

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00919/VRCON

Name and address for correspondence:	Applicant name:
Mr Belal Rashid BRTA Limited 11 Queen Street Oldham OL1 1RD United Kingdom	Mr Mohammed Faisal

Part 1 - Particulars of Application

Date of Application: 18 September 2024

Proposal:	Section 73 application to vary condition 2 (Approved Plans) of planning permission 23/01171/FUL (Change of use of former nightclub to restaurant/takeaway at ground floor including installation of external flue and an access door to rear) for alterations to the shopfront
Location:	8 South Parade, Rochdale, OL16 1LR,

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 Metropolitan 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 submitted plans 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:

Drawing No: K234-05/A - Location Plan Received 16th November 2023

Flood Risk Assessment by T J Booth Associates, Doc Ref: rep-tjb-A1S-8 south parade-FRA-011223.docx, Rev 0, Date Dec 2023 Received 8th December 2023

Drawing No: FA-23-0269-01 Rev B - Proposed Ventilation Arrangement Appendix 3: Risk Assessment for Odour by RGM Leeds Ltd t/a Hopkins, Date Completed 27/02/24

Ventilation Calculation by RGM Leeds Ltd t/a Hopkins, Date Completed 27/02/24 Received 7th March 2024

Drawing No: A102 - Proposed (Drawing Date Amended: 02/06/2025) Received on 7th July 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, PfE, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 The premises shall not be used by visitors or members of the public outside the hours of 11:00 to 23:00 on Monday to Sunday or Bank Holidays.

Reason: In the interest of the amenity of adjacent residential uses and to prevent nuisance arising and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 No building or use hereby permitted shall be occupied or the use commenced until the extract/ventilation systems have been installed in accordance with the approved plans and specifications: Drawing No: FA-23-0269-01 Rev B - Proposed Ventilation Arrangement, Appendix 3: Risk Assessment for Odour by RGM Leeds Ltd t/a Hopkins, Date Completed 27/02/24 and Ventilation Calculation by RGM Leeds Ltd t/a Hopkins, Date Completed 27/02/24, received by the Local Planning Authority on 7th March 2024 including the details provided in the email dated 26th February 2024 from the applicant's agent. The mitigation measures shall be implemented. Thereafter the extract/ventilation systems shall be permanently retained and maintained in accordance with the approved specifications.

Reason: To safeguard the amenity of nearby premises and the area generally in accordance with Policy DM1 of the Core Strategy, the Councils SPD and the NPPF.

- 5 The development hereby permitted shall not be brought into use until the refuse and recycling storage has been provided in accordance with the plans hereby approved. The spaces shall be kept available for refuse and recycling at all times thereafter and the bins returned to their storage position.

Reason: In the interests of general amenity, to ensure the rear yard remains clear, 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 policies T2 and DM1 of the Rochdale Core Strategy.

- 6 Prior to the first use of the development hereby approved a Waste Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The Waste Strategy shall include, but not limited to, details of grease traps to be installed. Thereafter, the Waste Strategy shall be permanently retained and maintained in accordance with the approved details.

Reason: to prevent unwanted trade effluent entering the sewers and in accordance With Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 A Flood Evacuation Plan as detailed within the Flood Risk Assessment by T J Booth Associates, Doc Ref: rep-tjb-A1S-8 south parade-FRA-011223.docx, Rev 0, Date Dec 2023, received by the Local Planning Authority on 8th December 2023 shall be produced. The Evacuation Plan shall be maintained in perpetuity for the lifetime of the development.

Reason: In order to comply with good practice building for flood resilience/safety in the flood zone and in accordance with Policy G8 of the Core Strategy, Policy JP-S4 of PfE and the National Planning Policy Framework.

- 8 Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the premises shall be used for Class E(a), E(b), E(c) and E(g)(i) and for no other purpose (including any other purpose in the same Use Class of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: Another alternative use of the premises which may otherwise be permitted by virtue of the above Orders could be harmful to highway safety, residential amenity or town centre uses in accordance with Policies E1, DM1 and T2 of the adopted Core Strategy and the NPPF.

- 9 Prior to the instatement of the new windows hereby approved, and notwithstanding the approved plans, full product specifications, elevations and cross-sectional details, at a scale of no less than 1:20, shall be submitted to, and approved in writing by, the Local Planning Authority. Any windows to be instated shall match those as existing in respect of material (timber).

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

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 10 July 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 a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also 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 site sits within Flood Zone 3, which is a designation for areas at the highest risk of flooding. The applicant should, as soon as reasonably possible, engage with emergency planning services to formulate a flood evacuation plan and sign up for early warning systems.

The applicant is advised that any signage proposed with the use will need separate advertisement consent. There is also the requirement to comply not only with the Advertisement Consent regulations, but also the prevailing theme and advertisement consent for the South Parade & Drake Street Property Improvement Scheme that was undertaken as part of the Partnership Schemes in Conservations Area programme during the time of the Rochdale Heritage Action Zone.