

Officer Report

Case Reference: 25/00568/FUL
Location: Mayfield Motors Tim Bobbin Garage 5 Kiln Lane Milnrow OL16 3JF
Proposal: Change of use from dwellinghouse to 3no self-contained flats including alterations to fenestration and external elevations - Retrospective
Recommendation: Refuse
Officer: Anna Hayes

SITE

The application site relates to a three-storey building which adjoins a vehicle repair garage, namely Mayfield Garage Ltd., at the junction of Kiln Lane and Lily Street in Milnrow. The building fronts onto Kiln Lane to the east and backs onto Lily Street to the west, where there is shared access to the adjoining car garage.

The building likely dates from the second half of the 19th century and is clearly depicted on the 1890s OS map. Originally constructed with red brick elevations, the building now has a rendered façade (colour grey) and is clad with timber to the rear elevation. Within the vicinity of the site are 2,4 and 6 Bridge Street which are grade II listed buildings. 50m south of the site is the Bobbin public house and adjacent takeaway restaurant, also Grade II listed.

Before its conversion, according to the submitted floor plans, the building occupied a workshop on the lower ground floor, with direct access from Lily Street at the rear. The ground floor was utilised as an office space, while the first floor served as living accommodation. Following its conversion, the building now contains three self-contained two-bedroom flats, arranged one per level. The lower ground floor flat is accessed from Lily Street at the rear of the property as per the pre-existing arrangement, whereas the ground and first floor flats are accessed from the front entrance on Kiln Lane.

The site is located within the defined urban area, just outside of the defined Milnrow District Centre (Dale Street) as designated under saved UDP Policy G/S/1.

The site is within 20m of a main river (River Beal) and the site boundary includes land within Flood Zone 2.

PROPOSAL

Retrospective planning permission is sought for the change of use of the existing building to form three self-contained apartments over the lower ground, ground and upper floors.

The building is currently configured to reflect this, with each apartment having two bedrooms, an open-plan kitchen and living area, and a single bathroom. This is shown on the original submitted plans, drawing number M25/028/105.

In response to amenity concerns, adjustments were made so that each apartment now contains one bedroom. The proposed internal layouts were amended accordingly, as shown in drawing number M25/028/105A. This application is considered on the basis of these amended plans rev A.

Other retrospective external works include the application of render to the façade and timber cladding to the rear.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

Chapter 2 Achieving sustainable development

Chapter 5 Delivering a sufficient supply of homes

Chapter 9 Promoting sustainable transport

Chapter 11 Making effective use of land

Chapter 12 Achieving well-designed places

National Planning Practice Guidance (NPPG)

Development Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The development plan for the proposal consists of the Places for Everyone (PfE) Joint Development Plan, Rochdale Core Strategy (CS), adopted 2016, and saved Unitary Development Plan (UDP) policies. The Council also has an adopted series of Supplementary Planning Documents and Supplementary Guidance Notes, which are other material considerations.

Places for Everyone Joint Development Plan (PfE) (2024)

Sustainable and Resilient Places

JP-S1 Sustainable Development

JP-S2 Carbon and Energy

JP-S3 Heat and Energy Networks

JP-S4 Flood Risk and the Water Environment

JP-S5 Clean Air

JP-S6 Resource Efficiency

Places for Homes

JP-H1 Scale, Distribution and Phasing of New Housing Development

JP-H2 Affordability of New Housing

JP-H3 Type, Size and Design of New Housing

JP-H4 Density of New Housing

Greener Places

JP-G1 Landscape Character

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places

Connected Places

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Rochdale Core Strategy (CS)

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places

C3 Delivering the right type of housing

C6 Improving health and well-being

SO3 Improving design, image and quality of place

P1 Improving image

P2 Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

SO4 Promoting a Greener Environment

G6 Enhancing Green Infrastructure

G7 Increasing the value of biodiversity and geodiversity

G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Managing delivery and monitoring progress

DM1 General Development requirements

SD1 Delivering sustainable development

Rochdale Unitary Development Plan (UDP)

G/D/1 Defined urban area

G/W/1 Waste Management

EM/3 Noise and New Development

EM/7 Development and Flood Risk

EM/8 Protection of Surface and Ground Water

Other

The following Supplementary Planning Documents (SPD) are also relevant:

- Guidelines & Standards for Residential Development SPD, June 2016; and,
- Residential Design Guide SPD.

Also of relevance are:

- National Design Guide (2019) (Ministry of Housing, Communities and Local Government); and,

- Department for Communities and Local Government – Technical housing standards - nationally described space standard

RELEVANT SITE HISTORY

No recent relevant planning history.

CONSULTATION RESPONSES

Highways And Engineering

Confirms no objection to the proposal.

Env Health - Noise/Odours

Without lawful control over the suggested noise mitigation measures, Environmental Health are unable to support the application for approval.

Lead Local Flood Authority/Drainage

This brownfield development should be aiming for 50% betterment of the existing regime.

Environmental Control (Landfill Gas)

Confirms no objections to the proposal.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the application has been advertised by neighbour notification letters and site notice.

No comments received.

Ecology and Biodiversity

Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain, subject to some exceptions including 'developments below the threshold', every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

PfE Policy JP-G8 also states that through local planning and associated activities a net enhancement of biodiversity resources will be sought where relevant. Development will be

expected to achieve a measurable net gain in biodiversity of no less than 10%. In this instance, the application is below the de-minimis threshold and therefore statutory BNG does not apply. Notwithstanding this, planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application; these could include integration of bat or bird boxes into the building on site. In the event of an approval, a condition would be recommended to this effect.

Drainage and Flood Risk

Although the change of use is from a single dwelling house to three self-contained flats (residential to residential), the site boundary includes land within Flood Zone 2 and lies within 20 metres of a main river. In accordance with the Environment Agency's guidance, a Flood Risk Assessment (FRA) was required to assess potential impacts, including safe access and egress, and to ensure the development remains safe for its lifetime.

The EA has reviewed the submitted FRA and confirmed that they have no objection in principle to the proposed development but strongly recommend the use of flood resistance and resilience measures, such as physical barriers raised by electrical fittings and special construction materials to help reduce flood damage.

The LLFA have confirmed no objection but raingardens / hydroplanters should be incorporated.

Noting that this is an existing property with no external changes to the ground or existing drainage systems, the proposal as present is considered sufficient on balance and would be in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Land Contamination

Paragraph 180 of the NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Core Strategy Policy G9 similarly seeks to ensure that sensitive new forms of development are not adversely affected by existing sources of pollution.

The Council's Environmental protection team (contaminated land) have been consulted on the application and review the relevant historical information about the site, including historical Ordnance Survey Maps, Historic England aerial photographs, as well as Public Protection records.

The property is first shown on the maps surveyed between 1844-1848 as a small building, with a building adjacent to the site's southern boundary. By the time the area was resurveyed in 1890-1894, the small building has increased in size, and the property adjacent to the sites southern boundary was labelled a Public House.

By the time the area was surveyed in the 1920s, the existing house is present, the Public House had been demolished, and a small building is adjacent to the site's northern

boundary. By the 1950s, the property adjacent to the north had expanded, and both properties are shown combined, being labelled a “Kiln Works (Engineering)”.

Historical aerial photos from Historic England indicate that the property, by 1926, was largely as is existing today, although there appears to be a small extension to the property onto Lily Street.

Given that the building currently on site has been present for likely over a century, and with the likely presence of insignificant concentrations of off-site contamination, the Environmental Protection team have confirmed that they have no objections to the proposal and do not consider it reasonable to request any conditions.

Overall, the proposal is found to be in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework. There is no objection from a contaminated land perspective.

ANALYSIS

Principle of Development

The application site is situated within the defined urban area, as designated by the UDP Proposals Map (Policy G/D/1). In such locations, the Core Strategy (CS) actively encourages new housing development particularly where there is good access to existing facilities and infrastructure (policy SP2). This is echoed in policies C1, C2 and DM1 of the CS. Policy C3 of the Core Strategy seeks to provide a range of housing types to meet different needs, and at densities that make efficient use of land.

There is no planning history available for this site though, historically, the application building has most likely served as a residential property. However, evidence provided through the submitted floor plans and accompanying statement indicates that its more recent use has been as an office space, with an associated workshop at the lower ground floor level and ancillary living accommodation situated on the first floor. The current proposal seeks to re-use the building by converting it into three separate, self-contained flats.

Although Rochdale presently maintains a five-year housing land supply, this does not restrict the potential for further housing development. National Policy explicitly supports the need to boost housing provision within urban areas. The site is within proximity to other compatible residential uses and the proposal to develop three flats on this site presents a positive opportunity to contribute towards the borough's housing land supply.

In summary, the provision of residential accommodation in this location is acceptable in principle and is in accordance with saved Policy G/D/1 of the Rochdale Unitary Development Plan, Strategic Policies C1, C3, and SD1 of the adopted Rochdale Core Strategy, as well as the requirements of the National Planning Policy Framework regarding housing supply and sustainability.

Further matters relating to development control, including design, amenity, and highway safety, are considered in more detail in subsequent sections.

Design and Heritage

One of the core planning principles of the NPPF is to always seek to secure high quality design. Section 12 of the NPPF places particular emphasis on achieving high quality design and section 16 places value on conserving and enhancing the historic environment. Paragraphs 131 and 135 of the NPPF state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

In consultation with the Council's Conservation Officer, it is noted that the application property is built of red brick laid in English Garden Wall bond. The property has an arched doorway and stone lintels and sills to the windows, with dentil moulding below the eaves. The house adjoins a commercial garage, which is faced with corrugated metal. In the 20th century, the red brick terrace appears to have made way for a kiln works. The application property appears to have been vacant for a long period of time, prior to its recent conversion into flats. While not listed or locally listed, the building was not without architectural merit prior to the works being carried out.

To the southwest of the site lies 2, 4 and 6 Bridge Street. These properties were originally built as Milnrow Chapel, dating from the early 18th century. It is constructed of a hammer-dressed watershot stone with graduated stone slate roof. The date of conversion into cottages is not known, however, by the 1890s, the floor plan appears to have been subdivided into three properties. These cottages sit in a prominent location at the junction of Kiln Lane, Bridge Street and Lily Street. In their wider setting are other vernacular stone buildings, including the grade II listed 1 and 3 Dale Street. These buildings form the historic village core. To the north of the site lies the former Lily Street Mills, which is included on the Council's list of non-designated heritage assets. The surviving elements are used for warehousing.

The application is being made retrospectively for the conversion of the house into three apartments. As part of the works, the front elevation of the building has been rendered and the rear of the building has been clad in timber. New black UPVC windows have been installed. The render along the front elevation and the timber cladding to the rear have obscured the original brickwork and detailing. This is regrettable, particularly on the front elevation, where the render has obscured the decorative detailing, including the arch and stone detailing over the front door and the stone sills and lintels. These features contributed to the architectural interest of the building and meant that despite its derelict condition, it was a positive contributor to the historic street scene. The obscuring of these features has harmed the visual appearance of the building.

The flank elevation of the building has not been rendered and remains brick. This elevation is visible in views of the listed buildings. The front and rear elevations are not readily visible in the same views as the listed buildings, due to the topography, position of the garage and the orientation of both buildings. Additionally, the house is seen in the context of the commercial garage, immediately adjacent to the site.

Given the above, it is considered that the works have not harmed the setting of the listed buildings or their significance. Nevertheless, the external alterations have harmed the character and appearance of the host building. Whilst regrettable, given that the front and

rear of the building is predominately viewed in the context of the adjoining car garage, the external works can be accepted on balance and would not be in unacceptable conflict with policies P1, P2, P3 of the Rochdale Core Strategy as well as design policies contained within the NPPF and PfE.

Amenity

At paragraph 135, the NPPF outlines the importance of planning in securing good standards of amenity for future and existing occupiers of land and buildings. Core Strategy policies DM1, G9, C1 and C6 cumulatively seek to reduce air and noise pollution, and DM1 in particular requires development to not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Original Floor Plans (Drawing reference M25/028/105)

The submission for the existing 3x 2-bedroom apartments fails to achieve the required internal space standards as set out within the DCLG Technical Housing Standards - nationally described space standard. The Standards require that 2-bedroom, 1 storey dwellings (minimum of 3 persons) flats have a minimal gross internal floor area of 61m² with 2.0m² of built-in storage. For a 1 bedroom, 1 storey building this is reduced to 39m². Additionally, in accordance with paragraph 10.e, the Standard requires that in order to provide two bed spaces, a double (or twin bedroom) has a floor area of at least 11.5m². In order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide. A dwelling with two or more bedspaces has to have at least one double (or twin) bedroom.

From the plans provided the following approximate dimensions were taken:

Lower ground floor flat

Total floor space – 56m²

Double bedroom – 10.2m²

Smaller bedroom - 7m².

Ground floor flat

Total floor area – 56m²

Double bedroom – 9.45m²

Single bedroom – 9m²

First floor flat

Total floor area – 41.3m²

Double bedroom – 9.30m²

Single bedroom – 6.15m²

All units are unsuitably small, falling below the relevant 2b3p size thresholds, with a number of bedrooms also falling short of the technical standards. Lounge areas in both the ground and lower ground floor flats also appear to lack access to sufficient natural light. These rooms are set deep within the building, far from the only window in the kitchen, and only receive daylight from one side, with no light coming in from the front of the building. Insufficient information has been submitted alongside the application to demonstrate that both of these living rooms would receive adequate natural light. Therefore, without provision of a daylight and sunlight assessment, Officers are not satisfied that acceptable levels of natural light would be achieved resulting in a poor standard of residential amenity for the existing and future occupiers. The recessed position of these rooms also limits the quality of outlook that the occupiers could reasonably expect to enjoy from the primary habitable rooms.

The current internal layout of the building therefore provides substandard accommodation with insufficient access to natural light and an acceptable quality of outlook.

Amended plans (drawing reference M25/028/105A)

In a bid to address the above issues, the floor plans have been amended reducing each unit to a 1-bedroom flat ensuring that all bedrooms and total floor areas meet the required THS standards. The internal layout of the ground floor and first floor apartment have also been altered such that the lounge areas and bedrooms now have an improved outlook and access to natural light.

However, the layout and level of amenity provided in the proposed lower ground floor flat is still deemed to be unacceptable, in particular to the lounge and bedroom areas.

Both rooms sit partly below external ground level and largely rely on a pair of small, high level windows within the side wall. These windows are narrow openings positioned close to ceiling height, functioning as top hung casement windows rather than full height, eye level windows. Additionally, because the cill height is significantly raised, occupants would be unable to obtain a normal horizontal outlook. This limits the ability to see out of the room except upwards, resulting in an enclosed, basement like environment.

The limited size and elevated position of these windows also means that daylight penetration into both the lounge and the bedroom would be poor, with much of the room depth likely falling into shadow. It is noted that the lounge and kitchen to the basement apartment are joined as one, however the kitchen wall will likely largely obstruct light from adequately passing through from the west, therefore increasing reliance on artificial lighting for much of the day.

Overall, in combination, due to the partially subterranean position of the accommodation, the restricted window size, and the absence of any meaningful outlook result in habitable rooms with inadequate levels of natural light and poor amenity, the accommodation provided for the lower ground floor flat is found to be unacceptable. Consequently, the development would not provide acceptable living conditions for occupants in conflict with saved Core Strategy policy DM1 and paragraph 135 of the NPPF.

Noise

Core Strategy policy G9 sets out the Council's requirements approach to all forms of pollution including the risk of noise, as they relate to new development.

The application is supported by a Noise Impact Assessment (NIA) and consultation has been carried out with the Council's Environmental Protection Team (EPT).

The Environmental Protection Team have reviewed the noise impact assessment prepared by NOVA Acoustics (dated 03/12/2025). Road traffic is confirmed as the dominant noise source, with the adjoining MOT garage contributing intermittently. The BS4142 assessment indicates only a low likelihood of adverse impact, provided the adjoining garage operates as observed, particularly that the rear shutter remains predominantly closed except for short periods. Noise break in calculations show that internal noise criteria can be met with the specified enhanced glazing and acoustic ventilation. The party wall separating the MOT garage and proposed dwellings is predicted to provide adequate noise control. The report states the proposed enhanced glazing system and acoustic ventilators must be installed to achieve the internal noise levels set out in BS8233. This is essential, as open window ventilation is not suitable due to high external noise levels.

The assessment identifies that noise from the adjoining MOT garage is a material source of disturbance, particularly from the use of the rear roller shutter and associated doorway. The adjoining MOT garage lies outside the applicant's ownership, and no planning controls can be imposed to restrict its operational activities, including the frequent opening of the rear shutter identified as necessary for business operations. As such, the LPA cannot ensure that the conditions assumed within the Noise Impact Assessment, specifically the shutter remaining predominantly closed, can be secured or enforced. Consequently, future occupiers of the flat would be exposed to noise levels that are likely to be harmful to residential amenity. While enhanced glazing and acoustic ventilation are proposed, these measures would not adequately mitigate the unpredictable and intermittent noise associated with the adjacent commercial premises.

In summary, in addition to the noise arising from the adjoining MOT garage through the operation and use of the rear roller shutter door off Lily Street, the lower ground floor flat would receive poor levels of natural light and a poor quality of outlook. This would result in substandard internal living conditions for future residents.

It is noted by the applicant's agent that the current occupants do not have any objections to the existing arrangements, however the personal preferences of the current occupiers carry limited weight, as the development would create a long-term arrangement that fails to meet appropriate living standards.

Officers also recognise that the building has likely historically been in residential use, which is a material consideration in the assessment of the current proposal. However, the present application seeks permission for three residential units, representing an intensification compared to the previous single dwelling. This change in intensity is significant, especially given the plans to utilise the lower ground floor as habitable accommodation. The lower ground floor, formerly used as a workshop or basement, is particularly sensitive to noise due to its location and characteristics as detailed above. In any case, an assessment of this

current scheme is based on the current circumstances of the site, reflecting its existing condition and context.

The development would therefore not be the form of sustainable development that the Framework sets out a presumption in favour of, as it would be contrary to Paragraph 135 of the Framework which seeks, amongst other matters, a high standard of amenity for both existing and future users. On this basis the proposal would also be in conflict with policy DM1 of the Core Strategy.

Access and Highway Safety

Paragraph 116 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and, in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

The application site is centrally located in Milnrow with good access to nearby amenities, and the proposals are expected to generate very little traffic. No dedicated parking is required in this sustainable location, and the plans indicate no changes to the existing highway network, no new roads, and no impact on any public rights of way. The development raises no new road safety concerns and refuse collection and servicing will continue in the same manner as at present. The Local Highway Authority (LHA) have been consulted on the application and in light of the above raise no objections.

Overall, the scheme is found to be compliant with the NPPF, in particular paragraph 116 in respect of highway safety and access and subject to conditions, would not be in conflict with Policy T2 of the Core Strategy.

Conclusion

The principle of converting the building to a residential use is acceptable. Whilst the external alterations (render/timber cladding) have predominantly covered up original brickwork, on balance, the impact is not so significant to warrant refusal. Whilst changes have been carried out to the internal layout to address issues relating to room sizes, the proposed lower ground floor flat would still fail to provide an acceptable standard of accommodation in relation to light and outlook. Additionally, by reason of the immediate proximity of the proposed residential accommodation to the adjoining MOT car garage, and in the absence of any planning mechanism to control the noise generating operations on that neighbouring site, future occupants of all units would be exposed to intermittent and intrusive noise, particularly from the use of the rear access with roller shutter. The development is therefore found to be unacceptable in relation to policy DM1 of the adopted

Core Strategy and the NPPF. The recommendation is therefore refusal of planning permission.

Recommendation: Refuse

Refusal(s) (2)

- 1 The proposed development would fail to provide acceptable living conditions for the occupants of the lower ground floor unit as it would receive poor levels of natural light and outlook due to the internal layout and reliance on small, high level windows to the bedroom and lounge in particular. The proposal therefore fails to secure a high standard of amenity, contrary to policy DM1 of the Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.
 - 2 By reason of the immediate proximity of the proposed residential accommodation to the adjoining MOT garage, and in the absence of any planning mechanism to control the noise generating operations on that neighbouring site, future occupants would be exposed to intermittent and intrusive noise, particularly from the use of the rear access with roller shutter. This noise cannot be effectively mitigated and would result in unacceptable harm to the living conditions of future residents. The proposal is therefore contrary to Policies G9 and DM1 of the Rochdale Core Strategy and Paragraph 135 of the National Planning Policy Framework, which together require development to secure a high standard of amenity for future users.
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- 1 The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.
 - 2 For avoidance of doubt the decision relates to the following plans and documents:
 - M25/028/100 Location plan
 - M25/028/101 Existing Site Plan
 - M25/028/102 Existing Floor plans (Pre-existing)

- M25/028/103 Existing Elevations (pre-existing)
- M25/028/104 Proposed Site Plan (as existing)
- M25/028/106 Proposed Elevations (as existing)
- M25/028/105A Proposed Plans (as proposed)
- Flood Risk Assessment, reference 96326-JHS-KilnLn dated November 2025
- Residential Noise Assessment, reference NP-013396, produced by Nova Acoustics
- Heritage Statement prepared by JHA Pulman, reference M25-028-HS dated 10.10.25
- BNG exemption statement dated 18.09.2025
- Planning Statement produced by JB Design Services