

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00945/FUL

CASE OFFICER

Anna Hayes

DETERMINATION DATE 28.02.2025 **EXT OF TIME** 23.05.2025

Address: 35-37 Newbold Buildings, Oldham Road Rochdale OL16 5QJ

Proposal: Proposed change of use of first and second floors from residential to a 9 bedroom House in Multiple Occupation (HMO) (Sui Generis) with associated park spaces. Ground floor to be retained as retail.

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
	Neighbour comments received?	n

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

RECOMMENDATION	GRANT Listed Building Consent subject to conditions
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CHECKED AND SIGNED OFF BY: TH

DATE: 29/05/2025

SITE

Newbold Buildings is a prominent three storey building located on the corner of Oldham Road within the Rochdale Town Centre Conservation Area. The immediate area is predominantly commercial in nature.

The building is three storeys in height and is of late nineteenth century construction. The building consists of stonework pillars at ground floor level with a brick façade at the upper floor levels. Each window opening includes a traditional stone surround with an arched appearance and significance architectural detail. The upper floor of the building includes gabled pediments of traditional architectural style.

Newbold Buildings, 33-37 Oldham Road, is a Grade II listed building and was first listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended on 14 October 2020 for its special architectural or historic interest (list entry number 1470830). The principal reasons for its listing are summarised below:

*Architectural interest: * as a well-designed building in a prominent corner location with a handsome curved outer corner with a clock, and equal emphasis to the appearance, rhythm and detailing of the two main elevations fronting Oldham Road and Milnrow Road;*

** the building makes use of good-quality materials, notably the sandstone ashlar used entirely for the ground-floor shops, to present a dependable reassurance of quality to its customers.*

*Historic interest: * built as the central premises, or headquarters, of the Rochdale Conservative Industrial Co-operative Society, the second co-operative society founded in Rochdale, a town synonymous with the foundation of the modern co-operative movement.*

PROPOSAL

Planning permission and listed building consent is sought to change the use of the first and second floors of the building from offices to a House in Multiple Occupation (HMO) containing 8 bedrooms. The proposal includes associated internal alterations (room subdivision including new doorway) and external alterations including the removal of the existing external roller shutter doors.

Access to the HMO would be from an existing entrance to the south facing side elevation at the ground floor, via an existing internal staircase leading up to the upper floors and also down to the basement area (for secure bike storage).

At first floor level the accommodation would include a shared kitchen/diner (18.91m²) and communal living room (16.71m²), as well as three en-suite bedrooms as follows:

Bedroom 1 – 13.62m²

Bedroom 2 – 13.87m²

Bedroom 3 – 13.38m²

At second floor level a further five en-suite bedrooms are proposed, as follows:

Bedroom 4 – 13.76m²

Bedroom 5 – 13.88m²

Bedroom 6 – 13.01m²

Bedroom 7 – 13.10m²

Bedroom 8 – 15.28m²

Bin storage is proposed at ground floor level utilising part of the existing ground floor retail/office floor space (approx. 7.15m²). A secure cycle store for 9 cycles is proposed at basement level. No other vehicle parking is proposed.

The application is supported with a Heritage Statement and a Design and Access Statement.

To note: as originally submitted, the proposal comprised of 9 bedrooms with no communal living space. Following negotiations, the plans have now been amended to remove a bedroom, introduce a communal living space and a larger kitchen with capacity to include a communal dining space, as reflected above.

The application is accompanied by 24/00945/FUL application for full planning permission.

RELEVANT PLANNING POLICY

Planning (Listed Building and Conservation Areas Act) 1990 (as amended)

Section 72 of the above Act states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Guidance

National Planning Policy Framework (NPPF)

Chapter 2 Achieving sustainable development

Chapter 12 Achieving well-designed places

Chapter 16 Conserving and enhancing the historic environment

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)

Places for People

JP-P1 Sustainable Places

JP-P2 Heritage

Rochdale Core Strategy (CS)

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

Rochdale Unitary Development Plan (UDP):

BE/17 New Development Affecting Conservation Areas

Other

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

RELEVANT SITE HISTORY

97/D34269	Change of Use of First And Second Floors From Offices To 4 Self Contained Flats – Approved
01/D38729	Change of Use From Retail (Class A1) To Offices (Class B1) – Approved
17/00366/FUL	Change of use of first and second floors from offices to House in Multiple Occupation (HMO) containing a total of 8 bedsits, with ground floor to remain as offices – Refused. <u>Reasons for refusal:</u> <i>The lack of any external windows to the proposed living/sitting areas to the first and second floors of the building would give rise to an unacceptable level of residential amenity for future occupiers, preventing any natural light or outlook to these habitable areas. The proposal is therefore contrary to the adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.</i> <i>Insufficient provision has been made for the storage of refuse and recycling containers which would be required for a development of this size and nature. This would lead to the storage of bins on the pavement and surrounding external areas, to the detriment of the visual amenity of the street scene. The proposal is therefore contrary to sections 3.12 and 3.13 of the adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.</i>
17/00682/FUL	Change of use and conversion of part of ground floor from offices to retail unit - Approved
17/00884/FUL	Change of use of first and second floors from offices to House in Multiple Occupation (HMO) containing a total of 8 bedsits (resubmission of 17/00366/FUL) – Refused <u>Reasons for refusal:</u> 1. The lack of any internal living rooms or other internal amenity space would give rise to an unacceptable level of residential amenity for future occupiers, providing a very poor standard of living to the detriment of the amenity of the future occupiers. The proposal is therefore contrary to the adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
17/01170/FUL	Change of use of first and second floors from offices to House in Multiple Occupation (HMO) containing a total of 7 bedrooms and creation of external bicycle store and bin storage – Approved

CONSULTATION RESPONSES

Conservation and Design

No objections in principle to the conversion to a residential use and the internal subdivision however the preference would be to see the upper floors of the building to be converted to a high quality apartment scheme as opposed to an HMO.

REPRESENTATIONS

The application has been publicised with a site notice, press notice and neighbour notification letters. No letters of objection have been received in respect of this application.

ANALYSIS

Principle

As concluded within accompanying application 24/00945/FUL, the principle of the development would comply with the policies within the UDP and those within the NPPF for directing new housing development in sustainable locations and provide a more flexible supply of housing. The proposed development would also make a small but valuable contribution to the supply of housing in the borough in accordance with the objectives of the NPPF.

Visual Amenity and Impact on Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 208 of the NPPF states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal, and this assessment should be taken into account when considering impact of the proposal on a heritage asset. Paragraph 212 of the NPPF states that in considering the impact of a proposed development, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration of a heritage asset and as they are irreplaceable, any harm or loss should require clear and convincing justification (p.213).

Locally, Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the Borough, to adhere to high standards of design. Policy DM1 of the adopted Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

Policy P2 of the adopted Core Strategy states that the Council will protect the borough's heritage by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings. Saved UDP Policy BE/17 only permits development that preserves or enhances the character and appearance of the Conservation Area. In this case, the site lies within the Rochdale Town Centre Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) also places a duty on local planning authorities to pay special regard to the desirability of preserving or enhancing the character of a conservation area.

The building is a prominent feature of the eastern edge of the conservation area, sitting at the junction of Oldham Road and Milnrow Road in the 'Regency Drake Street' Character Area and has a strategic position at the top of the hill. The building was established in 1869 and erected in 1877. The Council's Conservation Area

Appraisal notes that recent research suggests that the building was used as a Conservative Co-op – an early rival to the Rochdale Pioneers.

The building itself is a Grade II listed building and also a locally listed building. The building consists of stonework pillars at ground floor level, with a brick façade at upper floor levels. Each window opening includes a traditional stone surround, with an arched appearance and significant architectural detail. The upper floor of the building includes gabled pediments with of a traditional architectural style. A large clock on the corner contributes significantly to the positive image of the building and its presence in the street scene and conservation area.

Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. No significant external alterations to the fabric of the building are proposed and so the traditional features are to be maintained. In order to seek enhancements to the building, where possible, Officers requested the removal of the roller shutter doors to the HMO entrance which is recommended to be secured by condition. This relieves the listed building of alien modern fixings and so is considered to be a positive contribution by the scheme. Other works include the installation of secondary glazing at upper levels behind the existing timber sash windows (to be retained). As indicated on drawing 14B, the secondary glazing is to be made using aluminium frames in a matching sliding sash style, installed to mirror the timber sash style to allow the secondary glazing sight lines to match the existing windows.

Generally, much of the proposed works will have a neutral impact on the significance of the designated heritage asset, however, in acknowledgement of paragraph 202 of the NPPF, elements of the proposal will lead to less than substantial harm, in particular the installation of new internal stud walls and installation of a new fixtures and fittings including a new kitchen at first floor. In weighing up this harm, it is recognised that the proposal works will have significant public benefits, allowing the future maintenance of the Grade II listed building whilst adding to the housing stock within the borough. The proposed works are necessary to help secure the building's optimum viable use. Subject to conditions, the development is found to be acceptable and in accordance with section 16 of the NPPF, PpE policy JP-H1, Policies P2 and P3 of the Core Strategy and saved UDP Policy BE/17.

RECOMMENDATION

GRANT listed building consent subject to the following conditions:

That planning permission be granted 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 under section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise required by the conditions below:

Drawing 24047-01- Location Plan

Drawing 24047-04 – Existing and Proposed Site Plan

Drawing 24047-10 – Proposed Basement Plan
Drawing 24047-11 – Proposed Ground Floor Plan
Drawing 24047-12B – Proposed First Floor Plan
Drawing 24047-13A – Proposed Second Floor Plan
Drawing 24047-14B – Proposed Details (Secondary Glazing)
Noise Impact Assessment Report reference P8015-R2-V2 dated 11.12.2024

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 first occupation of the development hereby approved, the existing roller shutters and frames to the south facing side elevation at ground floor level shall be entirely removed. The surrounding area shall be made good and where repointing works are required, a mortar shall be used to match the existing. All raking out and repointing shall be carried out using hand tools, within the confines of the joint, finished slightly recessed from the face of the brickwork. All repointing work shall be carried out by a competent specialist contractor.

Reason: To ensure that the materials used are visually appropriate to the locality, in the interests of the character and appearance of the designated heritage asset, in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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:

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.

INFORMATIVE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Report Author Anna Hayes