

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 21/01481/FUL

Name and address for correspondence:	Applicant name:
Mr Mohammed J Akhtar 1 Stratford Avenue Rochdale OL11 3RA	Mr Mohammed Shabir

Part I - Particulars of Application

Date of Application: 30 November 2022

Proposal:	Erection of first floor rear extension over existing ground floor car park, removal of existing pitch roofs and creation of new flat roof area to accommodate new minaret, dome and photovoltaic panels, two storey front extension, two storey side extension, installation new bespoke rain water collection and filtration tank for ablution rooms and collection of used water & filtration tank for wc flushing and installation of new ground source and air source heat pumps.
Location:	Al-Quba Mosque, Copenhagen Street, Rochdale, OL16 2HD

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:-

Amended Site Location Plan - Dwg Nr: P2103.001 Rev 2 Received by the Council 22nd March 2023

Proposed Car Park 3 - Dwg Nr: P2103.013 Received by the Council 10th March 2023

Proposed Street View - Dwg Nr: P2103.010 Received by the Council 10th March 2023

Proposed Section Through - Dwg Nr P2103.007 Received by the Council 10th March 2023
Proposed 3D Street View-1 - Dwg Nr P2103.011 Received by the Council 10th March 2023
Proposed 3D Street View-2 - Dwg Nr P2103.012 Received by the Council 10th March 2023
Proposed Floor & Roof Layout - Dwg Nr P2103.006 Received by the Council 10th March 2023
Proposed North & East Elevations - Dwg Nr P2103.013 Received by the Council 10th March 2023
Proposed South & West Elevations - Dwg Nr P2103.009 Received by the Council 10th March 2023
Existing and Proposed Site Plan - Dwg Nr P2103.004 Received by the Council 10th March 2023
Existing & As Proposed Drainage Layout - Dwg Nr P2103.005 Received by the Council 10th March 2023

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

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 Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No development shall commence beyond foundation level until a schedule and samples (provided on the site for inspection) of the materials to be used in the construction of the external surfaces of the development hereby permitted have 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 and thereafter maintained in accordance with the approved details.

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 development hereby approved shall be constructed in accordance with the noise mitigation measures set out within Noise Assessment Revision A, Prepared by MJA Dated 19th April 2023, received by the Council 20th April 2023. 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 including within any replacement windows.

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 and the National Planning Policy Framework.

- 5 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be brought into use until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by

trees or shrubs of similar size and species to those originally required to be planted.

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 policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the building and extension hereby permitted, the windows on all elevations, shall be fixed shut with textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter including within any replacement windows.

Reason: In the interest of amenity and in compliance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 The flat roof area of the development hereby approved shall not be used as a balcony, roof garden, terrace or similar amenity area.

Reason: In the interests of safeguarding the amenity of the occupiers of neighbouring residential properties in accordance with Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 8 Notwithstanding any description of solar panels in the application, these shall not be installed, until full specifications 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 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.

- 9 The development hereby approved shall not be brought into use until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

- 10 Notwithstanding the plans hereby approved, the building shall not be brought into use until such time as secure storage facilities for bicycles within the site have been provided within the site, in accordance with details to have first been submitted and approved in writing by the Local Planning Authority. The duly approved bicycle storage facilities shall be retained and kept available for that use thereafter.

Reason: To ensure that adequate and satisfactory provision is made for bicycle parking and in order to encourage alternative modes of travel to the site apart from the motor car or other motorised vehicles, in accordance with Policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework

- 11 No development shall take place until a plan to show existing and proposed external ground levels relative to agreed off-site datum point(s), finished floor levels, and heights of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

Reason for pre-commencement condition: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

- 12 No development shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

- 13 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 and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 14 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.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 15 No development shall commence on site, including any works of demolition, until a site specific Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction;
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with PolicyDM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement:

In approving this application, Members consider that notwithstanding elements of conflict with the development plan, that on balance it would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 22 June 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.