ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 20/01083/FUL

Name and address for correspondence:	Applicant name:
Philip Lambert philip lambert architecture 3 Eastbourne Grove BOLTON BL1 5TR	Mr Lajos Horvat

Part I - Particulars of Application

Date of Application: 16 December 2020

Proposal:	**Change of use of vacant building to 6 no. 1 and 2 bedroom apartments including re-installation of windows to north-east and south-east elevations**
Location:	**1 Whitehall Street, Rochdale, OL12 0LF**

Part II - 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 The development hereby approved shall be carried out in accordance with the drawings and details hereby approved before any of the apartments hereby approved are first brought into use and retained thereafter:

- Site Location Plan
- Existing Site Plan - 00-02
- Existing Basement floor - 00-03
- Existing Ground Floor - 00-04
- Existing first floor - 00-05
- Existing Second Floor - 00-06
- Existing Attic Plan - 00-07
- Existing Roof Plan - 00-08

- Existing south east elevation - 00-09
- Existing North east elevation - 00-10
- Existing Section A-A
- Proposed Basement floor - 01-03 Rev E
- Proposed ground floor - 01-04 Rev F
- Proposed first floor - 01-05 Rev E
- Proposed second floor - 01-06 Rev E
- Proposed north east elevation - 01-10 Rev A
- Proposed south east elevation - 01-09 Rev A
- Proposed attic - 01-07 Rev E

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

3 No works shall take place until full details of the windows, external doors, and rooflights including sections at a scale of not less than 1:20 to demonstrate: the longitudinal and cross-sectional detailing, and means of opening together with any finished treatment, including samples if so required, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details before the flats are first occupied and thereafter so maintained. For the avoidance of doubt the double glazed units shall be of slim profile, measuring below 14mm front to back and the glazing bar design shall replicate those at No. 3 Whitehall Street. The windows shall be constructed of individual panes of glass sitting within the glazing bars and transoms.

Reason: To protect the character and appearance of the Rochdale Town Centre Conservation Area, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Details are required to protect the architectural and historic interest of the building.

4 The flats hereby approved shall be designed and constructed to ensure that indoor noise levels do not exceed:

- 35 dB(A) Leq (1 hour) in bedrooms with windows shut and other means of ventilation provided between the hours of 07:00 and 23:00;
- 30 dB(A) Leq 5 (5 minutes) in bedrooms with windows shut and other means of ventilation provided between the hours of 23:00 and 07:00;
- 35 dB(A) Leq (1 hour) in living rooms with windows shut and other means of ventilation provided between the hours of 07:00 and 23:00;
- 40 dB(A) Leq (1 hour) in all other habitable rooms with windows shut and other means of ventilation provided at all times.

Prior to the first occupation of each dwelling hereby approved, an acoustic verification report shall have been first submitted to and approved in writing by the Local Planning Authority, confirming that the above levels have been achieved.

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 No development shall take place until the existing structures and surrounding site are inspected for visual/olfactory evidence of contamination and a report submitted to the Local Planning Authority for approval containing the following information:

- the nature and integrity of existing floors and hardstanding;
- any evidence of the storage of potentially contaminating substances;
- any visual / olfactory evidence of contamination within or surrounding the buildings;
- photographic evidence of the findings.

If any evidence of possible contamination is identified proposals for its removal shall be submitted to the Local Planning Authority for approval in advance for the further investigation and/or removal of the contamination. The occupation of the building/site shall not commence until the contamination has been treated to the written satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: This application proposes conversion of the building. This condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment

6 None of the flats hereby approved shall be occupied until the existing flue to the rear of the property is fully removed and the building restored to its former condition.

Reason: To protect the character and appearance of the Rochdale Town Centre Conservation Area, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 None of the flats hereby approved shall be occupied until the metal railings to the front of the site are refurbished and colour treated black RAL 9005, the railings shall be retained as such thereafter.

Reason: To protect the character and appearance of the Rochdale Town Centre Conservation Area, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy 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 22 April 2021



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Signed on behalf of the Council

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: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:
The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries

(shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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 but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:
Bats are protected under the Wildlife and Countryside Act and Conservation Regulations. Bats can, and do, turn up in unlikely places. If bats are found or suspected at any time during the course of any approved development then works must cease and advice sought from a suitably qualified person about how best to proceed. All UK bats and their resting places are legally protected. For more advice, please contact the Bat helpline on 0345 1300 228.

The applicant should refer to the developer's waste collection policy guidance available on the council's website, http://www.rochdale.gov.uk/pdf/2019-05-13-developer-waste-v2.pdf.