



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01004/FUL

Name and address for correspondence:	Applicant name:
Mr Farhan Rama Archirama Ltd 3 Parkgate Ave Withington Manchester M203BZ	co agent Optimax Ltd

Part I - Particulars of Application

Date of Application: 23 October 2023

Proposal:	Change of use from offices (Class E) to 5 apartments including the insertion of new ground and first floor side windows, ground floor infill extension to side elevation, internal alterations including new staircase, wall openings and new partition walls. Erection of 90mm boundary walls to rear parking area (Re-submission of 22/01392/FUL)
Location:	132 Drake Street, Rochdale, OL16 1PN

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:-

Internal survey & schedule of works Rev A dated 12th November 2024
Received 13th November 2024

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 Unitary Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application or on the approved plans, no works (or demolition/removal) shall take place until samples and / or full specifications of all materials to be used externally and internally on the building has been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the type, colour and texture of the materials including details of windows and the proposed boundary wall. Development shall be carried out 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 Core Strategy and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: As no details of the materials have been submitted.

- 4 The development hereby permitted shall not be occupied until all vehicle parking space(s) for the proposed development have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with of policies T2 and DM1 of the Rochdale Core Strategy.

- 5 Prior to first occupation of the proposed development hereby approved, details of the proposed cycle parking spaces shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include covered and secure cycle storage and the number of spaces proposed. The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of cycles at all times.

Reason: To encourage travel by sustainable alternatives to private vehicle in accordance with Core Strategy Policy T2, Policy JP-C8 of PfE and the National Planning Policy Framework.

- 6 Notwithstanding the approved drawings, the development hereby permitted shall not be occupied until a Servicing Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Servicing Method Statement shall provide details of how refuse and recycling collections will be managed from the site. The approved details shall be fully implemented before first occupation and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policy T2 of the Core Strategy, JP-C8 of PfE and the NPPF.

- 7 Prior to first occupation of the proposed development hereby approved, an Acoustic Survey shall be submitted to, and approved in writing by, the Local Planning Authority.

The Acoustic Survey shall ensure the following internal noise levels are achieved:

- o 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- o 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

Upon completion and prior to the first occupation of the development hereby approved, validation testing shall be carried out and a report submitted to, and approved in writing by, the Local Planning Authority confirming that the internal noise levels can be achieved. Thereafter, the development shall not be carried out other than in accordance with the approved scheme.

Reason: In order to safeguard the amenities of future occupiers and to prevent nuisance arising in accordance with Policies DM1 and G9 of the Rochdale Council Core Strategy and the National Planning Policy Framework.

- 8 Prior to first occupation of the development hereby approved, a scheme of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include, but not limited to, the retention or replacement of any ornamental shrubs to the front and the rear gardens along with a biodiversity enhancement in the form of one house sparrow terrace.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment whilst securing biodiversity enhancement in the long term in accordance with Policies G6 and G7 of the Rochdale Core Strategy and Policies JP-G6 and JP-G8 of PfE.

- 9 Prior to their installation, large scale drawings (1:20, 1:10 or 1:5) shall be submitted to and approved by the local planning authority showing details of the following:

- a. New and replacement windows, including elevations, the set back from face brickwork, sections through the head, jamb and cill, and details of stile, mullions, meeting rails and glazing bars. For the avoidance of doubt all new and replacement windows shall be fabricated in timber.
- b. New and replacement doors, door casings and surrounds
- c. New and replacement rainwater goods, soil and vent pipes. For the avoidance of doubt, these shall be cast metal and painted black.
- d. Vents, extractor fans and flues
- e. Meter boxes, alarms, security lighting and video cameras

The works shall then be carried out in complete 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 Core Strategy and the requirements of 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 28 November 2024

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: £43.00 for householder applications and £145.00 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.

Whilst the building to be converted has been assessed as very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

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 applicant is advised to be mindful of the conditions also attached to listed building consent 23/01005/LBC.