

APPLICATION NUMBER: 25/00428/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
25/00428/FUL

CASE OFFICER
Majid Mir

DETERMINATION DATE 17.07.2025 **EXT OF TIME** 21/10/2025

Address: 237 Milnrow Road Rochdale OL16 5AS

Proposal: Change of use and conversion of existing dwelling (Use Class C3) into 8 bedroom House of Multiple Occupation (HMO) (Use Class Sui Generis) including rear dormer extension, alteration to fenestration at rear elevation, insertion of 2no rooflights to front roof elevation and associated work including landscaping and provision of cycle shelter

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
	Neighbour comments received?	Y

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/A

RECOMMENDATION	Grant Subject to Conditions
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SITE

The application relates to a two storey mid-terrace residential property located on Milnrow Road. Planning permission was granted in 2010 for 'change of use and conversion of public house to form two dwellings' under planning permission 10/D53604.

The dwelling presently comprises of a lounge, sitting room and combined kitchen and dining room on the ground floor. On the first floor there is a shared bathroom and four bedrooms with one bedroom having an ensuite.

Access to the rear of the property is gained via an access path located between no. 2 Hyde Park Mews and no. 6 Belfield Lane. To the rear is an old dilapidated row of terrace properties for which planning permission is being sought to replace with one dwelling under planning application 22/00338/FUL.

To the rear of the application property there is a two storey extension, however, it is noted that the first floor is raised with two columns supporting the first floor.

PROPOSAL

The application seeks planning permission to change the use and convert the existing dwelling (Use Class C3) into an eight (8) bedroom House of Multiple Occupation (HMO) (Use Class Sui Generis). The application also proposes to construct a flat roofed rear dormer extension, insert two (2) rooflights to front roof slope, alter the fenestration on the rear elevation, landscape rear garden and instal a cycle shelter in the rear garden.

RELEVANT PLANNING POLICY**National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone DPD (PfE)

JP-S1 Sustainable Development

JP-S2 Carbon and Energy

JP-H1 Scale, Distribution and Phasing of New Housing Development

JP-H3 Type, Size and Design of New Housing

JP-P1 Sustainable Places

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

SO1 E1	Delivering a more prosperous economy Establishing thriving town, district and local centres
SO2 C1 C3	Creating successful and healthy communities Delivering the right amount of housing in the right places Delivering the right type of housing
SO3 P3	Improving design, image and quality of place Improving design of new development
SO4 G6 G7 G9	Promoting a Greener Environment Enhancing Green Infrastructure Increasing the value of biodiversity and geodiversity Reducing the impact of pollution, contamination and land instability
SO5 T2	Improving accessibility and delivering sustainable transport Improving accessibility
DM1 SD1	General Development requirements Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

86/D19715	Alterations and extension of toilets. Decision: Approve.
07/D48584	Use of land as beer garden including demolition of garage, construction of decking and covered area. Decision: Refuse.
10/D53604	Change of use and conversion of public house to form two dwellings. Decision: Approve.
DC00328	Submission of details to comply with conditions 6 and 7 of planning permission D53604. Decision: Request completed.

CONSULTATION RESPONSES

Strategic Housing - HMO

I can confirm all the Space Standards, Facilities and Amenities have been met.

Highways And Engineering

This site is located within a reasonable walking distance from a local centre on Milnrow Road. The Kingsway Retail Park is also nearby and there is good links to Tram nearby. We would conclude this is a sustainable location.

It is widely accepted that HMOs have very low car ownership and generate very little traffic. We have no concerns regarding the traffic generated by this proposal or the lack of parking provision.

We have no servicing concerns regarding this proposal

No new highways are proposed as a result of this proposal.

No changes to existing highways are as a result of this proposal.

No new road safety issues are apparent as a result of this proposal.

No PROW will be obstructed by this proposal.

We have no objections to this proposal.

Env Health - Noise/Odours

The Environmental Protection Team have reviewed the noise assessment prepared by Peak Acoustics, Reference: 2701251, Dated: March 2025. The noise monitoring was undertaken from 28th February 2025 – March 2025. The assessment concluded the main noise source from the monitoring was from road traffic on Milnrow Road. Mitigation measures in the form of glazing and ventilation scheme has been given to ensure conditions in habitable rooms remain within the design criteria. Internal noise levels are anticipated to be within the guidelines of BS8233. The Environmental Protection Team have no objections to the proposal.

REPRESENTATIONS

Letters of notification were sent to neighbouring properties and site notices were placed in the vicinity of the site. Two objections were received. The objections have been summarised below:

- ☐ Highway safety concerns relating to illegal parking on double yellow lines directly opposite the application property and the neighbouring properties (including commercial property)
- ☐ Lack of parking. Eight additional HMOs could add up to an additional eight cars.
- ☐ Concerns over visibility at the junction of Belfield Lane and Milnrow Road as well as for pedestrians walking along the highway.
- ☐ Parking on Belfield Lane leads to drivers having an obstructive view as the road bends onto Newbold Hall Drive.
- ☐ There have been a couple of accidents over the years due parked vehicles and there have also been a few near misses.

Officer: Where relevant, highway safety concerns have been discussed in the highway and road safety section of the report.

- ☐ Wigan Council facing problems due to having over 300 above properties.
- ☐ The estate is untidy and nobody keeps the area clean

Officer comments: The impact or issues raised in reference to a neighbouring authority are not relevant to this application. Where relevant the amenity impact of the proposal on the neighbouring properties is considered in the amenity section of the report.

ANALYSIS

Principle of development

The existing use of the building is as a dwellinghouse which falls under Use Class C3. Planning permission was granted for a change of use from a public house to two dwellings through planning application 10/D53604.

The proposal is for an eight bedroom HMO. Each bedroom will have its own ensuite. The kitchen/dining area on the ground floor will be shared. The change of use to an eight bedroom HMO would be classified as a 'sui generis' use, meaning not falling within any use class defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

The property is located within the Defined Urban Area, within a residential area and located off the busy Milnrow Road. The property is sited within walking distance from the local amenities and there are numerous bus stops located along Milnrow Road. It is therefore considered that the property is located within a sustainable location.

Policy C1 of the adopted Core Strategy seeks to provide the right amount of homes in the right places, with a specific focus on regenerating inner areas and town centres. Chapter 5 of the NPPF seeks to deliver a sufficient supply of homes, with paragraph 61 setting out that 'overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.' Paragraph 63 states that 'within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.'

Being sustainably located and within a residential area, and providing accommodation for up to 8 residents, the proposed HMO use is acceptable in principle.

Design and Visual Amenity

The NPPF, the Core Strategy and PfE puts emphasis on the importance of good design. Developments are expected to be of high quality, good design, sustainable and functional, Developments should also be sympathetic to the local character and history and provide appropriate and effective landscaping.

The proposal seeks to make external alterations consisting of a two roof lights to the front roof slope, a flat roof dormer extension to the rear and replace an existing first floor window on the rear elevation with a larger window. The proposed roof windows and the proposed window on the first floor rear elevation are considered to be acceptable.

In regard to the proposed rear dormer extension, paragraphs 5.16 to 5.18 of the adopted Guidelines and Standards for Residential Development SPD (SPD) provides guidance on dormer extensions. Flat roof dormers should be generally avoided, unless they are considered to better respect the design of the host building and character of the area. It is noted that there are flat roof dormers on properties in close vicinity to the property, however, on the rear roof plane of this row of terrace properties there are no dormers. Furthermore, the dormers on neighbouring properties are smaller than the one being proposed.

It is however noted that the proposed dormer would be set down from the ridge, in from the sides, set back from the eaves, and have windows that are proportionate and would line up with the windows on the first floor. Additionally, it is noted that the proposed dormer would not be clearly visible from public vantage points and will have limited impact on the visual amenity of the surrounding area. On balance, subject to

the addition of a condition requiring matching materials to be used, it is considered the proposed dormer is acceptable in this location.

Overall, it is considered that the proposal is on balance acceptable and would accord with the relevant policies with the Core Strategy, PfE, UDP, SPD and NPPF.

Neighbour Amenity and Occupier Amenity

Noise and disturbance

Policy G9 of the adopted Core Strategy requires new development to not cause unacceptable noise (inter alia) pollution. With regard to the subdivision of dwellings, Section 4.12 of the SPD states that 'the subdivision of a property to create additional dwellings or Houses in Multiple Occupation (HMO) can intensify the level of occupation and may give rise to additional noise and disturbance. Neighbouring residents may be affected adversely, either directly, through party walls, or indirectly, as a result of increased traffic movements and parking problems. Large, detached dwellings are generally more suitable for sub-division into smaller units; terraced properties, unless large, are less suited to this form of development because of noise transmission through party walls and the likelihood that any on-street parking problems which may exist will be compounded.'

The site is located just off the busy Milnrow Road with good public transport links and shops located within walking distance. The application property is within a residential area. The application property adjoins a residential property to the west and a barber shop with a flat above to the east. The application is supported by a Noise Impact Assessment. It provided a glazing and ventilation scheme that will ensure conditions in habitable rooms remain within the set design criteria and that internal noise levels were anticipated to be within the guidelines of BS8233. The Environmental Health Team raised no objection to the proposal. It is considered appropriate to include a condition requiring the mitigation measures in the Noise Impact Assessment to be undertaken prior to first occupation.

No information has been provided in regard to the maximum number of occupants. Considering the size, it is considered that it would be acceptable for a maximum of 8 people.

Neighbour Amenity

New developments are expected to create a high standard of amenity for existing and future users. Policy DM1 of the Core Strategy requires that proposals do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Bedroom 3 is located within the two storey rear extension. It would have a window on the rear elevation and the side elevation. Both the windows are existing windows. The rear facing window would face towards the side garden of no. 6 Belfield Lane, and would be 13 metres from the side boundary. The window would be approximately 16.4m from a window on the side elevation of no. 6. This however appears to be a window to a non-habitable room. This would meet the minimum space requirements set out in paragraph 4.1 of the SPD. Additionally, the window would overlook the front garden area which is open. Furthermore, the amenity impact would be no greater than the existing arrangement.

There are three windows on the first floor side elevation of the two storey rear extension. One window is for bedroom 3 and the other two windows presently service an ensuite and bathroom. The bedroom window to the side would be

approximately 7m to the side boundary to the front garden area of the residential properties identified on Hyde Park Place. The building consists of 2 and 3 Hyde Park Place and is a dilapidated structure that has had substantial fire damage. The building is not habitable. Planning permission for a single dwelling is being proposed through application 22/00338/FUL. This application has not yet been determined. Furthermore, the window would face towards the rear of 239 to 247 Milnrow Road. The area to the back of Hyde Park Place and 239 to 247 Milnrow Road is enclosed with no defined boundaries. The level of privacy experienced by occupiers of the properties is limited. When planning permission was previously granted for the change of use of the property to a residential dwellinghouse, a condition restricted the type of glazing that can be inserted to obscured glazing. It appears that this window has been retained with obscured glazing. For the purpose of neighbour amenity, it is considered appropriate to include a condition requiring this window to remain as obscured glazing.

In regard to the other two windows, the application proposes that the bathroom will also become an ensuite and therefore both will remain as functional rooms. For the purpose of neighbour amenity, it is considered appropriate to include a condition requiring these windows to remain as obscured glazing and with restricted openings.

In regard to the amenity impact from the proposed dormer extension, the proposed floor plans indicate one window would service the bedroom and the other would service the stairway. Paragraph 4.1 of the SPD sets out the minimum space standards that need to be achieved for all new developments. Paragraph 4.2 adds that where buildings of three or more storeys are proposed, or there is a marked difference in levels, it may be necessary for the minimum distances set out in paragraphs 4.2 (ii) and (iii) to be increased. This would be applicable to this proposal as the application proposes dormer is on the second floor of the property.

The dormer windows would be sited between 21.6m and 20m to the side boundary located towards the front of no. 6 Belfield Lane. The bedroom window would face towards a window on the side elevation of no. 6, however, this is not a principle window to a habitable room and it is sited approximately 23m from the dormer window. As such, it is considered sufficient distance is retained and the proposed dormer would not unduly impact on the amenity of the neighbouring property.

Occupier amenity

Along with not unduly impacting on the amenity of neighbouring properties, all proposal should provide high quality accommodation with sufficient amenity for future occupiers.

To the rear, due to the design of the two storey rear extension, it comes in the direct line of the window of bedroom 4. It is however noted that the application proposes to increase the size of this window and therefore increase the amount of light and outlook from this room. It is further noted, that the bedroom is presently being used as bedroom. However, it is accepted that with a HMO, the occupier is likely spend more time in the bedroom than would be expected for a dwellinghouse. Nevertheless, the amount of light and outlook would be limited but would be increased by the new window. It is considered that, on balance, the level of amenity would be acceptable on this occasion.

Bedroom 2 would have a window on the ground floor rear elevation. The window sits under the first floor extension that sits on columns. A column is located directly in front of the window and therefore partly restricts the amount of light entering the room. It is noted that the room was previously used as a kitchen/dining room. Although the amount of light entering the room is reduced by the extension, it is

however, considered that on balance, the amount of light and outlook that would be experienced by the occupier would be acceptable.

In regard to the introduction of rooms on the second floor. Light and outlook to bedroom 8 would be received via roof light windows installed within the roof slope. The applicant has amended the size and positioning of the proposed rooflights. The rooflights will now be 1.4m by 0.8m and will be set at height of 1.2m off the floor level. This would allow sufficient amount of light to enter the room and provide an acceptable outlook for the occupier of the bedroom.

Policy JP-H3 of PfE states that all new dwellings should accord with the Nationally Described Space Standards (NDSS). It should be noted the NDSS are standards that are considered through the planning process. The Housing Act 2004 introduced a licensing requirement for larger HMOs. The proposal falls within the Act's definition of an HMO. The Council's Licencing Team have been consulted on the proposal and confirmed that the requirements in relation to space standards, facilities and amenities have been met.

In regard to the NDSS, the NDSS sets requirements for minimum gross internal floor areas dependent on the number of bedrooms, bed spaces and storeys. The NDSS also sets out minimum sizes for double and single bedrooms. The NDSS does not provide guidance in regard to eight bedroom properties. The maximum is 6 bedrooms with bedspaces for 8 persons. Set over three floors, the gross internal floor areas must be a minimum of 138m². The plans show that the gross internal floor area is 199m². This is considered to be sufficient for a property housing 8 people. In regard to the bedroom sizes, all but one of the bedroom exceed floorspace area for a double room. Bedroom 6 would be 11.3m². This is 0.2m² short of 11.5m² required for a double. Nevertheless, it still meets the minimum requirements for a single bedroom. Considering that the room will be used by a single person, it is considered to be acceptable.

Considering the number of bedrooms proposed, the private garden area would be small but functional.

In conclusion, on balance, and subject to addition of the necessary conditions, the proposal would not unduly impact on the amenity of occupiers of neighbouring properties or application property and would accord with the relevant policies with the Core Strategy, PfE, UDP, SPD and NPPF.

Highway and Road Safety

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided, and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 116 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

It is noted that no parking is proposed as a part of the development. Concerns have been raised by objectors about the parking along Milnrow Road and the neighbouring streets and roads. Concerns have been raised that an eight bedroom HMO will exacerbate existing highway and parking concerns. However, it is noted that the property is presently a dwelling and there is no existing off-street parking.

The property is located in a sustainable location with local amenities within walking distance. Furthermore, there are numerous bus stops located close to the property on Milnrow Road and the tram stop is also within walking distance. It is also widely accepted that car ownership amongst HMO residents is lower than in C3 dwelling houses. The highways department added that the HMOs generally generate very little traffic.

Further to the above, the highways department have raised no objection to the proposal noting that the proposed development is unlikely to generate any significant traffic and that no new road safety issues were apparent as a result of the proposal.

It is also noted that there are double yellow lines along the front of the application property with allocated parking bays found further along Milnrow Road. The illegal parking on the double yellow lines is a matter for the highways department and the police to enforce.

The application also proposes to landscape the rear garden and provide space for bin storage and cycle store in the rear garden. The addition of cycle storage facility within the rear garden could encourage the occupiers to use a more sustainable and healthy mode of transport. Plans of the cycle store have not been provided. It is considered appropriate to include a condition requiring details of the cycle store to be provided and for it to be installed prior to first occupation.

In conclusion, it is considered that the proposed development would not have an unacceptable impact on highway safety and would accord with the relevant policies within the Core Strategy, PfE and NPPF.

Ecology and Biodiversity Net Gain

The provisions of the Environment Act in respect of BNG became statutory requirement for planning applications prior to the submission of the application. Therefore, BNG is relevant to this application. However, the application consists of a change of use from residential dwelling to an HMO with landscaping work to the rear garden. At present, there is no ecological value to the rear and therefore the application meets the de minimis exemption. Accordingly, it is not considered that the statutory requirement to provide 10% BNG is applicable here.

RECOMMENDATION

Grant subject to following conditions:

1. Time Limit

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. Plans

The development shall be carried out in accordance with the following drawings and documents hereby approved:

- Site location plan and existing site plan. Drawing number: 237MR/299/PL
- Proposed site plan. Drawing number: 237MR/300/PL
- Existing floor plan layouts. Drawing number: 237MR/301/PL
- Existing elevations and section. Drawing number: 237MR/302/PL

- Proposed plan layouts. Drawing number: 237MR/303/PL. Revision: C2. Received by email on 15/09/2025
- Proposed elevations and section. Drawing number: 237MR/304/PL. Revision: C2. Received by email on 15/09/2025

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. Materials to Match

The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

4. Bin Storage

The bin storage area as indicated on drawing 'Proposed Site Plan' (drawing number: 237MR/300/PL) shall be made available for the storage of bins prior to first occupation of the development and be retained thereafter.

Reason: In the interests of visual amenity and highway safety and to accord with policy DM1 of the Core Strategy and policy in the National Planning Policy Framework.

5. Cycle Shelter

Prior to first occupation of the hereby approved development, full details of the cycle shelter as indicated on drawing 'Proposed Site Plan' (drawing number: 237MR/300/PL) shall be submitted to the approved by the Local Planning Authority. The cycle shelter shall be made available for the storage of cycles prior to first occupation of the development and be retained thereafter.

Reason: In the interests of highway safety and visual amenity and to encourage the use of sustainable transport methods and to accord with policy DM1 of the Core Strategy and policy in the National Planning Policy Framework.

6. Maximum residents and Communal Areas

The development hereby approved shall be for use by a maximum of 8 residents only and the communal living spaces as shown on approved drawing 'Proposed Plan Layouts' (drawing number: 237MR/303/PL, revision: C2) shall be retained for communal use for so long as the property remains in use as a HMO.

Reason: To ensure that an adequate standard of amenity and living space is provided for the residents in accordance with DM1 of the adopted Rochdale Core Strategy, Policy JP-H3 of PFE, the SPD and the NPPF.

7. Obscured glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any

equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of the building, all windows to the side elevations facing northeast at first floor level on the development hereby approved shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level. The windows shall be retained as such thereafter.

Reason: In the interest of amenity and in compliance with Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

8. Noise Impact Assessment

The HMO hereby approved shall be constructed in line with the requirements of the submitted Noise Impact Assessment (Document reference: 2701251, Date of Issue: 13/03/2025) to ensure the following internal and external noise levels are achieved:

- 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.

Upon completion and prior to occupation validation testing shall be carried out to ensure that the internal and external noise levels have been achieved and shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to protect residents from any harmful levels of noise and disturbance and to accord with policy DM1 of the Core Strategy and policy in 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. Protected Species
If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work must cease immediately and a suitably qualified ecologist/LPA should be contacted.
2. Bats
All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further

advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement.

Report Author Majid Mir