

GRANT OF PLANNING PERMISSION

Town and Country Planning Act 1990

Name and Address of Applicant: Mr Usma Rehman 80 Molesworth Street Rochdale OL16 2AW	Name and Address of Agent: Mr Steven Jackson 14 Maitland Place Rossendale Rawtenstall BB4 6AT
---------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------

Part 1 – Particulars of Application:

Date Received: 4th September 2023

Application Number: 2023/0395

Proposed Works: Change of use to hostel for homeless people

Location: Commercial Hotel 1 Manchester Road Haslingden Rossendale BB4 5SL

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 Rossendale Borough Council hereby gives notice in pursuance of the provisions of the Town and Country Planning Act that **PERMISSION HAS BEEN GRANTED** for the carrying out of the development in Part 1 hereof in accordance with the application and plans submitted and the following condition(s)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in accordance with the following:

Planning application forms signed and dated 21.08.2023.

The submitted plans:

- Site Location Plan drawing no. FEZ/001/01/SITE received 05.02.24;
- Site Plan FEZ/002/01/SITE received 05.02.24
- Proposed elevation Deardengate FEZ/0012/02/PRP received 26.10.23
- Proposed elevation Manchester Road FEZ/0013/02/PRP received 26.10.23
- Proposed elevation corner of Manchester Road and Deardengate FEZ/0014/02/PRP received 26.10.23
- Proposed ground floor plan FEZ/004/RO7/PRP received 02.02.24
- Proposed first floor plan FEZ/005/RO7/PRP received 02.02.24
- Proposed second floor plan FEZ/007/RO7/PRP received 02.02.24
- Second floor kitchen plan FEZ/002/RO7/KIT received 16.01.24
- Ground floor kitchen plan FEZ/001/RO7/KIT received 02.02.24

Reason: To define the permission and in the interests of the proper development of the site.

3. Construction works shall not take place outside the following hours:

Monday to Friday 08:00 to 18:00

Saturday 08:00 to 13:00

Construction works shall not take place on Sundays or Bank or Public Holidays.

Reason: In the interest of residential amenity.

4. The number of residents occupying the property shall not at any time exceed 20.

Reason: In the interest of residential amenity.

5. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Routing of delivery vehicles to/from site

Reason: In the interests of Highway Safety and amenity.

6. Notwithstanding the details shown on the submitted plans and prior to commencement of development detailed drawings showing any replacement windows and doors shall be submitted and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: In the interest of the visual appearance of the development and the character of the Conservation Area.

7. Prior to any cleaning of the stone work a method statement for cleaning of building shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason: In the interest of the visual appearance of the development and the character of the Conservation Area.

8. Prior to the commencement of the development details of proposed repointing, method and ratios and colour of the mortar mix and details of any repair work to the stone including method and materials shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved information.

Reason: In the interest of the visual appearance of the development and the character of the Conservation Area.

9. Prior to the first occupation of the building for the proposed use the bicycle store shall be made available for residents and staff.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

10. The proposed parking area shall be provided with an electric vehicle charging point. It shall have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

11. Prior to the first occupation of the building for the proposed use the parking area shall be marked out as shown on drawing FEZ/002/01/SITE received 05.02.2024 and shall be retained for the parking of vehicles.

Reason: To ensure the provision of off road parking.

INFORMATIVES:

1. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.
2. The applicant is advised that during the Construction phase they should:
Noise: Take all practicable steps to prevent the noise from the site activities giving rise to a nuisance.
Dust: Take all practicable steps to prevent any dust from the site activities giving rise to a nuisance.
Fumes: Take all practicable steps to prevent any fumes from site plant/vehicles/activities giving rise to a nuisance and there should be no burning of materials at the site.
Also no open burning to be carried out on site

Date of Decision: 08.02.2024

Signed: *Mike Atherton*

Mike Atherton
Head of Planning and Building Control

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

**GUIDANCE NOTES FOR APPLICANTS
WHERE AN APPLICATION HAS BEEN APPROVED**

1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of this notice. With regard to granted applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk. The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Rossendale Borough Council requiring the Council to buy your interest in the land. You can do this under the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him.

Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT

1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.

2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:

- (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
 - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
 - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk).

IMPORTANT

Compliance with Planning Conditions

The Council's Planning Enforcement Team is responsible for monitoring the implementation of planning permissions. 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.

It is important that you read and understand the eight points below to avoid any potential breaches of planning control:

- 1) Please take some time to read through the conditions attached to the planning permission and their particular requirements.
- 2) All planning conditions and timeframes for their submission/implementation must be complied with in full, unless a subsequent application or appeal is made to vary or remove those conditions and is subsequently approved.
- 3) Applications to vary conditions attached to a planning permission can take up to 8 weeks to determine (13 weeks if relating to a major planning application). Appeals normally take much longer.

- 4) Applications for approval of details reserved by planning condition (more commonly referred to as condition discharge applications) can take approximately 8 weeks to determine.
- 5) Applicants should ensure that they submit any applications or appeals in good time, well in advance of any anticipated or scheduled start date for commencement of the development.
- 6) If any amendments are sought to the permission, either prior to commencement of development or during the development, the developer should contact the Planning Department at their earliest opportunity to establish what form of application will be required. Work should not continue until any amendments are approved in writing by the Local Planning Authority.
- 7) Fees are normally payable for applications for approval of details reserved by planning condition (condition discharge applications). The relevant application forms, associated fees and details of how to apply can be found on the Planning Portal: www.planningportal.gov.uk

Mike Atherton
Head of Planning and Building Control