



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 23/00774/FUL

Name and address for correspondence:	Applicant name:
Mr M Farooq Building Design Services 6 Stock Close Rochdale OL12 6BB	Mr Inam Ul-Haq

Part I - Particulars of Application

Date of Application: 24 November 2023

Proposal:	Change of use from office (E) to two retail units (E) at ground floor with alterations to form shop fronts including two self-contained flats at first floor and one self-contained dwelling (C3) at ground and first floor at side on Regent Street together with changes to fenestration
Location:	187 Yorkshire Street, Rochdale, OL12 0DS,

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **REFUSED** for the carrying out of the development referred to in Part I hereof for the following reason(s).

Reasons:

- 1 By reason of its poor design, the proposed shopfront is considered to undermine the proportions of the existing front elevation of the non-designated heritage asset to its detriment which reduces the legibility of the building's past and which results in harm to the significance of the non-designated heritage asset. The proposal is therefore contrary to Policies P1, P2, P3 and DM1 of the Rochdale Core Strategy, Policy JP-P2 of PfE and the NPPF.
- 2 The proposed residential units at Flat 2 and Flat 3 would result in an unsatisfactory standard of amenity for the future occupiers due to the substandard floor space which does not meet the minimum requirements of the 'Technical Housing Standards - Nationally Described Space Standards'. Flat 3 would also be provided with an inadequate level of light and outlook and the proximity of a habitable window to the communal yard would lead to an unreasonable level of loss of privacy, overlooking, noise and disturbance from other future occupiers and the retail units. As such the application is contrary to Policy DM1 of the Core Strategy, the Supplementary Planning Document 'Guidelines and Standards for Residential Development (2016)' and the requirements of the NPPF.

- 3 Due to the proximity of the proposed retail units to the very busy junction of Regent Street and Yorkshire Street, which is a classified road and on a signalised pedestrian crossing, along with the narrow carriageway on Jermyn Street to the rear, the proposed retail units are considered to generate a high service demand where parked service vehicles would either obstruct movements around the junction, restrict visibility for both vehicles and pedestrians or by blocking the carriageway. The proposal has provided insufficient information to demonstrate servicing arrangements which would avoid having a detrimental impact on road safety on the strategic highway network which is contrary to Policy T2 of the Core Strategy, Policy JP-C8 of PfE and the NPPF.
- 4 The application has failed to provide sufficient information to demonstrate protection from harm for bats as a protected species and therefore the application is contrary to Policies G6 and G7 of the Core Strategy, Policies JP-G6, JP-G7 and JP-G8 of PfE and the NPPF.

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.

Date Decision Issued 23 December 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

Location Plan
Design & Access Statement
Received 18th July 2023

Drawing No: 2024/1 - Existing Basement and Second Floor Plan
Drawing No: 2024-2 - Existing Ground and First Floor Plan and Site Plan
Drawing No: 2024/3 - Existing Elevations
Drawing No: 2024/4 - Proposed Ground and First Floor Plan and Site Plan
Drawing No: 2024/5 - Proposed Elevations

Heritage Statement

Acoustic Survey and Assessment by Martin Environmental Solutions Ltd, Date: September 2023, Report No: 2580-1

Preliminary Roost Assessment by arbtech, Date: 17/11/2023, Status: Final, Issue 2.

Received 21st November 2023

The applicant is advised that the two dwellings at 22 Jermyn Street do not have planning permission.