

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 25/00428/FUL

Name and address for correspondence:	Applicant name:
Mr Newell John M&N Property Holdings Ltd 10 Orchard Road Altrincham Altrincham Greater Manchester WA15 8EY United Kingdom	Mr Newell John M&N Property Holdings Ltd

Part 1 - Particulars of Application

Date of Application: 22 May 2025

Proposal:	Change of use and conversion of existing dwelling (Use Class C3) into 8 bedroom House of Multiple Occupation (HMO) (Use Class Sui Generis) including rear dormer extension, alteration to fenestration at rear elevation, insertion of 2no rooflights to front roof elevation and associated work including landscaping and provision of cycle shelter
Location:	237 Milnrow Road, Rochdale, OL16 5AS

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 The development shall be carried out in accordance with the following drawings and documents hereby approved:

- Site location plan and existing site plan. Drawing number: 237MR/299/PL
- Proposed site plan. Drawing number: 237MR/300/PL
- Existing floor plan layouts. Drawing number: 237MR/301/PL
- Existing elevations and section. Drawing number: 237MR/302/PL
- Proposed plan layouts. Drawing number: 237MR/303/PL. Revision: C2. Received by email on 15/09/2025
- Proposed elevations and section. Drawing number: 237MR/304/PL. Revision: C2. Received by email on 15/09/2025

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 4 The bin storage area as indicated on drawing 'Proposed Site Plan' (drawing number: 237MR/300/PL) shall be made available for the storage of bins prior to first occupation of the development and be retained thereafter.

Reason: In the interests of visual amenity and highway safety and to accord with policy DM1 of the Core Strategy and policy in the National Planning Policy Framework.

- 5 Prior to first occupation of the hereby approved development, full details of the cycle shelter as indicated on drawing 'Proposed Site Plan' (drawing number: 237MR/300/PL) shall be submitted to the approved by the Local Planning Authority. The cycle shelter shall be made available for the storage of cycles prior to first occupation of the development and be retained thereafter.

Reason: In the interests of highway safety and visual amenity and to encourage the use of sustainable transport methods and to accord with policy DM1 of the Core Strategy and policy in the National Planning Policy Framework.

- 6 The development hereby approved shall be for use by a maximum of 8 residents only and the communal living spaces as shown on approved drawing 'Proposed Plan Layouts' (drawing number: 237MR/303/PL, revision: C2) shall be retained for communal use for so long as the property remains in use as a HMO.

Reason: To ensure that an adequate standard of amenity and living space is provided for the residents in accordance with DM1 of the adopted Rochdale Core Strategy, Policy JP-H3 of PpE, the SPD and the NPPF.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of the building, all windows to the side elevations facing northeast at first floor level on the development hereby approved shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level. The windows shall be retained as such thereafter.

Reason: In the interest of amenity and in compliance with Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 The HMO hereby approved shall be constructed in line with the requirements of the submitted Noise Impact Assessment (Document reference: 2701251, Date of Issue: 13/03/2025) to ensure the following internal and external 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 occupation validation testing shall be carried out to ensure that the internal and external noise levels have been achieved and shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to protect residents from any harmful levels of noise and disturbance and to accord with policy DM1 of the Core Strategy and policy in 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 16 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.

INFORMATIVE:

If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work must cease immediately and an suitably qualified ecologist/LPA should be contacted.

INFORMATIVE:

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and

Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement.