

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
25/00021/FUL	Hamish Rigg	14/04/2025

Address: 872 Manchester Road, Rochdale, OL11 2SP

Proposal: Change of use from commercial unit (Class E) to 7-bedroom House of Multiple Occupation (Class C4) together with the installation of an external staircase and perimeter wall to the side elevation, alterations to fenestration, and the application of render.

PUBLICITY Y	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
	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	Refuse
-----------------------	--------

CHECKED AND SIGNED OFF BY: TH **DATE:** 06.05.2025

SITE

The application relates to no. 872 Manchester Road; a two-storey end-of-terrace commercial building in Castleton, Rochdale. The site currently operates as a bakery, including an associated shop, workshop, storage and office rooms.

The site falls within Castleton local centre, as per UPD policy S/6, and Castleton South Conservation Area. It is part of a stretch of shops, hot food takeaways, and small businesses running north to south along Manchester Road. The wider area has an historical and industrial character, owing to the surrounding warehouses, Castleton railway station, traditional terraced housing, and the Rochdale Canal. Furthermore, it lies within 100m of three locally listed buildings: the former District Bank, the Bridge Inn Public House, and The Carnegie Library.

No. 872 faces east, fronting the pavement and overlooking the adopted public highway. It adjoins no. 870 to the north, and is flanked by Hope Place to the south, which separates the site from a row of terraced houses. The rear boundary of the curtilage faces west, bordering the curtilage of no. 72 Charlton Street.

PROPOSAL

Permission is sought for the change of use of part of the building from a commercial use (Class E) to a 7-bedroom House in Multiple Occupation (C4). The building would retain the shop at the front of the building.

Additional works include:

- The installation of 2no. external staircase and perimeter wall below the lower ground floor windows and doors. The installation comprises a red brick wall with a metal railing.
- Alterations to the fenestration including: three new window openings and two new door openings to the southern elevation on the lower ground floor, following the removal of the existing timber garage door; and three new window openings on the western rear elevation.
- New boundary treatments to the rear of the site, together with associated landscaping.

RELEVANT PLANNING POLICY

National

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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
JP-P2	Heritage
JP-Strat12	Main Town Centres

JP-H3 Type, Size and Design of New Housing
JP-H4 Density of New Housing

Sub regional

Adopted Rochdale Core Strategy (CS):

E1 Establishing thriving town, district and local centre
DM1 General development requirements
C1 Delivering the right type of housing in the right places
C3 Delivering the right type of housing

Unitary Development Plan (UDP):

G/S/1 Town Centres

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

Highways – 12/03/2025

No objections:

- *The site is in a sustainable location, within walking distance of many local amenities and public transport networks;*
- *No on-site parking is proposed, however none is expected given its sustainable location;*
- *Access to the site will be unchanged;*
- *Servicing and emergency access will remain unchanged;*
- *HMOs typically do not generate much traffic given the low car ownership.*

Conservation – 21/03/2025

No objection in principle but design amendments required:

- *No render to side elevation;*
- *Any new openings must be treated with high quality fixtures and fittings, details of which should be conditioned;*
- *Full details of the proposed new boundary treatments must be conditioned;*
- *Full landscaping details must be conditioned, including a maintenance schedule.*

Environmental Health – 28/04/2025

The Environmental Protection Team have reviewed the above planning application. The proposal is located on Manchester Road with commercial premises in close proximity, particularly licenced premises. The applicant has provided a noise assessment prepared by Nova Acoustics, Reference: NP-012206, Dated: February 2025. The report has concluded secondary ventilation is required prior to occupation as well as separating walls and floor to the proposed ground floor retail unit.

Prior to occupation details of the ventilation system shall be provided to the local authority alongside insulation details between the residential and retail units within the building.

REPRESENTATIONS

Letters of notification were sent to surrounding properties, a notice was published in the local press, and a site notice was displayed at the site.

One objection was received, relating to the following issues:

- ☐ *An HMO undermines the efforts to foster a stable, family-friendly environment, as it will likely attract transient tenants rather than long-term residents, interrupting community cohesion and the long term aspirations for Castleton;*
- ☐ *An over-concentration of HMOs in the area leading to issues with parking and noise;*

Officer's response: issue no. 1 will be discussed in the 'Principle for Development', whilst issues relating to noise and traffic will be discussed under the Amenity and Highways sections.

ANALYSIS

Principle for Development: JP-Strat12, JP-H3, JP-H4, E1, C1, C3

Permission is sought for the change of use of the majority of the site from a commercial use (Class E) to a 7-bedroom House in Multiple Occupation (C4). The site falls within the 'defined urban area' as set out in Policy G/D/1 of the saved Unitary Development Plan (UDP), as well as Castleton local centre, as per UDP policy S/6. It also falls within the area framework for the Castleton Station Supplementary Planning Document.

The Principle for Development is considered with reference to the objection relating to the potential for an HMO to undermine aspirations for Castleton and efforts to create a stable family-friendly environment, by encouraging transient rather than permanent residents.

In 2022, The Council adopted the Castleton Station Area SPD, the vision for which is high quality, residential led development that integrates employment, social and community infrastructure that supports the future growth and development of Castleton. The SPD was intended to supplement the Rochdale Core Strategy, the National Planning Policy Framework, and subsequently the Places for Everyone Joint Development Plan (2024).

Collectively, the SPD, Core Strategy policy E1, and PfE policy JP-Strat12 aim to improve and sustain the vitality of towns and local centres, including by concentrating residential development within them. Efforts to increase town/local centre populations are intended to support employment growth and economic activity, in turn attracting investment and housing opportunities to the borough. It is considered that the proposed HMO would support town centre vitality and help to encourage employment growth and economic activity, as per the aims of the Castleton Station Area SPD.

In addition, 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. PfE policy JP-H4 states that new housing should be delivered at 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.

The principle for development is therefore established by providing additional housing within the borough, whilst making use of a previously developed site in a sustainable, town centre location.

Amenity: DM1 and P2

The Council's adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Paragraph 5.1 of the 'Guidelines and Standards for Residential Development' SPD (June 2016) states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Additionally, the National Planning Policy Framework (NPPF) advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Separation distances:

The main concern, in respect of this application, is the proposed position of several habitable room windows. The SPD defines a habitable room as one in which occupants will spend prolonged periods of time, including bedrooms. In order to ensure a good standard of amenity, it is essential that habitable room windows are served by adequate levels of natural light and provide sufficient outlook, and do not undermine the privacy of neighbouring occupants.

Paragraph 4.1 of the SPD establishes the following minimum separation distances, in order to avoid causing a significant loss of privacy, outlook and light for occupiers of new and existing dwellings:

- ☐ 21m between directly facing habitable room windows, at an upper floor level;
- ☐ 10.5m between a habitable room window at an upper floor level and a directly facing boundary of the curtilage;
- ☐ 14m between a habitable room window and any directly facing two storey elevation;
- ☐ 10m between a habitable room window and any directly facing single storey elevation.

It should be noted that the boundary wall to the curtilage of the site, along the southern and western boundaries, is approximately 1.8m - 2.5m tall, and where the site slopes down to the rear, the boundary wall stands well above the proposed lower-ground-floor windows.

In light of the above, the proposed development fails to comply with the separation distances under paragraph 4.1 in relation to the following:

❑ Room 1:

6m between an upper floor habitable room window and the directly facing boundary of the curtilage to no. 874 Manchester Road. The window to Room 1 therefore directly overlooks the rear garden of no. 874, undermining the privacy of its occupants.

❑ Rooms 3 & 6:

2m between a habitable room window and the rear boundary wall of the curtilage, and 3.5m from the two-storey side elevation of no. 72 Charlton Street. As such, both rooms would have severely restricted outlook and provision of natural light.

❑ Rooms 7 & 8:

6m between a habitable room window and a directly facing single storey boundary wall. Given both windows are at lower ground floor level and that the opposing boundary wall measures approximately 2m - 2.5m tall at this location, both rooms would have severely restricted outlook and provision of natural light.

The SPD does recognise that exceptions to the minimum space standards may be acceptable in some circumstances, for example where reduced distances would not detract from the general levels of privacy and amenity typical in the area, such as a local centre. However, as demonstrated, the proposed scheme falls well below the minimum space standards for five out of eight bedrooms, thus it would not be reasonable to make an overwhelming exception.

Bedrooms 3, 6, 7, and 8 are in close proximity to a directly facing boundary wall or elevation, and therefore would be poorly served by natural light and would have poor outlook. For those bedrooms at lower ground level, this issue is exacerbated. Bedroom 1 would directly overlook the rear garden of no. 874 Manchester Road, thus undermining the privacy of neighbouring occupants. Generally speaking the built environment surrounding this site is too restricted to accommodate the number of habitable room windows proposed, and therefore the applicants should consider a revised scheme.

Noise disturbance:

Policies JP-P1 and DM1 aim to ensure that development is compatible with surrounding land uses and has a neutral or positive impact on the amenities of future and existing residents, particularly in terms of noise.

The Council's Environmental Health Officer provided the following comments:

The Environmental Protection Team have reviewed the above planning application. The proposal is located on Manchester Road with commercial premises in close proximity, particularly licenced premises. The applicant has provided a noise assessment prepared by Nova Acoustics, Reference: NP-012206, Dated: February 2025. The report has concluded secondary ventilation is required prior to occupation as well as separating walls and floor to the proposed ground floor retail unit.

Prior to occupation details of the ventilation system shall be provided to the local authority alongside insulation details between residential and retail units within the building.

In the event of an approval, the proposed scheme would be acceptable in terms of its compatibility surrounding land uses, subject to the recommended noise mitigation condition.

Conclusion:

Overall, the proposed scheme would have an unacceptable impact on the amenity of neighbouring and future occupants through its failure to comply with the minimum space standards established under paragraph 4.1 of the SPD. The location of multiple habitable room windows would either undermine the privacy of neighbouring occupants at no. 874 Manchester Road, or would unduly restrict the outlook and provision of natural light for future occupants. The proposed development therefore fails to comply with the National Planning Policy Framework, policy JP-P1 of the Places for Everyone Joint Development Plan, policy DM1 of the Core Strategy, and the Council's Guidelines and Standards for Residential Development SPD.

Design and heritage: DM1 and P3

When read collectively, the NPPF, policies P3 and DM1 of the Core Strategy, and policy JP-P1 of Places for Everyone seek to achieve development of high quality design, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

In addition, Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Paragraph 206 states that any harm to, or loss of, the significance of a designated or non-designated heritage asset should require clear and convincing justification. Policy JP-P1 of Places for Everyone states that Development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy. Policy P2 of the Core Strategy promotes the protection and enhancement of key heritage assets and their visual amenity.

The application site lies within the Castleton South Conservation Area and within the setting of three locally listed buildings: the former District Bank, the Bridge Inn Public House, and The Carnegie Library. Their high quality designs, particularly Bridge Bank House, contribute to the significance of the Conservation Area.

The Council's Conservation Officer has raised no objections relating to the proposed change of use to an HMO, in terms of any impact on the Conservation Area or non-designated heritage assets. Furthermore, following a recommended amendment to remove the proposed render from the southern side elevation of the building, the design is also considered to be acceptable, in principle.

Notwithstanding, the Conservation Officer required that, should permission be granted, the following design details are conditioned, in order to protect the visual amenity of the street scene and local heritage assets:

- details of new window and door openings;
- details of the proposed new boundary treatments;
- details of landscaping, including a maintenance schedule.

In corroboration with the comments and recommended conditions from the Conservation Officer, the proposal is considered acceptable in terms of its impact on nearby heritage assets. In addition, given the modest nature of the proposed external works, the overall design of the scheme is considered acceptable. The proposal

therefore complies with PfE policy JP-P2, Core Strategy policy DM1, P2 and P3, and the NPPF.

Highways: DM1 and T2

The proposed site plan does not indicate on-site parking provision. However, the Council's Highways Officer raised no objection to the proposed development, given the site's sustainable location and that HMOs tend to have low car ownership. The Officer also determined that the proposed development is unlikely to generate and a significant volume of traffic and that emergency and refuse services would still be able to access the site. As such, the impact on highways safety would be acceptable, in accordance with policies DM1 and T2.

RECOMMENDATION

Refuse:

1. By virtue of its failure to comply with the minimum space standards established under paragraph 4.1 of the SPD, the proposed scheme would have an unacceptable impact on the amenity of neighbouring and future occupants. The location of multiple habitable room windows would either undermine the privacy of neighbouring occupants at no. 874 Manchester Road, or would unduly restrict the outlook and provision of natural light for future occupants. The proposed development therefore fails to comply with the National Planning Policy Framework, policy JP-P1 of the Places for Everyone Joint Development Plan, policy DM1 of the Core Strategy, and the Council's Guidelines and Standards for Residential Development SPD.

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:

INFORMATIVES:

1. For the avoidance of doubt, this decision relates to the following plans and supporting documents:
 - Proposed site plans: 2503-202
 - Proposed elevations: 2503-203B
 - Proposed floor plans: 2503-201
 - Location/block plans: 2503-OS
 - Design and Access Statement (RH Building and Construction Ltd., 6th January 2025)
 - Heritage Statement (Zerum, February 2025)
 - Noise Impact Assessment: NP-012206 (Nova Acoustics, 20/02/2025)