APPLICATION NUMBER: 20/01548/VRCON

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01548/VRCON	Mubeen Patel	25 February 2021

Address: 87-89 Yorkshire Street Rochdale OL16 1DW

Proposal: Application to vary condition 2 of planning permission 18/00940/FUL to allow removal of platform Lift and installation of an external metal spiral staircase with a canopy over, from the first floor down to the yard area.

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	Y
	Neighbour letters expired?	Y	**Press Notice expired?**	Y

DELEGATION	**Significant departure from local plan?**	N	**Contrary to national policy?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	N/a
	Neighbour comments received?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N/a

CONDITIONS	**Pre-commencement conditions proposed?**	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	APPROVE WITH CONDITIONS

CHECKED AND SIGNED OFF BY: EH DATE: 2 March 2021

SITE

The application relates to an attractive three storey building located on a corner plot on Yorkshire Street and Cheetham Street within the Rochdale town centre. The

building lies in a prominent location within the Townhead Conservation Area. The ground floor section of the building is a fruit and vegetable shop (A1) whilst the upper floors are being converted to residential accommodation.

The ground floor shop has central double doors on its corner with large windows along the double frontage which have timber frames. The brickwork on the upper floors is painted white.

A recent application at the site has been approved for the 'Change of use of upper floors from Retail (Use class A1) to 4no' Flats (Use class C3) together with alterations to include the installation of a new entrance from the side elevation, replacement windows and installation of a door and window to existing rear two storey extension and installation of access lift to rear (part retrospective)' under planning No. 18/00940/FUL.

The application property is a non-designated heritage assets located within the Townhead Conservation Area.

PROPOSAL

The application proposes to vary condition 2 of planning permission 18/00940/FUL. Condition 2 reads;

> 2. 'The development hereby approved shall be carried out in accordance with the drawings and details hereby approved before any of the apartments hereby approved are first brought into use and retained thereafter:
>
> - Location Plans 1802/CC/03 Rev B
> - Proposed Plans and elevations 1813/TP/02 Rev G
> - Optimum 100 Lift details
> - Optimum range of Platform Lifts document
>
> Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework'.

- The proposed plan received (Proposed Plans and elevations 1813/TP/02 Rev H) as part of this application show amendments to the previously approved floor plans, this includes installing an external metal spiral staircase with a canopy over, from the first floor down to the yard area to the rear. The applicant states this would be a suitable and safe alternative than the previously approved platform lift which would be more economic to fabricate, install and maintain properly.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Rochdale Core Strategy (CS) Adopted October 2016:

DM1	General Development Requirements
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development

E1 Establishing thriving town, district and local centres
G9 Reducing the impact of pollution
T2 Improving Accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

- 91/D26184 - Change Of Use From Charity Shop (Class A1) To Betting Office(Class A2) – Withdrawn

- 11/D54182 - Change Of Use Of First Floor To Mixed Use Comprising Retail Units And Cafe (Use Class A1 And A3) – Approved.

- 19/00153/FUL - Installation of new shopfront – Approved

- 18/00940/FUL - Change of use of upper floors from Retail (Use class A1) to 4no' Flats (Use class C3) together with alterations to include the installation of a new entrance from the side elevation, replacement windows and installation of a door and window to existing rear two storey extension and installation of access lift to rear (part retrospective) – Approved 22 Sep 2020

- 20/01523/DOC - Submission of details to comply wtih conditions 1 (time) 2 (plans), 3 (windows), 4 (noise levels) and 5 (lift) on planning permission 18/00940/FUL – Request Completed

CONSULTATION RESPONSES

Conservation Officer

There are no comments or objections raised in response to the above application.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours, a site notice displayed and a press notice published. A letter of objection has been received which makes the following concerns;

- Concern of access from the staircase onto the roof to steal lead
- Window on the first floor at 2 Cheetham Street would be obstructed
- Allow easy access to break in.

ANALYSIS

The application proposes to vary condition 2 of planning permission 18/00940/FUL. A further plan has been submitted which would replace existing approved plans showing a plat form lift to the rear of the property with a spiral staircase.

The information submitted as part of this application states that the cost and maintenance of the Optimum Platform Lift would be extortionately expensive and the

applicant is concerned that it will only be used once a week by 4no tenants to remove household waste down to the bins in the rear yard. Also, The HSE have also advised that the lift would require a phone and that it would require a 24/7 monitoring contract should anybody unfortunately get stuck in it, which again is extremely expensive.

It is considered the design of the staircase (spiral) would be acceptable in the location proposed where it would take minimal space in the rear yard area. Sufficient space would be retained for the servicing of neighbouring businesses who share the yard without being impeded. An external staircase had been discussed under 18/00940/FUL, however the straight design resulted in the yard area to be significantly impeded for other business users.

In terms of its appearance, the staircase would be positioned to the back of the property between the rear elevation of Number 2 Cheetham Street and the two storey outrigger as part of the application property. As such, it would not be readily viewed from public vantage points and would have less of an impact than the platform lift it would replace. The Councils Conservation Officer has been consulted and raises no objections. However, a condition would be attached to any approval for the staircase to be painted black to retain an acceptable appearance in this location.

Objections have been received concerned about security. It is considered that the proposed staircase similar to the platform lift it would replace would mainly be used as a means to access the rear for refuse, whilst the main access for the flats would be from the door along the Cheetham Street elevation. As such security would be retained for businesses sharing the yard area, in addition the staircase would provide a suitable access for the disposal of rubbish rather than future occupiers requiring to walk around the building.

The objection letter received also makes concerns in relation to the proposed stairs obstructing the window at the neighbouring property 2 Cheetham Street. It is considered that the existing outrigger already substantially restricts the amount of light/outlook to this window and the small sized staircase would not significantly impact this window any further to warrant refusal.

As such, it is not considered that the external alterations would cause any harm to the character and significance of the building and Town Centre Conservation Area. The proposal would have a neutral impact upon the designated and non-designated heritage asset (NPPF, paragraph 192). In this regard, the proposal is considered to accord with Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework. The application to vary condition 2 is therefore acceptable.

RECOMMENDATION **APPROVE**

1 The development hereby approved shall be carried out in accordance with the drawings and details hereby approved before any of the apartments hereby approved are first brought into use and retained thereafter:

- Location Plans 1802/CC/03 Rev B
- Proposed Plans and elevations 1813/TP/02 Rev H
- Optimum 100 Lift details
- Optimum range of Platform Lifts document

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

2 The development shall be carried out in complete accordance with the product specification details of the windows and doors agreed under application reference 20/01523/DOC.

Works shall be carried out in accordance with these approved details.

Reason: In order to ensure a satisfactory appearance in the interests of preserving the historic significance of the building in accordance with Policy P2 of the adopted Core Strategy and the requirements of the National Planning Policy Framework and the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

3 The flats hereby approved shall be designed and constructed to ensure that indoor noise levels do not exceed:

o 35 dB(A) Leq (1 hour) in bedrooms with windows shut and other means of ventilation provided between the hours of 07:00 and 23:00;
o 30 dB(A) Leq 5 (5 minutes) in bedrooms with windows shut and other means of ventilation provided between the hours of 23:00 and 07:00;
o 35 dB(A) Leq (1 hour) in living rooms with windows shut and other means of ventilation provided between the hours of 07:00 and 23:00;
o 40 dB(A) Leq (1 hour) in all other habitable rooms with windows shut and other means of ventilation provided at all times.

Prior to the first occupation of each dwelling hereby approved, an acoustic verification report shall have been first submitted to and approved in writing by the Local Planning Authority, confirming that the above 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.

4 The steel spiral staircase to the rear of the property shall be installed prior to the first occupation of the dwelliings hereby approved and its external finished treatment shall be black. The spiral staircase shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of residential amenity and to protect the character and appearance of the Rochdale Town Centre Conservation Area, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Policies P2, P3 and DM1 of the adopted Rochdale 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.

Notes for Applicant:

Report Author Mubeen Patel