

APPLICATION NUMBER: 22/01233/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01233/FUL	Aimee Bovaird	12 December 2022

Address: 194 Rochdale Road Middleton M24 2QA

Proposal: Change of use of existing first floor from ancillary storage area to 1no' self-contained apartment together with installation of first floor windows to north-east and south west facing elevations including ground floor entrance door on Vincent Street

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?		Press Notice expired?	N/A

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
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	Grant with conditions
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CHECKED AND SIGNED OFF BY: L.Ashworth

DATE: 25.01.23

SITE

This site relates to a first floor space above a shop, at 194 Rochdale Road, this is a residential area within the defined urban area. This is not in a conservation area or a listed building. The building has two storeys, the ground floor is an existing framing shop, gallery and offices. The building is completed in white render.

The red edge covers all of the existing building and includes external space for two carparks. To the North of the site is residential flats, East is terraced housing, South is also residential housing, West is a Vets.

PROPOSAL

Planning permission is sought for the change of use of the existing first floor from ancillary storage and an office to 1no self-contained. The apartment will contain one bedroom with a walk-in wardrobe, one bathroom, lounge area and kitchen.

No internal alterations are proposed to the building, other than the use of some of the rooms. To facilitate the development the proposed external works are an additional door on Vincent Street for access and two additional windows on the side elevation facing Vincent Street and an additional window on the west elevation.

The development proposes two car parking spaces along the front elevation between the dwelling and the footpath. The development also proposes bin storage on the side elevation within the red edge. These designated areas are a result from the consultation response from Highways as they asked for more information.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

DM1	General Development Requirements
C1	Delivering the right amount of housing in the right places
SO3	Improving design, image and quality of place
P1	Improving image
P3	Improving design of new development
C3	Delivering the Right Type of Housing
P3	Improving design of new development
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General Development requirements

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

21/00455/FUL - Demolition of existing concrete wall and erection of single storey storage building for ancillary use to picture framing shop – Refused

90/D24921 – Single Storey Extension to joinery Wholesaler (revised application) – Refused

21/00920/FUL - Demolition of existing concrete wall and erection of single storey storage building for ancillary use to picture framing shop (re-submission 21/00455/FUL) – Approved

21/01226/DOC - Submission of details to comply with conditions 3 (CMP) and 4 (samples) on planning permission 21/00920/FUL – Request Completed

CONSULTATION RESPONSES

Highways And Engineering

7/12/22

There are a number of highways issues arising from this application that would need to be considered.

For the size of the proposed dwelling the application should provide one off street parking space and from the submitted information the does not appear to be any parking provision. Although there is a bus stop directly outside the application site our preference would be that off street parking should have been identified within the application.

In addition the application does not provide any information on bin storage and collection points, taking into account the proximity of the bus stop we would require this information for approval.

We do not envisage that there would be any detrimental impact on highway capacity as a result of development.

15/12/22

The submitted plan would seem to meet our previous request for information on parking provision and bin storage and these provisions are within the site edged red.

We therefore raise no objection to this application and request no specific planning conditions.

Env Health - Noise/Odours

I have reviewed the nia and this section has no objections in principle to the proposals, we would recommend the following condition.

The unit is constructed in line with the requirements of the submitted acoustic report, upon completion and prior to occupation validation testing is carried out to ensure the following internal noise levels are being achieved:

- 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 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;
- 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties, there was no response.

ANALYSIS

Principle

This application seeks to change the use of the first floor of the building from storage space to residential accommodation (one self-contained flat).

The proposed development is located in the Defined Urban Area in a sustainable location adjacent to a bus route on Rochdale Road.

Policy C1 sets out how the importance of delivering the right homes in the right places to attract and retain residents. One of the aims of policy C1 is to, 'Maximise the potential of previously developed sites, including empty homes and buildings'. This proposed development will improve the quality of the residential environment in line with Policy C1.

Therefore the proposed change of use is acceptable in principle.

Design

The proposed windows will be level with existing windows and are considered an acceptable design, the materials will be conditioned to match the existing materials.

The proposed door on Vincent Street is accessed off the public footpath and is considered an acceptable design.

Impact on Occupiers and Surrounding Land Users

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users. The Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

Noise

This proposal relates to a change of use of the building to a residential flat. The application is accompanied by a Noise Impact Assessment to determine whether a flat can be accommodated in this location without causing undue noise to its occupants from the surrounding uses, particularly the noise from Rochdale Road.

The Noise Impact Assessment identified that the main noise source affecting development is traffic on the main road and a commercial yard beside the 'Black Bull Inn which is used for car repairs. The Noise Impact Survey calculated the proposed dwelling can achieve the desired design criteria with appropriate glazing and ventilation systems.

Environmental Health have no objections to the proposals set out in the Noise Impact Assessment subject to a condition that the unit is constructed in line with the requirements of the submitted report, and that upon completion and prior to occupation, validation testing is carried out to ensure the following internal noise levels are being achieved:

- 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 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;
- 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

The results of the testing are required to be submitted to the Local Planning Authority for approval, prior to occupation of the flat.

In respect of the noise and disturbance to be generated by the proposed flat, the proposal will add two potential occupants. Given the nature of the surrounding uses which include residential and commercial, the provision of a 1 bedroom flat is not likely to generate noise nuisance for neighbours. Although there may be an increase in cars of 1-2, this, is not considered to be of such intensity that it would unduly threaten the amenity of surrounding occupiers by way of noise and disturbance.

Privacy

The proposed two additional windows on Vincent Street will not result in any loss of privacy for the opposite residential dwelling no.196 Rochdale Rd as they do not look onto any windows or rooms. There is one proposed window on the west elevation, this will not result in loss of privacy for surrounding residents as there is one window on this elevation and it looks out onto a cobbled street and a carpark.

The proposed door on Vincent Street will not affect amenity and is considered acceptable. It is considered that for the reasons above both the occupier of the flat and the adjacent properties will not suffer unacceptable levels of loss of privacy and is therefore acceptable in this regard.

Space standards

The Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is suitable for application across all tenures. The proposed development is proposing one bedroom. The apartment is 54.77sqm and this will comply.

Additionally, the bedroom size would also meet the minimum standards set out in the NDSS. All the habitable rooms would be served with an adequate standard of light and outlook. Therefore officers are satisfied that proposed flat will give an acceptable standard of amenity for its future occupiers.

Highways and Refuse Collection

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. Paragraph 111 of the National Planning Policy Framework 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 would be severe.

Consultation has been undertaken with the Highways Authority, which has raised no objection to the proposal following the submission of amended plans to show car parking and bin storage. A dedicated bin storage area has been identified on the plans south east of the building. Owing to the site's sustainable location, and considering the parking standards are maximums, it is not necessary in planning terms to secure the provision of car parking by way of a planning condition. However it is necessary to ensure that details of the bin store are submitted for approval, to ensure they are of a suitable size and design.

As such it is considered that the proposal would not adversely impact on public and highway safety and the application would accord with the requirements of Policy DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

GRANT subject to the following conditions:

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:

Location Plan

Existing Plans and Elevations – 100 Rev A

Proposed Plans and Elevations – 101 Rev B received 17/01/2023

and the development shall be carried out in accordance with these drawings hereby approved.

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. No part of the development shall be occupied until such time as details for the design of refuse/ bin store have been submitted to and approved in writing by the Local Planning Authority. The duly approved store shall be installed in complete accordance and made available for use prior to the approved development first being brought into use.

Reason: To ensure the provision of satisfactory and secure facilities for storage of refuse and in the interests of visual amenity in accordance with policy P3 of the Rochdale Core Strategy and the National Planning Policy Framework.

4. No part of the development hereby approved shall be occupied until such time as:
 - 1) The Sound Insulation Scheme in Section 4 of the Noise Impact Assessment has been completed; and
 - 2) Validation testing has been carried out to demonstrate that the following internal noise levels are being achieved:
 - 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
 - 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
 - 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;
 - 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

The development hereby approved shall not be occupied until the results of the validation testing have been submitted to and approved in writing by the Local Planning Authority. The Sound Insulation Scheme shall be retained as approved thereafter.

Reason: To protect the residential amenity of the occupiers of the residential property.

5. The materials used in the proposed windows and doors of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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.

