

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/01279/FUL

Name and address for correspondence:	Applicant name:
Mr IAN STOTT AJ COCKER ASSOCIATES NEW CENTURY HOUSE 176 DRAKE STREET ROCHDALE OL16 1UP	Mr Zeeshan Mir

Part 1 - Particulars of Application

Date of Application: 14 January 2025

Proposal:	Change of use from house in multiple occupation (HMO) to 7no. apartments including remodelling of door and window openings to rear and provision of roof-lights
Location:	Former Carters Rest 188-190 Spotland Road, Rochdale, OL12 7AF

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 and documents:

- o Location Plan Drawing No M443-SK-06
- o Proposed Site Plan Drawing No M443-SK-09
- o Proposed Cross Section Drawing No M443-SK-05
- o Proposed Elevations Drawing No M443-SK-04
- o Proposed Block Plan Drawing No M443-SK-08/A
- o Proposed Ground Floor Plan Drawing No M443-SK-01/B
- o Proposed First Floor Plan Drawing No M443-SK-02/B
- o Proposed Second Floor Plan Drawing No M443-SK-03/B
- o Heritage Assessment by Gary Miller dated January 2025
- o Noise Impact Assessment Reference AA0575

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

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 of materials in the application no works shall take place until samples and / or a full specification of materials to be used externally on the building in relation to doors and windows have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and the development shall be carried out in accordance with the approved details.

Reason: These details are required in the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with Policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 The proposed residential apartments must be constructed in line with the requirements of the submitted and approved Noise Impact Assessment Referenced AA0575 to achieve the following internal noise levels:

- 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 of the development hereby permitted, validation testing must be carried out to ensure the required noise levels have been achieved, the details of which shall be submitted to and approved in writing by the LPA prior to first occupation of the apartment hereby approved.

Reason: To protect the amenity of future occupiers in accordance with Policy G9 of the Rochdale Core Strategy.

- 5 Prior to the commencement of development and in line with the requirements of the submitted and approved Noise Impact Assessment Referenced AA0575, no development shall commence until details of the proposed mechanical ventilation and acoustic vents have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future occupiers in accordance with Policy G9 of the Rochdale Core Strategy.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

(b) a Biodiversity Gain Plan has been submitted to the planning authority,

and;

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

1. The development is below the de minimis threshold, meaning development which:

i. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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 28 March 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: £43.00 for householder applications and £145.00 in all other cases.

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.