



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 25/00274/FUL

Name and address for correspondence:	Applicant name:
MR MARTIN ASHWORTH JAMES CAMPBELL ASSOCIATES LTD CAMPBELL HOUSE 173 ROCHDALE RD FIRGROVE, MILNROW Rochdale OL16 3BN United Kingdom	MR BILAL ALAMODYSSEY FASHION

Part 1 - Particulars of Application

Date of 18 March 2025
Application:

Proposal:	Change of use of existing warehouse and offices to create 8 self-contained apartments and 1 x 1 bedroom dwelling (Use Class C3) alterations to fenestration, dormer extensions; rooflights and render to the front and side elevations
Location:	104A And 104B Durham Street, Rochdale, OL11 1AP

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:

Site Location Plan

Received 18th March 2025

Drawing No: 24.3402.SC2.1B - Scheme 2 Proposed Ground Floor Plan

Drawing No: 24.3402.SC2.2B - Scheme 2 Proposed First Floor Plan

Drawing No: 23.3402.SC2.5B - Scheme 2 Proposed Section X -X

Received 2nd June 2025

Drawing No: 24.3402.SC2.3C - Scheme 2 Proposed Second Floor Plan

Drawing No: 24.3402.SC2.6C - Scheme 2 Proposed Elevations V1

Received 6th June 2025

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

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 Notwithstanding any description in the application, no above ground works shall take place until full product specifications for all windows along with detailed design of the windows, at a scale of not less than 1:50 (including dormer windows and roof lights which shall be conservation style and set flush with the roof slope) have been submitted to, and approved in writing by, the Local Planning Authority. The bottom panel of the 3 x first floor windows to Flat 6 (facing the rear of properties at 98a-104 Durham Street) shall also be glazed with obscure glass before first occupation of the development and shall be maintained as such at all times thereafter. Windows shall be timber or aluminium. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: To protect the significance of the Borough's heritage assets and in the interests of visual amenity, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the dwellings (including lime render and for making good the brick surround entrance) hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To protect the significance of the Borough's heritage assets and in the interests of visual amenity, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 Prior to first occupation of the development hereby approved, details of how refuse and recycling collections will be managed from the site (including vehicles, servicing, deliveries and returning of bins to store), shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter refuse collection, servicing, deliveries and returning of bins to store will be carried out fully in accordance with the approved details and the bin store shall be retained for use by the occupiers of the building at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No dwelling hereby permitted shall be occupied until the bicycle parking facility for the building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policy T2 of the adopted Rochdale Core Strategy.

- 7 Prior to first occupation of the development hereby approved, a Noise Impact Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The Noise Impact Assessment shall ensure the following internal noise levels are achieved and also show the required sound reduction required to all walls adjoining existing buildings:

- o 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7am 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 7am 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 dwellings hereby approved, an acoustic verification report shall have been first submitted to, and approved in writing by, the Local Planning Authority confirming that the internal noise levels have been 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 The development hereby approved shall include the provision of 5 pairs of Sparrow terrace boxes as shown on approved Drawing No: 24.3402.SC2.6C - Scheme 2 Proposed Elevations V1, received by the Local Planning Authority on 6th June 2025. The habitat enhancement scheme shall thereafter be implemented and adhered to in accordance with the agreed programme.

Reason: To ensure and secure biodiversity enhancement in the long term. This accords with the NPPF, Policy G7 of the Rochdale Core Strategy and JP-G8 of PfE.

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.

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:

The applicant is advised that work that will impact on habitats where nesting birds may be present (for example building works/vegetation clearance), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken.

Informative:

Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link: <https://www.gov.uk/wildlife-licences>

Informative:

The applicant is advised of the measures recommended in the Crime Impact Assessment by Greater Manchester Police designforsecurity, Version A: 10/12/24, Ref: 2024/0291/CIS/01 and that these measures should be taken into consideration to secure the site and ensure the safe is safe for future occupants.