

APPLICATION NUMBER: 24/00088/FUL

## DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00088/FUL

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 29.07.2024 EXT OF TIME 05.08.24

Address: 62 Market Street Heywood OL10 4LY

**Proposal:** First and second floor change from storage to residential use and alterations to front elevation to create access.

|           |                            |   |                       |     |
|-----------|----------------------------|---|-----------------------|-----|
| 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 |
|-----|--------------------------------------------------|---|

|            |                                                                      |   |
|------------|----------------------------------------------------------------------|---|
| CONDITIONS | Pre-commencement conditions proposed?                                | N |
|            | Pre-commencement conditions agreed (or notification period expired)? | N |

RECOMMENDATION

GRANT subject to conditions

CHECKED AND SIGNED OFF BY: LA DATE: 30.07.24

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## **SITE**

The site is located at 62 Market Street, this is a three storey building with a commercial unit on the ground floor and a store room on the first and second floor. This is part of a row of shops along Market Street. The ground unit is currently a barbers. Adjoining east is a coach and mini bus hiring business and west is a clothing shop. Opposite the site is a row of more commercial units.

The site is located in The Defined Urban Area and Heywood Town Centre.

## **PROPOSAL**

The application seeks to change the first and second store rooms into two one bedroom self-contained units. The ground floor will remain the same.

To provide access to the residential units a new a new entrance is proposed on the front elevation with access off Market Street.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub- Regional Policy  
**Places for Everyone**

Policy JP-P1 Sustainable Places

### **Adopted Rochdale Core Strategy (CS):**

DM1 General Development Requirements

P1 Improving image

P3 Improving design of new development

C3 Delivering the Right Type of Housing

P2 Protecting and enhancing character

G9 Reducing the impact of pollution, contamination and land instability

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

G/S/1 – Hierarchy and Roles of centres

S/4 – Secondary and Central Shopping Areas

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

### **RELEVANT SITE HISTORY**

08/D51385 - Alterations To Front And Rear Elevations Of Existing Shops  
(Retrospective) – Approve

### **CONSULTATION RESPONSES**

#### Highways And Engineering

No objections.

#### Env Health - Noise/Odours

No objections, a condition has been requested if the application is approved.

### **REPRESENTATIONS**

Letters of notification have been sent out to surrounding occupiers. No comments have been received.

### **ANALYSIS**

#### Principle of Development

The proposed application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). The site is also within Heywood Town Centre and a secondary shopping area. The UDP sets out at ground floor level in secondary shopping areas 'only development of, or change of use to, shops, food and drink outlets and financial and professional services will be permitted. The development of other uses at ground floor level fronting the street will not be permitted.' This proposal does not proposed to change the use of the unit on ground level and complies with the UDP. The principle of development is considered acceptable.

#### Character and Appearance

Paragraphs 131 and 135 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture and layout which is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The only proposed external alterations consist of adding a door on the ground floor for access to the proposed flats. This will not result in a negative impact on the character and appearance of the area.

The proposal will comply with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework and PfE

#### Impact on Amenity and Surrounding Occupiers

Paragraph 135 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments "*should be carefully designed to protect the amenity of the occupants of adjoining properties.*"

PfE Policy JP-P1 requires all new development to be "Comfortable and inviting, with indoor and outdoor environments, offering a high level of amenity that minimises exposure to pollution; and addressing microclimate issues such as sunlight, indoor air quality, overheating, shade, wind and shelter. PfE Policy JP-H3 also establishes the requirement for new dwellings to be compliant with the Nationally Described Space Standards.

Both bedrooms meet the minimum requirements set out in the NDSS of 11.5m<sup>2</sup>, the proposed flats are small in scale and do not meet the minimum gross internal floor areas for a two person flat. Bedroom 1 is 41m<sup>2</sup> and flat 2 is 38m<sup>2</sup>, the minimum is 50m<sup>2</sup>. The flats will meet the minimum requirement for a one person flat and on this basis are considered acceptable. This is as it is not expected a family will occupy the proposed development.

As part of the application process the Council's Environmental Health Officer has been consulted and raised no objections. The proposed development will not have a negative impact on surrounding occupiers in terms of noise, a noise impact assessment has been submitted as part of the application and it has been advised this should be adhered to. This can be secured via condition.

The only external alterations proposed is the addition of a door on the ground floor, this will not have a negative impact on amenity.

The proposal will comply with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework and PfE.

#### Highways

Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements. 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.

The Council's Highway Officer has been consulted as part of the application process and raised no objections. The site is located in Heywood Town Centre and is close to transport links and within walking distance to shops. The lack of dedicated parking will not result in a negative impact on the highway.

As such it is considered that the proposal would not adversely impact on 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 and documents:

Location Plan

Proposed elevations 2094/3

Proposed Floor Plans 2094/2

Acoustic Survey and Assessment for proposed change of use of the upper floors to residential at 62 Market Street, Heywood. Prepared by Martin Environmental Solutions Ltd.

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. The development hereby approved shall be constructed in line with the design requirements of the submitted acoustic report to achieve the following internal sound 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.

No part of the development 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 acoustic measures have been implemented to achieve the required maximum noise levels. The noise attenuation measures shall be retained as installed thereafter in perpetuity.

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 and the National Planning Policy Framework.

4. The materials used in the construction of the proposed door to the front elevation of the development hereby permitted shall match those existing on the shopfront 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 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.

Report Author Aimee Bovaird