a ground floor obscure glazed window – assumed to not serve a habitable room. The obscure glazing already limits the amenity offered to this room.

Future Occupiers

The Government's technical housing standards – nationally described space standard document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

The proposals for a 2-bedroom, one storey flat and a 1 bedroom, 1 storey flat both meet the required minimum standards and all habitable rooms have access to natural light and ventilation. It is therefore found that both apartments would provide for a good standard of amenity and living conditions.

Environmental Health have been consulted and have reviewed the noise assessment prepared by Enevo, Reference: 22356v2, Dated: January 2026. The Environmental Protection Team have no objections subject to the mitigation measures stated in the noise assessment prepared by Enevo, Reference: 22356v2, Dated: January 2026. Objections relating to potential noise complaints are acknowledged, however, subject to the noise mitigations as stated within the NIA as approved by the Council's Environmental Health consultee, Officers are satisfied that the relationship between the proposed development and the adjacent public house is acceptable (having regard to the agent of change principle, as set out in paragraph 200 of the NPPF). It is also noted that residential uses already existing in close proximity to the public house on Noon Sun Street and the proximity of the proposed residential uses is not materially different.

The proposal is therefore considered to be in accordance with Core Strategy policy DM1 and paragraph 135 of the NPPF in regard to amenity.

Access and Highway Safety

Paragraph 116 of the NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and, in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

The Local Highway Authority have been consulted on the application and raise no objections.

There is a paved footpath which runs through the site. According to the Council's records, this is not a deemed public right of way. It is noted that a new narrow route is to be created adjacent to the Mark Twain premises. This route is narrow and not overlooked and is considered to be unsafe. With no obligation to retain this route for the public, it is requested that this route is gated with free access granted to the neighbouring property. This aligns with concerns raised by the objector and it is therefore recommended that a condition is attached requiring details of a new gate/ boundary treatment to be submitted for approval.

On the recommendations of the LHA above, Officers have no reason to disagree and consider the proposal to be acceptable in regard to highway safety and would not be in conflict with p116 of the NPPF and Policy T2 of the Core Strategy.

Recommendation: Approve with Conditions

Condition(s) (13)

- 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 development hereby approved shall be carried out in accordance with the following drawings and documents hereby approved unless otherwise required by the conditions below:

Plans

Drawing 'Proposed Plans 01' revision C received 13.02.2026 (Proposed Floor Plans and Roof Plan)

Drawing 'Proposed Plans 02' revision C received 13.02.2026 (Proposed Elevations)

Drawing 'Proposed Plans 03' revision C received 13.02.2026 (Proposed Elevations with street scene)

Drawing 'Proposed Plans 04' revision C received 13.02.2026 (Proposed Site Plan)

Documents

Noise assessment prepared by Enevo, Reference: 22356v2, Dated: January 2026.

Reason: For the avoidance of doubt and to ensure a satisfactory development in accordance with the policies within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 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.

- 4 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to, and approved in writing by, the local planning authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and include:

- a) a non-technical summary;

- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the

approved Biodiversity Gain Plan, including a timetable for its implementation and completion;

d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

The created and/or enhanced habitat specified in the approved HMMP shall be completed, managed and maintained in accordance with the approved HMMP.

Notice in writing shall be given to the Council when the:

a) HMMP has been implemented; and

b) habitat creation and enhancement works as set out in the HMMP have been completed.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policies G6 and G7 of the adopted Rochdale Core Strategy and JP-G8 of the adopted Places for Everyone Joint Development Plan.

Reason for Pre-commencement: The HMMP will be required as part of the arrangements to be approved under the statutory BNG condition which requires submission of the Biodiversity Gain Plan prior to commencement of development.

- 5 The development shall be carried out in full accordance with the hedgehog Reasonable Avoidance Measures set out within the Preliminary Ecological Appraisal (Verity Webster, 2025). These measures shall be implemented for the duration of the construction phase.

Reason: To minimise potential harm to hedgehog, a species protected under the Wildlife and Countryside Act 1981 (as amended), and 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.

- 6 No part of the development hereby permitted shall be occupied until a scheme of biodiversity enhancements pursuant to that phase of development 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. 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

- 7 No above ground works shall take place until such time as a detailed specification and/or samples of materials to be used externally in the construction of the development have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the duly 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.

- 8 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.

- 9 Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority. Any structures shall be installed in accordance with the

approved details prior to the first occupation of the approved development and retained 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.

- 10 No above ground works shall take place until details of a gate to be installed at the entrance/exit point to the realigned pedestrian route adjacent to the Mark Twain premises shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the design and location of the gating and arrangements to ensure continued access for maintenance. The gate shall be installed in accordance with the approved details prior to the route being brought into use and shall be retained for the lifetime of the development.

Reason: To ensure the safety and security of users of the route 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.

- 11 The development hereby approved shall be constructed in accordance with the noise mitigation measures set out within report reference 22356v2, Dated: January 2026 (submitted noise impact assessment). No part of the development 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 ventilation and acoustic measures have been implemented to achieve the required maximum noise levels. The noise attenuation measures shall be retained as installed thereafter.

Reason: To safeguard the amenities of residents in order to comply with the requirements of Policies G9 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.

- 12 Notwithstanding the provisions of the Town and Country Planning (Use classes) Order 1987, (as amended), and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any equivalent Order following the revocation and re-enactment thereof, the ground and lower ground floor of the building hereby approved shall only be used for the purposes described within Use Class E (a) and for no other purpose including other uses within Use Class E.

Reason: To ensure that the use of the premises remains appropriate to the character and function of the area and to safeguard the amenities of neighbouring occupiers, in accordance with policy DM1 of the adopted Rochdale Core Strategy, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 13 The Class E(a) use hereby permitted at the ground and lower ground floors shall not be operated outside the hours of 08:00 to 22:00 Monday to Saturday and 09:00 to 18:00 on Sundays and Bank Holidays.

Reason: To protect the amenity of nearby occupants and in accordance with policies G9 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.

Approval Reason(s) (1)

- 1 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.

Informatives

- 14 INFORMATIVE:
The applicant is reminded of the need to submit and obtain formal approval of details required by conditions of this planning permission before development lawfully commence on the site. The formal discharge of a planning condition is subject to payment of an additional fee.
- 15 INFORMATIVE
The applicant is advised that protected species can be present in unexpected locations, and the granting of planning permission does not remove the need to comply with all relevant wildlife legislation. Should any protected species be found or suspected at any stage of the works, the applicant must cease work immediately and seek advice from a suitably qualified ecologist before proceeding, to ensure compliance with the laws in place to safeguard biodiversity.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority,

and;

(b) the planning authority has approved the plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

*original planning permission means the permission to which the section 73 planning permission relates"" means a planning permission which is the first in a

sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

For the purposes of paragraph 13 (a) above, 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 in sub-paragraph 14(2) below:

The matters are:

(g) 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;

(h) the pre-development biodiversity value of the onsite habitat;

(i) the post-development biodiversity value of the onsite habitat;

(j) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;

(k) any biodiversity credits purchased for the development; and

(l) any such other matters as the Secretary of State may by regulations specify.