

APPLICATION NUMBER: 25/00755/PRA56

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO
25/00755/PRA56

CASE OFFICER
Nick Brookman

DETERMINATION DATE 25 September 2025 **EXPIRATION DATE** 02 October 2025

Address: 3 Wood Street, Middleton, M24 4DH

Proposal: Prior approval for the change of use from offices (Class E) to 2 self-contained apartments (Class C3) under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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?	N

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

RECOMMENDATION	Prior Approval Required and Approved Subject to Conditions
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SITE

The application site relates to 3 Wood Street, Middleton, which is not a designated Listed Building but it is located within the Middleton Town Centre Conservation Area and is a three storey plot.

The building is sustainably located in a prominent location as a corner plot in the town centre and the site falls within the Defined Urban Area as designated by the Unitary Development Plan 2006).

PROPOSAL

The applications seeks prior approval for the change of use from offices (Class E) to 2 self-contained apartments (Class C3) under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The ground floor will remain as an office space but the first floor will be converted into a 2 bedroom apartment with the second floor apartment accommodating 3 bedrooms.

Each apartment would have one main bathroom and ancillary private storage space and the apartments will have access to a bin store on the ground floor, natural light and ventilation.

The proposed bedrooms meet the required NDSS standard.

A refuse store is provided on the ground floor.

The provisions of Class MA of Schedule 2 Part 3 of the Town and Country Planning General Permitted Development Order 2015 do not allow for operational/built development and as such any application under this Class must be determined against the existing window / external works provision. In this instance, no external works are proposed.

RELEVANT PLANNING POLICY

Paragraph W of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that when considering whether a development is permitted under Class MA of the above order, the LPA shall have regard to the National Planning Policy Framework as if it was a planning application, in so far as it relates to the relevant subject matters.

For the avoidance of doubt Class MA states:

“Class MA – commercial, business and service uses to dwellinghouses

Permitted development

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.”

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS)

Unitary Development Plan (UDP)

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

None.

CONSULTATION RESPONSES

Environmental Health - Noise/Odours

Environmental Health have no objection in principle to the proposed development subject to condition.

Highways and Engineering

Highways have no objection to the proposed development.

Conservation/Heritage

The Conservation Officer has commented that the application property stands within the Middleton Town Centre Conservation Area. The building in question, known as the 'Albion Buildings' is believed to be an early work of renowned local architect Edgar Wood. Whilst the building isn't listed on the National Heritage List for England, it is locally listed as a non-designated heritage asset.

Edgar Wood was a pioneering architect who practised in the late 19th and early 20th centuries. He enjoyed an international reputation based upon innovative buildings that anticipated the changes that were to take place in the twentieth century. He was the most experimental Arts and Crafts architect in England and his nearest equivalent in the UK was Charles Rennie Mackintosh of Glasgow. Edgar Wood was an "artist architect" who eschewed large commercial practice and instead concentrated on art, craft and design in the William Morris tradition. His buildings often contained furniture, art and glass designed or made by him or his contemporaries.

On the basis of the above, special attention must be made to the preservation of historic fabric within the building and to its external appearance and design detailing. There are two principal concerns with the proposals as submitted:

- ❑ The subdivision of the second floor to create three bedrooms would result in internal partition walls being erected up the existing window framework. This would be unacceptable on the basis that the visual appearance of the building as a whole would be significantly negatively affected, especially

during the hours of darkness as different parts of the same window bank would be separately lit. Similarly, potential differences in curtains and blinds would undermine the cohesive appearance of the building in daytime hours. It must be noted that the building is a key unlisted building in a prominent location within the conservation area and commercial core of the town centre so ensuring an appropriate standard of visual appearance is a key concern. The simple solution to address this problem would be to delete Bedroom 2 and extend the size of Bedrooms 1 and 3.

- ⑦ No details have been provided within the application in relation to the provision of a residential entrance of a sufficiently high-quality design and visual appearance. These details must be secured through condition, along with details of making good the original building fabric.

These comments are addressed in the succeeding Analysis section below.

REPRESENTATIONS

Letters were issued to neighbouring premises on the 20th August 2025 and a Site Notice was posted in the vicinity of the site on the 19th August 2025. A Press Notice was also published on the 4th September 2025 and no comments were received.

ANALYSIS

Amendments to the Order came into force on 5th March 2024 and the below assessment takes this into consideration.

Development is not permitted by Class MA—

a) Unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval.

This has now been omitted from Schedule 2 Part 3 by the updated on 5th March 2024.

b) Unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

Based on the information available to Officers, there is no reason to believe that the use of the premises has changed outside of Class E use and therefore on the balance of probabilities, Officers are satisfied that the application site fell within a Class E use for a continuous period of at least 2 years prior to the date of the application for prior approval.

c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

This has now been omitted from Schedule 2 Part 3.

d) if land covered by, or within the curtilage of, the building—

- (i) is or forms part of a site of special scientific interest;**
- (ii) is or forms part of a listed building or land within its curtilage;**
- (iii) is or forms part of a scheduled monument or land within its curtilage;**
- (iv) is or forms part of a safety hazard area; or**
- (v) is or forms part of a military explosives storage area;**

The land covered by or within the curtilage of the building does not form any of the designations listed under paragraph d)

e) if the building is within—

- (i) an area of outstanding natural beauty;**
- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;**
- (iii) the Broads;**
- (iv) a National Park; or**
- (v) a World Heritage Site;**

The building is not within any of the designations listed under paragraph e)

f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

The site is not occupied under an agricultural tenancy.

g) before 1 August 2022, if—

- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and**
- (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.**

The development is not of a description falling within Class O and the site is not located with an area where an operation of a direction under article 4(1) would have applied.

Summary

The proposal does not fall under the above exclusions set out under Class MA of Part 3 of Schedule 2 of the General Permitted Development Order (as amended). Therefore, consideration of the following matters is given.

Conditions

MA.2. Development under Class MA is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport impacts of the development, particularly to ensure safe site access;**
- (b) contamination risks in relation to the building;**
- (c) flooding risks in relation to the building;**
- (d) impacts of noise from commercial premises on the intended occupiers of the development;**
- (e) where—**
 - (i) the building is located in a conservation area, and**
 - (ii) the development involves a change of use of the whole or part of the ground floor,**

- the impact of that change of use on the character or sustainability of the conservation area;
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006,
 the impact on the local provision of the type of services lost; and
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Transport and highways

Paragraphs 115 and 116 of the NPPF require that safe and suitable access to a site can be achieved for all users and 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 of the road network would be severe. As such, the Council's Highways Officer was consulted to assess the potential transports related impacted of the development.

The application site is very sustainably located and the Council's Highways Officer has raised no objection to the proposed development and in accordance with the policies of the NPPF, prior approval is therefore not required.

Contamination risks

Paragraph 187 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 197 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 196 of indicates that planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

In this instance the proposal purely comprises the conversion of the existing premises by virtue of only internal works.

The proposal would utilise the existing building and accesses to the building. The site and building has been used for commercial purposes in recent years and is therefore considered to be suitable for residential accommodation in terms of satisfactory safeguarding against actual and potential risk of contamination. In accordance with the policies of the NPPF, prior approval is therefore not required.

Drainage and flood risk assessment

Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

The Environment Agency Flood Map for Planning identifies the site as lying within Flood Zone 1, thus has a low probability of flooding from rivers and the sea. It does not fall within a Critical Drainage Area and due to the nature of development, and in accordance with the policies of the NPPF, prior approval is therefore not required.

Noise impact

Paragraph 135 of the National Planning Policy Framework requires planning policies and decisions to ensure that new developments create a high standard of amenity for existing and future users.

Typically, sound insulation between floors in itself is dealt with under Approved Document E via Building Control. However, internal noise conditions need to be ascertained and understood to ensure the development is appropriate for its location, taking into account living conditions, including reducing to a minimum the potential adverse impacts resulting from noise on health and the quality of life. In this instance, whilst it is recognised there are potential sources of noise levels within the vicinity of the site notably from the adjacent highway and the associated vehicular traffic, Factory Road and Wood Street in this location would not be considered to generate excessive amounts of noise given the highway restrictions in place limiting speed for example.

It is also recognised that there is no significant nighttime economy in the immediate vicinity of the application site and for that reason heavy pedestrian activity is likely to only occur during sociable hours of the day.

Therefore, adverse noise impacts are very limited in this location.

In any case, the Council's Environmental Health team were consulted on this application and they have no objection subject to the condition requiring the submission of a Noise Impact Assessment and subsequent verification to ascertain whether the appropriate internal noise levels have been achieved. Accordingly, in this instance prior approval is required and granted subject to condition.

Impact on Conservation Areas

The application site is located in the Middleton Town Centre Conservation Area. Paragraph 212 notes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 follows that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

The Council's Conservation Officer has commented that *"the subdivision of the second floor to create three bedrooms would result in internal partition walls being erected up the existing window framework. This would be unacceptable on the basis that the visual appearance of the building as a whole would be significantly negatively affected, especially during the hours of darkness as different parts of the same window bank would be separately lit. Similarly, potential differences in curtains and blinds would undermine the cohesive appearance of the building in daytime hours. It must be noted that the building is a key unlisted building in a prominent location within the conservation area and commercial core of the town centre so ensuring an appropriate standard of visual appearance is a key concern. The simple solution to address this problem would be to delete Bedroom 2 and extend the size of Bedrooms 1 and 3"*.

However, in responding to this point Planning Officers are aware that the provisions of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) do not require an assessment against such matters as set out in the aforementioned conditions listed above.

Overall, Planning Officers recognise that the proposed residential development in principle would not impact upon the setting of the Conservation Area.

The agent has confirmed that the existing security shutter serving the proposed access to the apartments will be retained but left open whilst the building is occupied for fire regulations. The applicant will also submit a separate planning application to replace / upgrade the windows and doors on the building and this will give Officers more control and an opportunity to comment on those proposals.

Accordingly, the proposed development is in accordance with the policies of the NPPF and prior approval is therefore not required.

Provision of natural light to habitable rooms

Paragraph 131 of the NPPF states that *"the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve"*. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Paragraph 135 of the National Planning Policy Framework requires planning policies and decisions to ensure that new developments create a high standard of amenity for existing and future users. A habitable room is identified as a room used or intended to be used for sleeping or living which is not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.

Both apartments as demonstrated on the submitted proposed floor plan drawings, contain adequate outward facing windows to all habitable rooms within the development and these plans thus clearly show that it is possible for the development to be provided with an adequate supply of natural light to all habitable rooms within the proposed development. In accordance with the policies of the NPPF, prior approval is therefore not required.

The impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses

The application site is not in an area that is considered to be important for general or heavy industry, waste management, storage or distribution, and therefore does not require prior approval.

The impact on the local provision of a registered nursery or health centre through the loss of either service

The proposal would not result in the loss of a registered nursery or health centre.

Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

The proposed development is less than 18m in height and is less than seven storeys, and therefore does not meet the fire risk condition. No fire safety impacts of the development is required.

Space standards

Article 3 (9A) of the GDPO states that 'Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

- (a) where the gross internal floor area is less than 37 square metres in size; or
- (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

The Nationally Described Space Standards (NDSS) is a technical standards document produced to ensure internal space within new dwellings is suitable for application across all tenures. The tables below set out the minimum gross internal floor area requirements for the proposed dwellings type alongside their actual comparison.

<u>Flat Number</u>	<u>Number of bedrooms</u>	<u>Number of bed spaces (persons)</u>	<u>1 storey dwelling</u>
1	2	4	70m ²
2	3	4	70m ²

<u>Flat Number</u>	<u>NDSS Requirement</u>	<u>Proposed Space</u>
1	70m ²	70m ²
2	70m ²	75m ²

Officers have measured the submitted floor plan layout and are satisfied that the proposed floor spaces associated with each flat (including the proposed bedroom sizes) meets the minimum standards set out under Section 3 (9A), and the NDSS. Accordingly, prior approval is therefore not required.

RECOMMENDATION

Prior approval is required and approval is granted subject to conditions.

CONDITIONS

1. The development must be completed within a period of 3 years starting with the prior approval date.

Reason: To comply with the requirements of Paragraph MA.2 of Part 5, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. This permission relates to the following plans and documents:

- ☐ Site Location Plan and Existing Floor Plans Drawing No 24/98-01 Rev A
- ☐ Proposed Block Plan and Floor Plans Drawing No 24/98-02 Rev B

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

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

3. a) Notwithstanding the details submitted, prior to first occupation of any of the apartments hereby approved, a Noise Impact Assessment, including a scheme of ventilation and for acoustically insulating the proposed accommodation against noise from Wood Street, Factory Street and surrounding commercial uses, shall be submitted to and approved in writing by the Local Planning Authority.
- b) No part of the development hereby approved shall be occupied until such time as a verification report has been submitted to and approved in writing by the Local Planning Authority to confirm that the approved noise insulation and ventilation scheme measures have been implemented to achieve the required maximum noise levels. The noise attenuation and ventilation measures shall be retained as installed thereafter.

Reason: To safeguard the amenities of residents in order to comply with the requirements of Policies G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

