

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER    | EOT DATE                      |
|-----------------|-----------------|-------------------------------|
| 24/00227/FUL    | Claire Ringwood | 4 <sup>th</sup> November 2024 |

**Address:** 134 -136 Drake Street, Rochdale, OL16 1PS

**Proposal:** Change of use from Office and Tuition Centre (Class E) to Community and Tuition Centre (Class F2) including two single storey rear extensions and external fire exit stairs

|           |                            |   |                       |   |
|-----------|----------------------------|---|-----------------------|---|
| 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?      | Y   |

|     |                                                  |     |
|-----|--------------------------------------------------|-----|
| 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 | GRANT subject to conditions |
|----------------|-----------------------------|

CHECKED AND SIGNED OFF BY: RG

DATE: 8 November 2024

## SITE

The site relates to two, two storey terraced buildings each with two storey rear gables fronting Drake Street on the corner with Moore Street. To the front, the buildings appear to have been in commercial use as Legal Consultants with Roots Tuition on the first floor.

The buildings are adjacent to (but not within) the Rochdale Town Centre Conservation Area, and are located within the defined urban area. They are also adjacent to a listed building at 132 Drake Street which is located on the opposite side of Moore Street. Additionally, the Congregational Church located north east of the application site is also a listed building.

## PROPOSAL

The proposal was originally for the change of use from an office and tuition centre to a community and tuition centre along with a single storey rear extension. During the course of the application the applicant wished to include a further single storey rear extension and an external fire escape.

The amended proposal is now for the change of use from office and tuition centre (Class E) to a community and tuition centre (Class F2) including two single storey rear extensions and external fire exit stairs. The proposed use is understood to be for the Kurdish community and includes the basement storage areas converted into two separate toilet areas. The ground floor area proposes to add two single storey rear extensions, one was previously granted permission under application 22/01532/FUL. An external stair case is also proposed to the rear elevation. The rear chimneys are proposed to be removed however, the front chimney is to remain.

The proposed development will provide a staff room, communal hall, library, dining area, kitchen, lobby, toilets, office/reception, 2 classrooms, two prayer rooms and two communal rooms.

Six car parking spaces are proposed.

The Planning Statement advises the proposed uses are:

| Activity               | Time           | Approx no. attending | Days                                       |
|------------------------|----------------|----------------------|--------------------------------------------|
| Pre-dawn prayers       | varies         | 30                   | Mon – Sun                                  |
| Community Support      | 12:00 to 14:00 | 30                   | Thursdays                                  |
| Mid-day prayers        | 13:00          | 30                   | Sat – Thurs                                |
| Community Events       | 14:00 to 15:30 | 100                  | Saturdays, Sundays, Mondays, when required |
| Friday prayers         | 13:00          | 100                  | Fridays                                    |
| Library sessions       | 15:30 to 17:30 | 40                   | Tuesdays and Thursdays                     |
| Late afternoon prayers | varies         | 25                   | Mon – Sun                                  |
| Youth Classes 1        | 16:45 – 18:45  | 40                   | Mon – Sun                                  |
| Youth Classes 2        | 18:45 – 19:45  | 40                   | Mon – Sun                                  |
| Sunset prayers         | Varies         | 10                   | Mon – Sun                                  |
| Post sunset prayers    | Varies         | 10                   | Mon – Sun                                  |
| Eid prayers            | 08:30          | 150                  | Twice per year                             |

## PLANS AND DOCUMENTS SUBMITTED

Transport Statement by CTS Traffic + Transportation Ltd, Date: 28<sup>th</sup> February 2024, Date Revision: Rev 1

Planning Statement by CTS Traffic + Transportation Ltd, Date: 28<sup>th</sup> February 2024, Date Revision: Rev 1

Heritage Statement by CTS Traffic + Transportation Ltd, Date: 21<sup>st</sup> February 2024, Date  
Revision: Rev 1  
Received 6<sup>th</sup> March 2024

Drawing No: WE-DR13-01-23-01-01 Rev 6 – Location Plan, Existing & Proposed Block  
Plans

Drawing No: WE-DR-13-01-23-01-02 Rev 6 – Carpark Layout

Drawing No: WE-DR-13-01-23-01-03 Rev 6 – Existing & Proposed Basement Plan

Drawing No: WE-DR-13-01-23-01-04 Rev 6 – Existing & Proposed Ground Floor Plans

Drawing No: WE-DR-13-01-23-01-05 Rev 6 – Existing & Proposed First Plans

Drawing No: WE-DR-13-01-23-01-06 Rev 6 – Existing & Proposed Roof Plans

Drawing No: WE-DR-13-01-23-01-07 Rev 6 – Existing Elevations

Drawing No: WE-DR-13-01-23-01-08 Rev 6 – Proposed Elevations

Noise Impact Assessment Report by Noise Air Acoustics & Air Quality, Issue Date: 2<sup>nd</sup>  
May 2024, Report Ref: P7309-R1-V1, Documents Status: Version 1  
Received 9<sup>th</sup> May 2024

Drawing No: WE-DR13-01-23-01-01 Rev 6 – Location Plan, Existing & Proposed Block  
Plans

Drawing No: WE-DR-13-01-23-01-02 Rev 6 – Carpark Layout

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Drawing No: WE-DR-13-01-23-01-05 Rev 6 – Existing & Proposed First Plans

Drawing No: WE-DR-13-01-23-01-06 Rev 6 – Existing & Proposed Roof Plans

Drawing No: WE-DR-13-01-23-01-07 Rev 6 – Existing Elevations

Drawing No: WE-DR-13-01-23-01-08 Rev 6 – Proposed Elevations

Received 7<sup>th</sup> August 2024

The following amended plans were received on 18<sup>th</sup> September 2024:

Drawing No: WE-DR13-01-23-01-01 Rev 1 – Location Plan, Existing & Proposed Block  
Plans

Drawing No: WE-DR-13-01-23-01-02 Rev 1 - Existing & Proposed Basement Plan

Drawing No: WE-DR-13-01-23-01-03 Rev 1 – Existing & Proposed Ground Floor Plans

Drawing No: WE-DR-13-01-23-01-04 Rev 1 – Existing & Proposed First Plans

Drawing No: WE-DR-13-01-23-01-05 Rev 1 – Existing & Proposed Roof Plans

Drawing No: WE-DR-13-01-23-01-06 Rev 1 – Existing Elevations

Drawing No: WE-DR-13-01-23-01-07 Rev 1 – Proposed Elevations

Drawing No: WE-DR-13-01-23-01-08 Rev 1 – General Notes

## **RELEVANT SITE HISTORY**

### **134 Drake Street**

94/D31392 - External Alterations To Building. Approved 03/01/1995.

94/D30892 - Change Of Use From Former Offices To Doctors Surgery

### **136 Drake Street**

93/D30236 - Two Storey Rear Extension To Building. Approved 21/03/1994.

06/D47062 - Two Storey Rear Extension To Office. Approved 08/06/2006.

### **134-136 Drake Street**

22/01532/FUL - Change of use of first floor from office space to 3No self-contained apartments. Single storey rear extension to ground floor offices. Approved 27/07/2023.

134-140 Drake Street

01/D39284 - New Shop Front And Alterations To External Elevations. Approved 28/10/2001.

## **SUMMARY OF CONSULTATION RESPONSES**

### Highways

The development is in a sustainable location in the Town Centre and as such we have no objection to this proposal regards traffic or car parking. The application proposes no changes to the highways network. We have no new road safety concerns as a result of this proposal.

### Environmental Health (Noise)

No objection subject to the following conditions: 1. Noise from fixed plant does not exceed 39 dB(A) between 07:00-23:00 and 34 dB(A) between 23:00-07:00 and 2. a suitable venue management plan is produced to mitigate any noise nuisance and general disturbance.

### Conservation Officer

The scheme would not impact on the significance of the designated heritage asset or the listed building. It would be preferred if chimneys could be retained and details of the proposed gate and any associated walls/fences should be provided.

### Metrolink

Metrolink have no objection to this application and whilst the development proposals are unlikely to affect Metrolink operations the site does adjoin the Highway in which Metrolink operates and therefore we would like the applicant to be advised that the details of working safely near Metrolink can be found on the Metrolink Website at:- [Working safely near Metrolink | Bee Network | Powered by TfGM](#)

### Drainage

No objection.

## **REPRESENTATIONS**

Letters of notification were sent to surrounding neighbours and the application was publicised in the local press and a site notice displayed. Two letters of representation have been received in regards to:

1. Lack of parking within the local area;
2. Impact of the parking on the local area and in close proximity to Al-Abbas Institute where evening classes are held;
3. Rubbish that is at the property and the eyesore this causes.

Amended plans letters were sent to surrounding neighbours on 4<sup>th</sup> October 2024 giving them until 18<sup>th</sup> October 2024 to provide any further comments. No comments have been received.

## 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 21<sup>st</sup> March 2024. The following policies are relevant:

JP-S1: Sustainable Development  
JP-J1: Supporting Long-Term Economic Growth  
JP-P1: Sustainable Places  
JP-P2: Heritage  
JP-P3: Cultural Facilities  
JP-C8: Transport Requirements of New Development

#### Rochdale Core Strategy:

The following policies of the adopted Rochdale Core Strategy are relevant:-

#### **SO1 To deliver a more prosperous economy**

E1 Establishing thriving town, district and local centre  
E3 Focusing on economic growth corridors and areas

#### **SO2 Creating successful and healthy communities**

C2 Focusing on regeneration areas and economic growth corridors/ areas  
C8 Improving community, sport, leisure and cultural facilities

#### **SO3 Improving design, image and quality of place**

P1 Improving image  
P3 Improving design of new development

#### **SO4 Promoting a greener environment**

G9 Reducing the impact of pollution, contamination and land instability

#### **SO5 Improving accessibility and delivering sustainable transport**

T2 Improving accessibility

DM1 General development requirements

#### Relevant saved Rochdale Unitary Development Plan (UDP):

G/D/1 Defined Urban Area  
G/S/1 Hierarchy and Role of Centres  
S/6 District Centre, Local Centres and Linear Commercial Areas  
G/R/1 Physical Regeneration  
R/3 Drake Street Physical Regeneration Area

#### Supplementary Planning Documents (SPD):

## **ANALYSIS**

### Principle of development

The application site is within the Defined Urban Area under the Rochdale Unitary Development Plan (UDP). Policy G/D/1 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that new development should be located in the urban area, so as to support urban regeneration and to protect the countryside.

The site is located within the Drake Street local centre and is highly accessible by a range of transport modes. The site is also a short distance away from Rochdale Town Centre.

Core Strategy Policies E3 and C2 refer to focusing on economic growth corridors and areas of regeneration. Policy C8 refers to supporting and promoting the provision of better community facilities where they serve the borough as a whole and are located within or adjoining Rochdale town centre, are highly accessible and where it is a community building or cultural venue based on specific local connections. This is reinforced by Policy JP-P3 of PfE which states support will be given to development of new cultural venues in town centres and places with good public transport connectivity.

The proposal seeks to change the use from offices and tuition centre to a community and tuition centre (Class F2). Given the previous office use at ground floor and tuition use at first floor, in a very sustainable location just outside the town centre, it is not considered the proposal would result in the loss of this unit to the detriment of the viability and vitality of the local centre, and would not conflict with Policies E1 and C8 of the Rochdale Core Strategy and Policy S/6 of the saved UDP.

On this basis, the principle of the development would be acceptable in accordance with Rochdale Core Strategy Policies C2, C8, E1, E3, Policy JP-P3 of PfE, Policies G/D/1 and S/6 of the saved UDP and the NPPF.

### Heritage and Design

Policy P1 of the Council's adopted Core Strategy seeks to require design which is of a high standard, demonstrating innovation and originality, and maximising the potential for heritage assets to provide a sense of place and image. Policy P2 seeks to conserve, enhance and promote key heritage assets and utilise heritage assets positively and intelligently to strengthen identity and image, in addition to requiring new development to integrate successfully with the key natural features of the borough. Further to the above, Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place.

Policy JP-P2 of PfE states 'we will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings'.

The application site is present on the first town plan from 1851 and the building appears to be part of a terrace:



The building has however, undergone a number of unsympathetic alterations, including the rendering of the exterior, and the replacement of the original windows with UPVC. These changes have undermined the architectural and historic interest of the building.

To the north of the site is 132 Drake Street. This listed building is an example of the late Georgian development of the area. It is an attractive red brick two storey building, originally constructed as a dwelling and retains a number of original features, including the door surround. Originally constructed as a private house, it came to be used as the Board of Trade Labour Exchange in the 20<sup>th</sup> century. The building is listed at grade II for its special architectural and historic interest.

The site was formerly on the boundary of the Rochdale Town Centre Conservation Area however, following on from a review of the Conservation Area, the boundary has been altered and is no longer abutting the application site.

Given the change to the Conservation Area boundary, it is considered that the change of use of the buildings would not impact on the significance of this designated heritage asset. Given the nature of the works, it is also considered that they would not impact on the significance of the listed building.

One of the proposed single storey rear extensions has previously been granted planning permission (application ref: 22/01532/FUL) but it has not been implemented and for this reason it is included in the current application. The proposed extension would be modest in scale and largely screened from the streetscene as a result of the existing outriggers. The second single storey rear extension is proposed to side of the two storey rear outrigger along Moore Street. It would extend as far as the existing two storey outrigger and would have a flat roof. An external fire exit staircase is proposed from the flat roof leading directly onto Moore Street.

Originally all the chimneys were to be removed which would have detracted from the buildings existing architectural character however, officers have managed to retain the main chimney on the front of the building. Details of the proposed materials, gate and any associated walls/fences have not been provided however, this matter can be dealt with by way of condition.

As such, the proposal is considered unacceptable for the reasons given above and is contrary to Policies P1, P2, P3 and DM1 of the Rochdale Core Strategy, Policy JP-P2 of PfE and the NPPF.

#### Impact on neighbouring properties

Paragraph 131 of the National Planning Policy Framework advises that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. 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."*

The previously approved extension would infill the space between the outrigger and existing extensions at the rear of 136 Drake Street and would project 3m from the rear elevation. The extension would measure 2.5m in width, 2.1m in height to eaves level and 3.5m at its highest point. One window is proposed to the rear elevation of the extension with no additional windows proposed to facilitate the change of use other than two below ground light wells to the basement. The second single storey rear extension measures 6m in depth and 3.8m in width. The proposed extension has a flat roof and measures 2.9m in height. A fire exit door is proposed at first floor level and the proposed external fire exit staircase would extend along the rear elevation of the outrigger to Moore Street. The staircase does lead from the flat roof and Officers consider a condition restricting the use of the flat roof for anything other than access to the external staircase would be appropriate to ensure there is no potential for congregating on the flat roof to protect the amenity of surrounding properties.

It is not considered the proposed extensions would intensify the use of the buildings to an unacceptable degree.

The proposed window to window distances from the first floor side elevation along Moore Street would measure 10.5m which falls below the required 14m in the SPD however, this is not considered to be unacceptable in this instance given this is an existing arrangement and the character and density of the properties.

A 34m distance from the rear bedroom window to the rear elevation of properties along St Chads Close, is considered acceptable.

It is acknowledged that at certain times the proposed use will generate a number of visitors at one given time however, the Council's Environmental Health Officer has reviewed the application and advised there is no objection in principle to the proposal. Originally conditions restricting the level of noise from fixed plant and a venue management plan were recommended to mitigate any noise nuisance and general disturbance. However, the agent confirmed that no fixed plant was proposed (and planning permission would be required should any be required in the future) and no speakers are proposed (which will be secured by condition). Officers have considered the use of a condition restricting the opening times of the premises however, due to the varying times of pre-dawn prayers, sunset prayers and post-sunset prayers depending on location and the time of year, controlling the hours of opening would be hard. Environmental Health (Noise) have been consulted specifically on this matter and they are in agreement that controlling opening times would be difficult however, they suggested a condition could be considered to ensure that noise from the venue would not be audible to such a level at residential properties to cause noise and general disturbance. As such, Officers consider that a Venue Management Plan could be submitted by way of a condition which details how the premises will be managed and

what mitigation measures would be in place to ensure there is no noise and general disturbance to neighbouring properties.

A concern has been raised in regards to rubbish that is at the rear of the buildings. Bin storage is shown on the submitted plans and as these plans will be approved, bin storage would be required to be provided. Officers also consider that it would be expected that the regular use of the buildings and the external alterations proposed would ensure this matter is more actively managed.

In light of the above, and subject to the recommended conditions, the proposed development is not considered harmful to the living environment of neighbouring properties in terms of loss of light and outlook, loss of privacy, overlooking, noise and disturbance. The proposal is therefore contrary to Policies DM1 and G9 of the Core Strategy, the Councils SPD and the NPPF.

### Highways

Policy T2 of the adopted Core Strategy relates to improved accessibility and parking. Policy JP-C8 of PfE states 'we will require new development to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments'.

The Council's Highways Officer has reviewed the application and advised that the development is in a sustainable location close to the town centre and as such there are no objections in regards traffic or car parking. No changes are proposed to the highways network and the proposal does not raise any new road safety concerns.

Cycle storage is proposed at the rear which should be secure and covered (secure by condition) and bin storage is provided as detailed on the submitted plans.

Concerns have been raised in respect of the increase in parking demand and the impact this might have on local roads however, the Council's Highways Officer has not raised these concerns. The site is very sustainable and within close proximity to bus and tram stops and also easily accessible from the town centre. Officers do not consider that an objection could be sustained for insufficient parking.

As such, the proposal is contrary to Policy T2 of the Core Strategy, Policy JP-C8 of PfE and the NPPF.

## **RECOMMENDATION**

**GRANT** subject to the following conditions:-

### **TIME LIMIT**

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).

### **APPROVED PLANS**

2. This permission relates to the following plans:-

Drawing No: WE-DR13-01-23-01-01 Rev 1 – Location Plan, Existing & Proposed Block Plans

Drawing No: WE-DR-13-01-23-01-02 Rev 1 - Existing & Proposed Basement Plan

Drawing No: WE-DR-13-01-23-01-03 Rev 1 – Existing & Proposed Ground Floor Plans

Drawing No: WE-DR-13-01-23-01-04 Rev 1 – Existing & Proposed First Plans

Drawing No: WE-DR-13-01-23-01-05 Rev 1 – Existing & Proposed Roof Plans

Drawing No: WE-DR-13-01-23-01-07 Rev 1 – Proposed Elevations

Received 18<sup>th</sup> September 2024

and the development shall be carried out in complete 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.

#### **MATERIALS (TO BE SUBMITTED)**

3. Notwithstanding any description of materials in the application, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the building have first been submitted to, and approved in writing by, the Local Planning Authority. Details shall also include materials relating to the gate and any associated walls/fences. The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

#### **VEHICLE PARKING (AS SPECIFIED)**

4. The buildings hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

Reason: In order to ensure there is adequate provision for vehicles to be parked and adequate turning and servicing provision clear of the highway in order to comply with Policy T2 of the adopted Rochdale Core Strategy, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

#### **USE OF ROOF RESTRICTED**

5. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policies DM1 and G9 of the Rochdale Core Strategy and the Council's SPD.

#### **CYCLE PARKING (TO BE APPROVED)**

6. Prior to first occupation of the buildings hereby approved, a plan showing covered and secure cycle parking provision can be satisfactorily provided on site shall be submitted to and been approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction

and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

Reason: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy T2 of the adopted Rochdale Core Strategy.

**NO AMPLIFIED MUSIC OR SPEAKERS**

7. No amplified sound or music shall be played outside the premises at any time.

Reason: To safeguard the amenity of nearby occupiers and the area generally, in accordance with Policy DM1 and G9 of the Core Strategy, the Councils SPD and the NPPF.

**VENUE MANAGEMENT PLAN**

8. Prior to first occupation of the buildings, a Venue Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail how the premises will be managed and how noise and disturbance will be mitigated. The use hereby approved shall then be carried out in full accordance with the approved details at all times.

Reason: To safeguard the amenity of nearby occupiers, premises and the area generally in accordance with Policy DM1 and G9 of the Core Strategy, the Councils SPD and the NPPF.

**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:**

None.