

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00398/FUL

Name and address for correspondence:	Applicant name:
FRANK SMITH JAMES CAMPBELL ASSOCIATES LTD CAMPBELL HOUSE 173 ROCHDALE RD FIRGROVE, MILNROW Rochdale OL163BN United Kingdom	CREWE COMMERCIALCREWE COMMERCIAL INDUSTRIES LTD

Part I - Particulars of Application

Date of Application: 21 August 2024

Proposal:	Change of use of part general industrial building (use class B2) to 1 x 5 bedroom residential dwelling (Use Class C3) installation of new windows and doors and application of render and external façade to front and rear elevations
Location:	Ken Mills Engineering Co , New Street, Rochdale, OL12 6NS

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 and documents:

Drawing No: 23.3108.6A - Existing & Proposed Ground Floor Full Layout Plans
Drawing No: 23.3108.8B - Proposed Floor Plans
Drawing No: 23.3108.10 - Existing & Proposed First Floor Full Layout Plans
Drawing No: 23.3108.11 - Existing & Proposed Second Floor Full Layout Plans

Received 2nd May 2024

Site Location Plan

Drawing No: 23.3108.2B - Existing & Proposed Site Plans

Drawing No: 23.3108.7B - Proposed Front & Rear Street Scene Elevations

Drawing No: 23.3108.9C - Proposed Front & Rear Elevations

Received 21st August 2024

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 Prior to the commencement of the development, the existing structures and surrounding site shall be inspected for visual/olfactory evidence of contamination and a letter report submitted to the Local Planning Authority for approval containing the following information:

- the nature and integrity of existing floors and hardstanding;
- any evidence of the storage of potentially contaminating substances;
- any visual / olfactory evidence of contamination within or surrounding the buildings

- photographic evidence of the findings;

If any evidence of possible contamination is identified proposals for its removal shall be submitted to the Local Planning Authority for approval in advance for the further investigation and/or removal of the contamination. The occupation of the building/site shall not commence until the contamination has been treated to the written satisfaction of the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy G9 of the Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Due to the sensitive end use of the site and to ensure the site does not create undue risks to future occupiers.

- 4 Prior to the commencement of development, a Tree Survey and a Tree Protection Plan shall be submitted to, and approved in writing by, the Local Planning Authority. These shall be submitted before any equipment, machinery or materials are brought on to the site. Such protection as required by this condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site.

Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy G6 of the Rochdale Core Strategy.

Reason for pre-commencement condition: As inadequate information has been submitted with the application to ensure retained trees will be suitably protected during the course of the development.

- 5 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 have been submitted to and approved in writing by the Local Planning Authority. Such details shall include large scale details of windows and new openings (windows would ideally be timber or aluminium), stone

surround details (these should be natural stone), details of the render specification including the colour which shall be more historically accurate. 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 Policies P3 and P2 of the Rochdale Core Strategy, Policy JP-P2 of PfE and the requirements of the National Planning Policy Framework.

- 6 Prior to first occupation, details of the proposed boundary fencing to all boundaries shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include retained, repaired and replaced fencing, height, materials and any additional measures/specifications.

Reason: To safeguard the amenities of the adjoin neighbouring properties from overlooking and loss of privacy and in the interests of visual amenity and the character of the area in accordance with Policies P3 and DM1 of the Rochdale Core Strategy and the Council's Guidelines and Standards for Residential Development SPD.

- 7 The development hereby approved shall be constructed in line with the requirements of the Noise Impact Assessment by Environmental Noise Solutions dated 15th August 2024, received by the Local Planning Authority on 21st August 2024 to achieve the following internal and external 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 the first occupation of the dwelling hereby approved, validation testing shall be carried out and submitted to and approved in writing by the Local Planning Authority to ensure the internal and external noise levels have been achieved.

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 8 The existing access to the site shall be stopped up and abandoned immediately prior to first occupation. The footway(s) and verge shall be reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway in accordance with Policies T2 and DM1 of the Rochdale Core Strategy.

- 9 The dwelling hereby permitted shall not be occupied 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.

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 policies T2 and DM1 of the Rochdale Core Strategy.

- 10 No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs to 1400hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policies DM1 and G9 of the Rochdale Core Strategy.

- 11 Notwithstanding the details shown on the approved plans, prior to first occupation of the dwelling hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with 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 and in accordance with Policy G6 of the Rochdale Core Strategy.

- 12 No removal of, or works to, any trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the Core Strategy and the National Planning Policy Framework.

- 13 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to a bird box and house sparrow terrace integrated to the fabric of the building and elsewhere within the site has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first and second floor rear windows to the bathrooms hereby approved shall not be openable below a height of 1.7 metres when measured from the floor level of the room within which it is located. The window shall be glazed with obscure glass to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before first occupation of the development hereby approved and shall be maintained as such at all times thereafter.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy DM1 of the Core Strategy and the National Planning Policy Framework.

- 15 Notwithstanding the provisions of Part 1, Schedule 2, Article 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), no development within Class A (enlargement, improvement or other alteration), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), Class C (other

alterations to the roof), Class D (erection or construction of a porch outside any external door) or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse) shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy DM1 of the Core Strategy and 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 14 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.

INFORMATIVE:

The Council's Highways section should be contacted at Number One Riverside, Smith Street, Rochdale, OL16 1XU, telephone: 0300 303 8879, email: highways@rochdale.gov.uk to agree the re-instatement of the kerb line and the removal of the bollards to ensure the works are undertaken to a satisfactory standard that is acceptable to the Council's Highway section.