

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00098/FUL

|                                                                                                              |                                      |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Name and address for correspondence:                                                                         | Applicant name:                      |
| Mr M Farooq<br>Building Design Services<br>Building Design Services<br>6 Stock Close<br>Rochdale<br>OL12 6BB | Leigh Orielly<br>Orb reality limited |

### Part I - Particulars of Application

Date of Application: 14 March 2023

|                  |                                                                                                                                                                                             |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Change of use of first and second floor storage space into a one bedroom self-contained flat including alterations to fenestration on all elevations (re-submission of 22/01308/FUL)</b> |
| <b>Location:</b> | <b>65 Oldham Road, Rochdale, OL16 5QR</b>                                                                                                                                                   |

### 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 This permission relates to the following plans and documents:

Location Plan  
Received 30th January 2023

Acoustic Survey and Assessment, by Martin Environmental Solutions Ltd, dated March 2023, Report No: 2462-1

Received 13th March 2023

Drawing No: A 1953-3 - Proposed Elevations and Section  
Received 14th March 2023

Drawing No: A 1953-2 - Proposed Floor Plans  
Received 2nd May 2023

and the development shall be carried out in accordance with the approved drawings.

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 The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms (brickwork to match existing, tiles and UPVC windows and doors).

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 4 The dwelling hereby approved shall be constructed in line with the design detail in the approved Acoustic Survey and Assessment, by Martin Environmental Solutions Ltd, dated March 2023, Report No: 2462-1, to achieve the following internal and external sound levels:

- o 35 dB(A) Leq (1 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 30dB(A) Leq 5mins in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- o 35 dB(A) Leq (1 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 40dB(A) Leq (1 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

The flat shall not be occupied until validation testing has been undertaken and the results submitted to and approved in writing by the LPA to ensure the required sound levels are being achieved.

Reason: To protect the amenity of future occupants of the proposed development in accordance with policy DM1 of the adopted Rochdale Core Strategy and the Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

- 5 The dwelling hereby approved shall not be occupied until such time as the proposed bin storage area as indicated on Drawing No: A 1953/3 - Proposed Elevations and Section has been provided and made available for use. The facility shall thereafter be retained for its intended purpose.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance Policy 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            9 May 2023

Daniela Ripa  
Interim 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: £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](http://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](mailto:environmental.management@rochdale.gov.uk) for a quotation for your development.

**INFORMATIVE:**

Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link:  
<https://www.gov.uk/wildlife-licences>