ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

# PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 21/00245/FUL

| Name and address for correspondence: | Applicant name: |
|---|---|
| Roger Etchells<br>roger etchells & company<br>The Old Bank<br>Kilwardby Street<br>Ashby De La Zouch<br>LE65 2FR | W P & J Jeffries |

Part I - Particulars of Application

Date of Application: 16 April 2021

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| **Proposal:** | **Change of use from amusement centre (Sui Generis) to retail (Class E)** |
| **Location:** | **39-41 Middleton Gardens, Middleton, M24 1AB** |

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:-

- Location Plan
- RE/MID2/21/01 - Existing Ground Floor Plan
- RE/MID2/21/02 - Proposed Ground Floor Plan

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 saved Rochdale Unitary Development Plan and the National Planning Policy Framework

3 The development hereby approved shall not be operated outside the hours of 0800-1800 Monday to Friday and 0800-1700 Saturdays, Sundays and Bank Holidays.

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 There shall be no deliveries to the development hereby approved outside of the hours of 0800 to 17:00 Monday to Friday and 09:30 to 15:00 on Saturday, Sunday and Bank Holidays.

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 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 building hereby approved shall only be used for the purpose of uses described within Class E(a) - E(c) inclusive and no other purpose including other uses within Use Class E.

Reason: In the interests of amenity and highway safety and in accordance with policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

**Procedure Statement:**

The proposal complies with the development plan and 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 15 July 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.