

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 25/00314/FUL

Name and address for correspondence:	Applicant name:
Lynsay Ewart Paul Butler Associates 31 Blackfriars Road Salford M3 7AQ United Kingdom	Mr Noah Fletcher Cassel & Fletcher

Part 1 - Particulars of Application

Date of 23 April 2025
Application:

Proposal:	Change of use of first and second floors from vacant commercial floorspace to 10no. residential apartments (use class C3) and external alterations including new window openings and associated ground floor cycle storage and external bin storage
Location:	1 Drake Street, Rochdale, OL16 1RE,

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:-

Plans:

BM/0125/DRAKE/ PL5 Rev. B (Proposed Site and Ground Flood Plan/ Area Schedule)

BM/0125/DRAKE/ PL6 Rev. E (Proposed First Floor Plan)

BM/0125/DRAKE/ PL7 Rev. F (Proposed Second Floor Plan)

BM/0125/DRAKE/ PL9 Rev. A (Proposed Front and Side Elevations)

BM/0125/DRAKE/ PL10 Rev. D (Proposed Rear Elevations 2)

BM/0125/DRAKE/ PL11 Rev. C (Proposed Cross Section AA')

BM/0125/DRAKE/ PL12 Rev. D (Proposed Cross Section AA' and Roof Plan)

BM/0125/DRAKE/ PL16 (Proposed Long Section BB')

Documents:

Noise Impact Assessment prepared by SBM Safety Solutions, Reference: E22478, Dated: 18th February 2025.

Bat Dusk Emergence Survey 2025 Ref. RHE.4468 prepared by Rachel Hacking Ecology, Dated 9th June 2025.

Flood Risk Assessment prepared by T J Booth Associates, dated January 2025. Doc Ref. rep-tjba-C&F-1 drake st, rochdale-FRA-090125.docx

and the development shall be carried out in 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 Rochdale Unitary Development Plan, the emerging Core Strategy and the National Planning Policy Framework.

- 3 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no external works shall take place until details of all new windows, doors and conservation style roof lights (including their specification, materials, finishes, recesses and opening profile) have been submitted to and approved in writing by the Local Planning Authority. All new windows shall be fabricated in timber. Where existing windows are to be repaired, this shall include details of the methodology of repairing such windows. The windows, doors and roof lights shall be installed in accordance with the duly approved details and retained as such thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and preserving the historic significance of the building in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, Policy JP-P2 of the Places for Everyone Joint Development Plan and the requirements of the National Planning Policy Framework.

- 4 No development shall take place until full details of the works to install internal secondary glazing to the existing windows 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 buildings are first occupied and thereafter so maintained.

Reason: To protect the architectural and historic interest of the listed building and 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, Policy JP-P2 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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

- 5 The development hereby approved shall be carried out in accordance with the recommendations contained within section 9.0 of the submitted Noise Impact Assessment prepared by SBM Safety Solutions, Reference: E22478, Dated: 18th February 2025. 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 recommendations contained with section 9.0 have been achieved.

The approved scheme shall be maintained in good working order thereafter.

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.

- 6 Notwithstanding the details submitted, no gas or electric meters shall be fitted externally on the building until full details and specifications of any such meter boxes have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before the first occupation of any of the units hereby permitted.

Reason: To protect the architectural and historic interest of the listed building and 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, Policy JP-P2 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 No part of the development hereby approved shall be occupied until the refuse recycling/bin store as indicated on drawing ref. BM/0125/DRAKE/ PL5 Rev. B (Proposed Site and Ground Floor Plan/ Area Schedule) has been provided and made available for use. The approved facility shall be retained as approved thereafter.

Reason: In the interests of ensuring the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

- 8 The bicycle store indicated on drawing ref. BM/0125/DRAKE/ PL5 Rev. B (Proposed Site and Ground Flood Plan/ Area Schedule) shall be provided and made available for use before the first occupation of any part of the development and the approved facility retained thereafter.

Reason: In the interests of encouraging sustainable travel and in the interests of visual amenity in accordance with Policies T2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 9 The development hereby approved shall be carried out in accordance with mitigation and evacuation principles set out in the submitted Flood Risk Assessment prepared by T J Booth Associates, dated January 2025. Doc Ref. rep-tjba-C&F-1 drake st, rochdale-FRA-090125.docx. The development shall be completed in accordance with the approved details.

Reason: To ensure the development is carried out in a manner that appropriately mitigates flood risk, safeguards future occupants, and complies with the principles of

sustainable development, in accordance with the submitted Flood Risk Assessment and the requirements of the National Planning Policy Framework, policy G8 of the adopted Rochdale Core Strategy and saved policy EM/7 of the Unitary Development Plan.

- 10 The development hereby approved shall not be occupied until such time as a scheme for three swift boxes has been submitted to and approved in writing by the Local Planning Authority. The swift boxes shall be installed in accordance with the approved details prior to the occupation of the development.

Reason: In the interest of biodiversity and in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement:

Date Decision Issued 6 October 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.

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 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. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

The site adjoins the highway in which Metrolink operates and therefore the applicant is advised that the details of working safely near Metrolink can be found on the Metrolink Website at:- Working safely near Metrolink | Bee Network | Powered by TfGM . If in doubt the Applicant should contact the Metrolink Operator and Maintainer using initial enquiry form in the aforementioned document.

Please be aware that a FRAP may be required for any temporary construction works and/or storage of materials.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activity which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-riskactivitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk . The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

