

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00098/FUL	Claire Ringwood	5 th May 2023

Address: 65 Oldham Road, Rochdale, OL16 5QR

Proposal: Change of use of first and second floor storage space into a one bedroom self-contained flat including alterations to fenestration on all elevations (re-submission of 22/01308/FUL)

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	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
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	GRANT
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CHECKED AND SIGNED OFF BY: LA

DATE: 09.05.23

SITE

The application relates to 65 Oldham Road, which is a two-storey end-terraced premises located on the corner of Oldham Road and Wood Street. The property is currently vacant but it was previously in use for retail purposes on the ground floor with ancillary storage above.

The area is predominately commercial in use, with the site located within the Oldham Road/Milnrow Road Local Centre.

PROPOSAL

The application has been amended as the internal floor area was not big enough to accommodate a two bedroom flat. The application, as amended, is now for the conversion of the first and second floors into a one bedroom self-contained flat comprising of lounge/kitchen, shower room and study on the first floor and a bedroom on the second floor.

The application also proposes alterations to the fenestration of the building to accommodate the proposed change of use. This would include two side windows (to replace one existing window) and a rear window at first floor, a further side window at second floor and a roof light to the front roof slope. A door to the rear will become the main entrance to the proposed flat and includes the removal of the roller shutter. The rear roof slope is currently corrugated metal sheets and the application form states this will be replaced with tiles.

The materials will consist of brickwork to match the existing property and tiles and UPVC windows and doors.

The application is a re-submission of a previously refused scheme which was for the change of use of the whole building to two flats including a rear dormer window (see planning history below).

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

DM1	General development requirements
SO1	Delivering a more prosperous economy
E1	Establishing thriving town, district and local centres
SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Unitary Development Plan (UDP):

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

00/D38074 - Partial demolition and construction of new front elevation and gable wall.

Grant subject to conditions.

22/01308/FUL - Change of use from shop into two self-contained flats and rear dormer extension, including alterations to fenestration on all elevations. Refused 11/01/2023.

This application was refused for the following reasons:

1. By reason of its siting, scale and design, the proposed dormer extension would dominate the rear roofslope of the property and would not relate well to the design of the existing structure, appearing as an incongruous addition when viewed from the streetscene, which would detract from the character and appearance of the site and surrounding area. The proposal is therefore in conflict with the visual amenity aims of policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.
2. By reason of the inadequate level of internal floor space proposed and the lack of provision of private amenity space for the proposed first/second floor residential unit, the proposed development would result in an unsatisfactory standard of occupier amenity for the future occupiers, in conflict with Policy DM1 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.

CONSULTATION RESPONSES

Environmental Health

I have reviewed the report and am satisfied that if the design criteria is followed as per the detail in the report then the required internal noise levels can be achieved subject. No objection subject to a relevant condition.

Highways

Although the proposed development provides no parking provision it is within easy walking distance of the town centre with its amenities and public transport links so the lack of parking should not be an issue. The existing property is already being serviced so the additional of the residential use would not increase the servicing requirements by an unacceptable amount. If approved the development should not have any impact on road safety or highways capacity. Highways raise no objection to this application and request no specific planning conditions.

REPRESENTATIONS

The application has been publicised with neighbour notification letters in addition to a site notice. No letters of representation have been received in respect of this application.

ANALYSIS

Principle of Development

The application is located within an area identified as defined urban area under the saved UDP proposals map. As such policy G/D/1 is relevant to any development at the site and this establishes that development should be concentrated in the urban area.

Within the defined urban area the principle of residential use is acceptable and such a use would contribute towards meeting the Council's housing targets which are set out in policy C1 of the Core Strategy as 460 net additional dwellings per year. There should however, still be assurances that the application comprises sustainable development and achieves an acceptable level of residential amenity whilst still protecting matters such as visual amenity and highway safety.

Policy E1 of the Rochdale Core Strategy states that the Council will focus retail, leisure, cultural, office, residential and other development to promote the viability and vitality of all the Borough's town centres to maintain them as thriving and sustainable centres and the preferred shopping and leisure destinations. Specifically, the Core Strategy notes that town centres have the potential to play an important role in providing new quality housing in sustainable locations.

Paragraph 86 f) of the NPPF sets out that Local Planning Authorities should *'recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites.'*

The application site is located in the Oldham Road/Milnrow Road Local Centre and it involves the retention of the ground floor retail unit but the loss of the first floor storage area. As the ground floor retail unit will remain, the loss of the first floor would not have an unacceptable impact on the vitality and viability of the Oldham Road/Milnrow Road Local Centre by way of the proposed residential development. It would also bring a vacant property back into use, if only at first and second floor level, which would be beneficial to the Local Centre as a whole.

Visual Amenity

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 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.

Paragraphs 126 and 130 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, layout and appropriate and effective landscaping, 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 application proposes the installation of 3 windows to the first and second floor side elevation, a window to the first floor rear elevation and a roof light to the front

roof slope. The removal of the roller shutter to the rear door is welcome, as is the removal of the corrugated metal roof at the rear. These are not considered harmful to the character and appearance of the site or the surrounding area and would be a benefit to the residential use proposed.

As such, the proposed alterations are in accordance with Policies DM1 and P3 of the adopted Core Strategy, as well as the National Planning Policy Framework.

Residential Amenity

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 130 f) of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

Noise and Disturbance

The site is located within a local centre area. The uses within this area are mixed at ground floor level, although are predominately Class E and Sui Generis. Many properties within this area, above ground floor level, are residential. The proposed conversion of the first and second floor to residential would share an acceptable relationship with neighbouring properties, and would not result in any significant increase in noise and disturbance.

An Acoustic Survey and Assessment has been submitted by the applicant. The assessment concludes that further mitigation measures are required as noise levels, when windows are open, are above identified standards. As such, the assessment recommends using 'trickle ventilators' for all windows to habitable rooms be installed. This assessment has been reviewed by the Council's Environmental Health Officer (Noise and Pollution) who is satisfied that if the design criteria is followed as per the detail in the report then the required internal noise levels can be achieved. A suitably worded condition is considered necessary to ensure this is implemented.

Minimum Distance Requirements

The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development 2016 (SPD)*' contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents. Given that there are no residential properties to the rear of the site, the proposed development would meet the minimum distance requirements set out in paragraph 4.1 of the SPD in this regard.

The application proposes 3 windows on the side elevation of the property. There is an existing (clear glazed) first floor side window and the proposal involves replacing this with two windows, along with a new window at second floor level. The Eagle Hotel opposite, is approximately 15m from the side elevation of the application site and also has side windows at ground and first floor level. As there are already existing side windows at both buildings, the replacement first floor windows and the new second floor window are not considered to be harmful to the privacy of both buildings, above and beyond, the existing arrangement.

Occupier Amenity

The Nationally Described Space Standards is a technical standards document produced by the Government to ensure internal space within new dwellings is

suitable for applications across all tenures. Table 1 sets out the minimum gross internal floor area requirements for new dwellings, across varying number of bedrooms, occupants and floors. The agent was asked to provide the internal measurement of the flat as a whole, and the individual bedrooms. This led to an amendment in the internal layout, and a reduction in the number of bedrooms from 2 to 1, as the overall size of the first and second floor at 50sqm did not comply with the space requirements for a 2 bedroom property.

Below is an extract from the Nationally Described Space Standards, which specifically details the Gross Internal Area requirements for new 1 bedroom apartments.

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

In assessing this application, the proposed flat, as shown on the submitted floor plans, has a gross internal area of 50sqm, the bedroom measures 12.4sqm and the study 7.3sqm. It is noted that no details on the intended number of occupants has been submitted. However, due to the size of the proposed unit, it is likely that the flat would accommodate two individuals. Although the proposed 'study room' cannot be controlled, if this room is used as shown, and with more people working from home, this additional space will be a benefit to the overall living accommodation.

No outdoor amenity space currently exists and none is proposed. In the case with flats this may be acceptable on some occasions. As the proposal is for a one bedroom flat, it is unlikely that it would be utilised by families, and other residential dwellings above retail units within the row, do not have outdoor amenity space.

In light of the above, the proposal provides an acceptable level of amenity for future occupiers of the proposed flat and is in accordance with policy DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the CS.

The proposed development provides no parking provision although it is within easy walking distance of the town centre and public transport links. Bin storage is proposed to the rear of the site, and as the existing building is already being serviced, the residential use would not increase the servicing requirements by an unacceptable amount.

For these reasons, it is considered that the proposal would have an acceptable impact on highway safety and congestion, and the application would comply with adopted Rochdale Core Strategy policies T2 and DM1, the Residential Development SPD and the National Planning Policy Framework.

RECOMMENDATION

GRANT subject to the following condition(s):

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
Received 30th January 2023

Acoustic Survey and Assessment, by Martin Environmental Solutions Ltd,
dated March 2023, Report No: 2462-1
Received 13th March 2023

Drawing No: A 1953-3 – Proposed Elevations and Section
Received 14th March 2023

Drawing No: A 1953-2 – Proposed Floor Plans
Received 2nd May 2023

and the development shall be carried out in accordance with the approved drawings.

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 materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms (brickwork to match existing, tiles and UPVC windows and doors).

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. The dwelling hereby approved shall be constructed in line with the design detail in the approved Acoustic Survey and Assessment, by Martin Environmental Solutions Ltd, dated March 2023, Report No: 2462-1, to achieve the following internal and external sound levels:

- 35 dB(A) Leq (1 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 5mins in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 35 dB(A) Leq (1 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- 40dB(A) Leq (1 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

The flat shall not be occupied until validation testing has been undertaken and the results submitted to and approved in writing by the LPA to ensure the required sound levels are being achieved.

Reason: To protect the amenity of future occupants of the proposed development in accordance with policy DM1 of the adopted Rochdale Core Strategy and the Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

5. The dwelling hereby approved shall not be occupied until such time as the proposed bin storage area as indicated on Drawing No: A 1953/3 – Proposed Elevations and Section has been provided and made available for use. The facility shall thereafter be retained for its intended purpose.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance Policy 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.

Notes for Applicant:

1. Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link:
<https://www.gov.uk/wildlife-licences>