

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00651/FUL	Hamish Rigg	26/11/2024

Address: Atlas House, 119 Drake Street, Rochdale, OL16 1PZ

Proposal: Change of use of ground floor into a 2no' bedroom flat (C3)

PUBLICITY	Weekly list expired?	Y	Site notice expired?	n/a
	Neighbour letters expired?	Y	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/a
-----	--	-----

CONDITIONS	Pre-commencement conditions proposed?	n/a
	Pre-commencement conditions agreed (or notification period expired)?	n/a

RECOMMENDATION	Refuse
----------------	--------

CHECKED AND SIGNED OFF BY: RK

DATE:03/12/2024

SITE

The application relates to the ground floor of 119 Drake Street; a two-storey terraced property on the edge of Rochdale Town Centre. No.119 forms part of a terraced row

dating back to the early 20th Century which falls within Drake Street local centre, as per UDP Policy G/S/6. The surrounding area is urban in character, comprising a mix of residential, commercial, and retail uses. Drake Street is a key access route into Rochdale Town Centre, and an important part of the road network.

No. 119 currently operates as a solicitors firm, and an office use will be retained at first-floor level. 119 faces north, fronting the pavement and overlooking the public highway. It is adjoined by no. 117 to the east and no. 121 to the west, both of which are commercial/office buildings. There is a rear yard which faces southwards and borders the pavement on Henry Street.

PROPOSAL

The application seeks the change of use of the ground floor, from offices (class E) to a 2no bedroom self-contained flat (C3). No external works are proposed, however there would be internal alterations to block up existing accesses and create new ones.

RELEVANT PLANNING POLICY

National Guidance

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

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-P1 Sustainable places

Adopted Rochdale Core Strategy (CS):

DM1	General Development Requirements
C1	Delivering the right amount of housing in the right places
P3	Improving design of new development
C3	Delivering the Right Type of Housing
P2	Protecting and enhancing character
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General Development requirements
SD1	Delivering sustainable development

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

77/D05288 - Approved

Change of use of residential flat to offices

CONSULTATION RESPONSES

Highways 24/10/2024 – no objections

A development of this scale and use will not generate a large volume of traffic. The parking provision outlined is adequate for this sustainable location at a town centre location. No new roads are proposed as a result of this proposal and there is no changes to the highway proposed. No new road safety issues are expected as a result of this change of use. No Public Rights of Way will be obstructed as a result of this proposal. We have no concerns about servicing or refuse collection from this location.

Environmental health 07/11/2024 – no objections

This section has no objections in principle to the proposals, we would recommend the following conditions:

The homes are constructed in line with the requirements of the submitted noise impact assessment to achieve the following internal and external noise levels

- *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.*

Upon completion and prior to occupation validation testing is carried out to ensure the internal and external noise levels have been achieved

REPRESENTATIONS

Letters of notification were sent to surrounding properties 18/10/2024; no objections were raised.

ANALYSIS

Permission is sought for the change of use of the ground floor into a self-contained flat. Places for Everyone establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough. Policy C1 of the Core Strategy aims to maximise the potential of previously developed sites within the urban area to achieve a target of 80% of new housing of previously developed land. The site

falls within the 'defined urban area' as set out in Policy G/D/1 of the saved Unitary Development Plan (UDP). Furthermore, policy JP-H4 of PfE states that new housing should be delivered a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Therefore, where possible concentrating a higher density of housing in town centres.

The principle for development relating to this application is therefore established by contributing towards additional housing supply, and in supporting development on previously developed land, within the defined urban area and town centres.

Amenity: DM1 and SPD

Space standards:

Paragraph 135 of the NPPF seeks to ensure that new developments create a high standard of amenity for future users. Furthermore, in conjunction with the SPD, Policy DM1 of the Rochdale Core strategy aims to secure a good standard of amenity for future occupants, including in relation to changes of use. As such, both the NPPF and the Core Strategy promote National Planning Practice Guidance (NPPG) on internal amenity, with NPPG being a 'material consideration' when taking decisions on planning applications.

The nationally described space standards (NDSS) establish minimum space requirements within new dwellings, which is expressly required within PfE Policy JP-H3, setting out requirements for the gross internal area, as well as floor area for specific parts of the home.

The proposed flat contains two bedrooms. Bedroom 1 measure approx. 19.8m², and bedroom 2 measures approx. 21.7m². The NDSS determines that a double bedroom providing two bed spaces requires a floor area of at least 11.5m². It is therefore reasonable to assume that both of the proposed bedrooms can, or would, operate as double bedrooms providing up to two bed spaces each.

The table below outlines the NDSS for the minimum gross internal floor areas dependent on the number of bedrooms and bed spaces. Considering the above, the minimum gross internal floor area required is 70 m². The proposed flat has a gross internal floor area of 64.3m² and therefore does not meet the requirements for a 2x double bedroom apartment. As such, the proposed dwelling would fail to provide adequate levels of internal amenity for potential future occupants.

Table 1. Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
1b	2p	50	58		1.5
2b	3p	61	70		2.0
2b	4p	70	79		2.0

Furthermore, whilst the NDSS do not provide explicit guidance on minimum floor areas for kitchens and bathrooms, the proposed flat has a kitchen area measuring 4.98m² and bathroom measuring 3.44m². Both of these internal areas would be cramped, and limited in functionality, particularly for any wheelchair users.

Privacy and outlook:

Policy DM1 requires all new development to demonstrate that occupants will experience acceptable levels of privacy, whilst the SPD aims to ensure that all habitable rooms (in which occupants spend prolonged periods of time) will be served by sufficient outlook and natural light.

On privacy, the proposed ground floor plan includes a bedroom at the front of the property, with a window at street level on Drake Street. Drake Street is a main shopping and commercial centre, and a key transport route linking Rochdale town centre. Furthermore, the application property is adjoined by offices and small business, and intends to retain office space at first-floor level. As such, there would be high levels of footfall walking past the bedroom window, undermining the privacy of occupants. This is exacerbated by the low sill level of the window in question, making it easier to view inside. The proposed layout therefore would not be able to offer occupants acceptable levels of privacy and peace where this would be expected.

Regarding outlook and natural light, the proposed layout includes a central living room with one window facing southwards. Google Street View shows there to be an external staircase directly in front/above the living room window, therefore blocking natural light and restricting the outlook. Considering the plans do not indicate the removal of the staircase, the proposed living room, which is considered to be a habitable room where occupants will generally spend prolonged periods of time, would not offer sufficient levels of amenity.

Noise and surrounding land uses:

Policy DM1 requires all development proposals to demonstrate that they are compatible with surrounding land uses, both in terms of its impact upon those uses and the reverse impact on future occupants. As such, development proposals will need to mitigate against any adverse impacts from noise. Given the site's edge of town centre location, and its proximity to key transport networks, including the Metrolink, and the night time economy on Milkstone Road, there are multiple sources of high noise level generation.

The applicant has therefore supplied a noise impact assessment to demonstrate how they will mitigate against any adverse impact on future occupants from noise disturbance. The Council's Environmental Health Officer was consulted to provide comments on the noise impact assessment and concluded that, subject to the recommendations within the assessment, adequate levels of internal noise could be achieved.

Conclusion:

Overall, the proposed flat would fail to provide adequate levels of internal amenity for future occupants, due to its non-compliant gross internal floor area, lack of privacy, and restricted outlook and natural light. Whilst there may be scope for residential accommodation in this site, the ground floor has limitations which require the applicant to consider the living standards of future occupants above the potential number of

residents. However, this proposal fails to demonstrate sufficient standards of amenity in contradiction with the National Planning Policy Framework, Policy JP-P1 of the Places for Everyone Joint Development Plan, Policy DM1 of Rochdale Council's Core Strategy, and the Council's Guideline and Standards for residential Development SPD.

Highways and refuse: DM1 and T2, Appendix 5

Whilst the applicant has indicated no on-site parking spaces, the Council's Highways Officer raised no objections to the proposed development. The change of use is unlikely to generate a significant volume of traffic and the property is close enough to town centre amenities and transport links that off street parking is not essential. Furthermore, the plans indicate the storage of a bin within the existing rear yard, and collection to the rear as per the existing strategy. Overall, the proposed development is considered acceptable in terms of its impact on highways, in accordance with policies DM1 and T2.

RECOMMENDATION

Refuse:

1. The proposal fails to demonstrate adequate levels of internal amenity for future occupants, due to its non-compliance with the Nationally Described Space Standards in terms of its gross internal floor area; the placement of a bedroom window at street level in a busy town centre location and restricted outlook and access to natural light within the living room. The proposal therefore does not comply with the Council's Guideline and Standards for residential Development SPD, Policies JP-H3 and JP-P1 of the Places for Everyone Joint Development Plan, Policy DM1 of Rochdale Council's Core Strategy, and the National Planning Policy Framework.

Procedure statement

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.

Notes for Applicant:

For the avoidance of doubt, this decision relates to the following plans:

- Existing and proposed floor plans: DWG 2 OF 2
- Location and block plans: DWG 1 OF 2