

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01392/FUL	Jake Powell	06/02/2023

Address: 132 Drake Street, Rochdale, OL16 1PN

Proposal: Change of use from offices (Class E) to 8 apartments including first floor rear extension and loft conversion with rear dormer windows, front and rear rooflights, insertion of new ground, first and second floor side windows, and internal alterations including new staircase, wall openings and new partition walls. Construction of one detached dwelling to rear of site; new 1.8m high wall, railings and gate.

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?	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	REFUSE
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CHECKED AND SIGNED OFF BY: AT

DATE: 06.02.2023

SITE

The application relates to no. 132 Drake Street, an end property which lies on the corner of Drake Street and Moore Street. It is an attractive red brick two storey building 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 20th century. The building is listed at Grade II for its special architectural and historic interest. Its Historic England listing states:

"II House, now offices. Early C19. Brick with stone dressings and stone slate roof. Double depth, 2 rooms wide with central entrance and staircase. The 3-bay, 2-storey front elevation has stone sills and cambered brick arches to the sash windows, a stone sill band to the first floor, and open-pedimented door surround with attached Tuscan columns and fanlight, and a wooden modillion eaves cornice."

The building is currently vacant and in a poor state of repair. To the rear of the site is an area of hardstanding currently in use as parking.

The site is located within the Rochdale Town Centre Conservation Area, as well as the Defined Urban Area.

PROPOSAL

The application seeks permission for the change of use of 132 Drake Street from offices (Class E) to 8 residential units (Class C3). To facilitate this change of the use the application proposes the construction of a first floor rear extension, two dormer extensions to the rear roofslope, installation of rooflights to the front and rear roofslope and alterations to the fenestration throughout, as well as internal alterations.

The application also proposes the construction of a detached two-storey dwelling on the area of hardstanding to the rear of the site. This dwellinghouse would face onto Moore Street and would be provided with one vehicular parking space, in addition to some soft landscaping on site. At ground floor the dwelling would provide a kitchen/dining area, a WC, a store and a living room. At first floor level two double bedrooms, and a single bedroom would be provided in addition to an airing cupboard and bathroom.

The application also proposes the installation of a boundary treatment of three varying types including:

- ☐ 1.8 metre high brick wall,
- ☐ 0.9 metre low brick wall with 0.9 metre tall iron railings above.
- ☐ 1.8 metre high black iron railings and gate.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Planning (Listed Building and Conservation Areas Act) 1990 (as amended)

Section 66 of the above Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local

planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Adopted Rochdale Core Strategy (CS):

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
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General Development requirements

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
BE/17	New Development Affecting Conservation Areas <i>Policy to be read in conjunction with CS Policy P2 until replaced by Site Allocations or other DPD.</i>

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

88/D21839	Change Of Use From Solicitors' Office To Office Use Within Class B(1). Granted subject to conditions.
88/D22084	Free Standing Name Sign. Refused.
91/D27595	Change Of Use From Class B1 (Non Public Offices) To A2 (Offices To The Public). Grant subject to conditions.
92/D28803	Installation Of Non-Illuminated Wall Mounted Signs To Front Elevation Of Listed Building. Granted.
22/01393/LBC	Change of use from offices (Class E) to 8 apartments including first floor rear extension and loft conversion with rear dormer windows, front and rear rooflights, insertion of new ground, first and second floor side windows, and internal alterations including new staircase, wall openings and new partition walls; new 1.8m high wall, railings and gate. Pending consideration.

CONSULTATION RESPONSES

Conservation Officer

While a suitable scheme could be developed for the site, I am not able to support the current proposals. These would result in less than substantial harm to the significance of the designated heritage assets. This harm has not been clearly and convincingly justified and would not be outweighed by public benefits.

Relevant Policy and Legislation

Section 16 (2&3) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any listed building consent shall (except in so far as it otherwise provides) ensure for the benefit of the building and of all persons for the time being interested in it."*

Paragraph 197 of the NPPF states that *"In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness"*.

Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the 'preservation' or 'enhancement' of the special architectural or historic interest of the heritage asset or its character and appearance. The NPPF sets out in Chapter 16 of the document decision-making policies using different terminology, referring in particular to 'conservation of significance'. It is important to note that 'conservation' and 'preservation' are concerned with the management of change in a way that sustains a heritage asset's special interest or significance. However, 'conservation' has the added dimension of taking opportunities to enhance significance where opportunities arise and where appropriate.

Rochdale CS policy P2 deals with *'protecting and enhancing character, landscape and heritage'*. Paragraph 2a states that the borough's heritage will be protected by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory. Key heritage assets include the borough's listed buildings and Conservation Areas.

Description of site and significance

The application site lies on the corner of Drake Street and Moore Street. The development of Drake Street dates back to the laying out of the canal basins and wharves. The late Georgian, planned character is still discernible today in the form of buildings and street layout. The application site which was extant by 1824 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 20th

century. The building is listed at grade II for its special architectural and historic interest. It is currently vacant and in a poor state of repair. It also appears to have undergone some recent, unauthorised alterations, including the insertion of UPVC windows.

The special architectural and historic interest of the building is reflected in its listing at grade II.

Impact of proposed works

Conversion to residential

132 Drake Street was originally constructed as a dwelling, before being converted to a commercial use in the 20th century. In heritage terms, there is no objection in principle to the conversion back to a residential use.

Dormer windows

The proposal includes the insertion of two large pitched dormer windows on the rear elevation of the existing property. These dormer windows would be incongruous and bulky features, which would fail to respect the finer proportions and detailing of the existing building. They would disrupt the currently unbroken roof-slope and would likely require the removal of historic roof fabric, although in the absence of any timber survey this cannot be confirmed.

The proposed dormer windows would result in less than substantial harm to the significance of the designated heritage asset and should be omitted

Rooflights

The supporting heritage statement acknowledges that the front and side elevations are of highest significance. A key element of the building's frontage is its simple unbroken roofslope. The introduction of any rooflights on this principal elevation would result in a cluttered roofscape, which would detract from the fine proportions and composition of the existing building.

This element of the proposal would result in less than substantial harm to the significance of the designated heritage asset. The rooflights along the frontage should be omitted. Any rooflights along the rear elevation would need to be thoroughly justified. If accepted, they would need to be kept to a minimum.

First floor rear extension

A first floor rear extension is proposed over the existing flat roof outshot. This extension would obscure much of the existing rear elevation and flank wall of the two storey outrigger, which the heritage statement notes to be original. It would also include the blocking up of existing windows, one of which appears to be original, with the other two later 20th century insertions.

The size and massing of the new extension, the obscuring of historic fabric and the loss of original window openings would result in this element of the proposal causing less than substantial harm to the significance of the heritage asset. This element requires thorough justification and if the principle of an extension is accepted it would need to be reduced in scale and designed to minimise the impact on the historic fabric.

Internal works

Internally a number of changes are proposed at ground and first floors, including the insertion of subdivisions and the partial demolition of original walls. The further subdivision of rooms and the removal of historic fabric would result in less than substantial harm to the significance of the heritage asset. The layout of the proposed units should be reconfigured (including but not limited to omitting lobby areas) to minimise the need for further subdivision and removal of original walls.

The building does not currently have any habitable accommodation within the loft space. Roof spaces often retain significant amounts of historic fabric, as they are likely to have undergone fewer changes than the main habitable rooms. Two apartments are proposed within the loft space.

As noted above, the proposed dormer windows and roof lights are unlikely to be acceptable. Notwithstanding this, if the conversion of the loft space is proposed, then further details are required, including a survey of the roof and timbers. In the absence of this information, the extent of harm or loss, resulting from the changes to this space cannot be properly assessed.

External works

The proposal includes the demolition of the wall surrounding the existing service yard. This wall appears to have been constructed in various phases, and the majority is constructed of a red engineering brick. There is unlikely to be any harm to significance from the removal of this wall.

Windows and doors - the existing windows on the property are UPVC and are unauthorised. These appear to have been installed in recent years. Timber windows of an appropriate style should be reinstated. Details should be required by condition.

In the event that planning permission and listed building consent are granted, a schedule of repairs and external works should be required by condition.

New dwelling

The proposal also includes a new dwelling on the land to the northwest of the building, which is currently used for ancillary car parking. As part of this, new boundary treatments and landscaping are proposed.

Historic maps indicate that at one time, there were buildings along the Back Drake Street frontage. However, there is no indication of their scale or height. Based on their footprints and the secondary nature of Back Drake Street, they are unlikely to have been of the size and scale of 132 Drake Street.

In any case, these buildings and structures are no longer present. The proposed dwelling would be set down from the main ridge of 132 Drake Street. However, its two storey height and proximity to the listed building, would result in it being an intrusive and incongruous feature within its setting. The dwelling would not appear to relate architecturally to its surroundings, where simple dual pitched forms dominate. The palette of materials, which includes concrete tiles and UPVC windows, is also of concern.

The proposed boundary treatments, which include walls with railings, would not reflect boundary treatments within the surrounding area. Any boundaries should be simple brick walls.

The proposed dwelling, as a result of its position, height, scale, massing, architectural design and materials, would be an intrusive and incongruous feature within the setting of the listed building and this part of the Conservation Area. It

would result in less than substantial harm to the significance of these assets. A building of the size and scale proposed is unlikely to be acceptable in this location and should be omitted from the proposals.

Conclusions

The proposal would result in less than substantial harm to the significance of these designated heritage assets. It is not considered that the clear and convincing justification required to comply with NPPF paragraph 200 has been provided.

It is acknowledged that the existing building is currently vacant and in a poor state of repair. However, the proposed works would result in a considerable degree of harm to the listed building and the wider Conservation Area. It has not been demonstrated that the proposals are the only means of bringing the building back into use, and as such it cannot be considered to be its optimum viable use.

The level of harm to the significance of 132 Drake Street and the Rochdale Town Centre Conservation Area would not be outweighed by the public benefits associated with the development.

The proposal would fail to preserve the special interest of the listed building and would neither preserve nor enhance the character and appearance of the conservation area. It would not meet the tests set out within the 1990 Act.

Network Rail

No comments.

Historic England

No comments.

Highways

There are a number of highways issues arising from this application.

The development will result in a net loss of 4 existing car parking spaces with the residential use increasing parking demand with potentially 12 parking spaces required to meet Council standards. The area around Back Drake Street suffers from on street parking issues so any additional parking overspill would be of concern. The application site is within a sustainable location with the town centre and public transport links within walking distance so an objection on the under provision of parking may not be sustainable.

The proposed house does have adequate servicing with bin storage in an appropriate location, however we have concerns regarding bin storage and collection from the main building. A residential use would generate a higher refuse collection demand and the Design and Access Statement and application form seem to indicate that each apartment would have their own individual bins. The rear yard, as shown on the submitted plans, does not have the capacity to accommodate the amount of bins proposed so the likelihood is that they will be stored on the highway which we cannot support. This issue needs to be resolved prior to Highways supporting this application.

We do not expect that there would be any detrimental impact on road safety or highway capacity as a result of development.

GMEU

Summary

I recommend a bat assessment prior to determination. The only other potential ecological issue is nesting birds.

Bats

Species such as common pipistrelle (*Pipistrellus pipistrellus*) most commonly occur in houses and prefer confined roost sites, such as soffit boxes, eaves or under hanging tiles. The most common roosts are found between underfelt and boards or tiles, and inside cavity walls. The development will result in significant disturbance to and loss of the existing roof space potential bat roosting habitat. Whilst in a low risk location, there is still potential foraging habitat with 400m and a common pipistrelle has been recorded on Great George Street nearby indicating there is likely a roost in the locality that we are not aware of.

Current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005)

I recommend that:

Prior to determination a bat assessment is carried out by a suitably experienced bat worker. The assessment should include as a minimum a visual inspection of the existing roof space for evidence of bats and exterior of the building for potential bat access points. Should the property be assessed as more than low risk, further information will be required prior to determination.

Nesting Birds

Birds such as house sparrow, starling and swift are known to nest under eaves of housing in urban areas. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Please apply the following informative to any permission. I would expect the bat assessment to also check for evidence that birds have nested on the building. Dependent on the findings a condition or informative is likely to be required.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. Dependent on the findings of the bat assessment bird and or bat boxes may be required as mitigation.

REPRESENTATIONS

The application was publicised by way of neighbour notification letters, a press advert and a site notice. One letter of representation was received supporting the application. These comments are summarised below:

- ☐ The proposal will benefit the area by restoring the presently unused building, providing residential accommodation.
- ☐ Due to the historic value of the site, commenter would like to see developer restore lost features to the exterior front elevation.
- ☐ No objection to rooflights. Chimneys should be restored.
- ☐ uPVC windows would be unacceptable.
- ☐ Heritage Statement notes that front door is original and should not be replaced.

The points raised by the commenter are valid planning considerations, which will be discussed in the analysis of this recommendation.

ANALYSIS

Principle of Development

The proposed application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside.

Policy C1 of the adopted Core Strategy seeks to maximise the potential of previously developed sites, including empty homes and buildings. Additionally, the policy seeks to ensure that sites are sustainable with good access to local services, facilities, green infrastructure, shops, jobs, schools and public transport. Policy C3 of the Core Strategy seeks to provide a range of housing types to meet different needs, and at densities that make efficient use of land.

It is noted that whilst Drake Street is home to a number of retail and commercial units at ground floor level, the surrounding area is predominately residential.

The application seeks to revert 132 Drake Street to its original residential use as residential facilitated by various external and internal alterations, in addition to constructing a new dwellinghouse to the rear. The proposal would bring a vacant property of historic and architectural value back into use, and the proposed residential use would be considered as a complimentary use to the existing character of the area.

In light of the above it is considered that the principle of providing residential accommodation is acceptable at the application site. Further material considerations are considered below.

Character and Appearance and Impact on Heritage Assets

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.

Paragraph 197 of the NPPF states that *“In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness”*.

Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 states that *‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’*

The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the 'preservation' or 'enhancement' of the special architectural or historic interest of the heritage asset or its character and appearance. The NPPF sets out in Chapter 16 of the document decision-making policies using different terminology, referring in particular to 'conservation of significance'. It is important to note that 'conservation' and 'preservation' are concerned with the management of change in a way that sustains a heritage asset's special interest or significance. However, 'conservation' has the added dimension of taking opportunities to enhance significance where opportunities arise and where appropriate.

Policy P2 of the adopted Core Strategy states that the Council will protect the Borough's heritage by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings. Saved UDP Policy BE/17 only permits development that preserves or enhances the character and appearance of the conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

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.

The application site lies on the corner of Drake Street and Moore Street. The development of Drake Street dates back to the laying out of the canal basins and wharves. The late Georgian, planned character is still discernible today in the form of buildings and street layout. The application site which was extant by 1824 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 20th century. The building is listed at grade II for its special architectural and historic interest. It is currently vacant and in a poor state of repair. It also appears to have undergone some recent, unauthorised alterations, including the insertion of UPVC windows.

The special architectural and historic interest of the building is reflected in its listing at grade II. The site is also located within the Rochdale Town Centre Conservation Area.

The application proposes a number of unsympathetic alterations and additions to the existing structure at no. 132 Drake Street.

Firstly, the application proposes the construction of 2 no. large dual pitched dormer extensions to the rear roofslope of the building. These dormer windows would not be modest in size in line with the recommendations of the Guidelines & Standards for Residential Development SPD, and would appear visually bulky dominating the rear roofslope, raising concerns regarding their impact on the host structure. These concerns are further compounded by their siting, which would clearly be viewable from the streetscene when viewed from Moore Street. The proposed dormer windows would therefore appear as incongruous additions to the development and streetscene, which would detract from the character and appearance of the site and surrounding area. These extensions would result in less than substantial harm to the significance of the designated heritage assets.

The application also proposes the construction of a first floor rear extension, above an existing single storey flat roof element. Whilst it is noted that this extension would mimic features of other rear elements, with the dual pitched roof and similar finish, the size and massing of the extension would appear inappropriate adding to the visual bulk of the rear of the site. Furthermore, the positioning of this extension would obscure original elements including the rear elevation and flank wall of the existing two-storey outrigger, in addition to blocking up existing windows, one of which appears to be original. The proposed extension would therefore result in both obscuring parts of the historic fabric of the site, and result in a loss of historic fabric via the blocking up of an original window. It is therefore considered that the proposed first floor rear extension would have an unacceptable impact on the character and appearance of the site and surrounding, and result in less than substantial harm to the designated heritage assets.

The application also proposes a number of alterations to the fenestration of no. 132 Drake Street. This partly includes the installation of 5 no. roof lights to the front roof slope, and 1 no. roof light to the rear roof slope. A key detail of the site which provides its architectural significance is the front elevation, including its unbroken and bare front roof slope. The installation of the proposed roof lights onto this roof slope would result in a cluttered appearance, which would detract from the proportions and composition of the existing building. These would therefore have an unacceptable impact on the character and appearance of the site and surrounding area, and would result in less than substantial harm to the designated heritage assets.

It is noted that the proposed individual roof light to the rear roof slope would be minor in scale, and could be considered an appropriate addition to the existing building, with proper justification. However, no justification has been given for this addition.

With regards to the windows proposed on the side and rear elevation of the developed building, the application form indicates that these existing windows are timber with a white finish, and any proposed windows would match the existing. However, it appears that a number of uPVC windows have been installed in recent years without authorisation. Timber windows should be reinstated, details of which would be required by condition. The application also proposes the removal of an existing rear wall of the rear service yard. The removal of this would not detract from the character of the site, due to its limited visual impact. This wall appears to have been constructed over various phases, with the majority constructed in red engineering brick. Considering the walls limited architectural or historic significance, its removal would not result in any harm on the significance of the designated heritage assets. In the event of an approval, a schedule of repairs, reinstatements and external works would also be required by condition.

Finally the application proposes the construction of a new dwellinghouse to the rear of the site, on an existing area of hardstanding. Whilst the proposed dwellinghouse would be of a typical two-storey design it is considered that the proposed dwelling would not relate well to the surrounding area. This is particularly seen in the proposed gable frontage, in an area which is typically characterised by simple dual pitched gable designs. These concerns are further compounded by its siting as a detached standalone dwellinghouse, not clearly following any form of the surrounding area. In addition, the application proposes front garden elements and a boundary treatment to surrounding the site, with limited precedent for these in the surrounding area. Additionally, the application proposes uPVC windows and concrete tiles, both of which are considered an improper material choice for a dwellinghouse within a conservation area.

As such it is considered that the proposed dwellinghouse would appear as an incongruous addition to the streetscene, which would appear visually out of place,

and would detract from the surrounding area. Given the siting of this dwellinghouse would be in close proximity to the designated heritage asset No. 132 Drake Road, officers also consider the proposed dwelling, as a result of its position, height, scale, massing, architectural design and materials, would be an intrusive and incongruous feature within the setting of the listed building, which would result in less than substantial harm to the significance of these assets.

For the reasons outlined above, the proposed development by reason of its design, scale, size, siting, and improper choice of materials would result in the development appearing an incongruous addition to the streetscene which would visually detract from the character and appearance of the site, result in a loss of historic fabric, and fail to sustain and enhance the historic and architectural significance of the heritage assets. The proposed development is therefore considered to result in less than substantial harm to both the Rochdale Town Centre Conservation Area, and the Grade II listed No. 132 Drake Street in conflict with Policy P2, P3 and DM1 of the adopted Rochdale Core Strategy, the National Planning Policy Framework, and The Planning (Listed Buildings and Conservation Areas) Act 1990.

Whilst it is noted that this property is currently vacant and in a poor state of disrepair, the proposed development would result in a considerable degree of harm to the listed building and the wider Conservation Area. It has not been demonstrated that the proposals are the only means of bringing the building back into use, and as such it cannot be considered to be its optimum viable use.

The level of harm to the significance of 132 Drake Street and the Rochdale Town Centre Conservation Area would not be outweighed by the public benefits associated with the development.

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 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 Rochdale Town Centre. 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 property to residential would share an acceptable relationship with neighbouring properties, and would not result in any significant increase in noise and disturbance.

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. Due to the siting of the majority of windows proposed in relation to neighbouring properties and their existing windows, the proposal would largely have an acceptable relationship with existing neighbouring occupiers in terms of minimum distance requirements. However significant concern is raised regarding the proposed dormer windows and their distance with the proposed dwellinghouse to the rear of the site. Paragraph 4.1 of the *Guidelines and Standards for Residential Development 2016 (SPD)* states "the

following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:

- (i) 21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage.
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room.

The minimum distance from the proposed dormer windows which both facilitate a principal room and the boundary of the proposed dwellinghouse is approximately 7.8 metres, which falls short of the recommendations of paragraph 4.1 i) of the SPD. Officers therefore consider that the proposal would allow the occupiers of the converted loft space of no. 132 Drake Street to overlook the neighbouring proposed property, resulting in an unacceptable impact on the privacy of the occupiers of the proposed property.

Furthermore, the application proposes a window at first floor level on the proposed dwellinghouse, which faces the largely blank elevation of No. 4 Moore Street. The distance between this habitable room window and the neighbouring blank elevation would be approximately 11.7 metres. This would fall short of the recommendations of paragraph 4.1 ii) of the SPD, and would result in the occupiers of the newly proposed dwellinghouse having a poor level out outlook.

The application would therefore result in a poor level of privacy and outlook for the occupiers of the newly proposed dwellinghouse.

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 application 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.

Below is an extract from the Nationally Described Space Standards, which specifically details the Gross Internal Area requirements for new 1 and 2 bedroom apartments, as well as a 3 bedroom house.

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
2b	3p	61	70	2.0
2b	4p	70	79	2.0
3b	4p	74	84	2.5
3b	5p	86	93	2.5
3b	6p	95	102	2.5

In assessing this application, the table below sets out the GIA of each unit. It is noted that no details on the intended number of occupants have been submitted.

Unit	No. of occupiers	Gross Internal Area (M ²)	Required GIA (M ²)	Difference (M ²)
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Flat 1	1	50	39	+11
Flat 2	1	40	37	+1
Flat 3	1	32	39	-7
Flat 4	1	48	37	+11
Flat 5	2-3	49	61	-12
Flat 6	1	39	37	+2
Flat 7	1	44	37	+7
Flat 8	1	37	37	0
Dwellinghouse	3-4	76	84	-8

As indicated in the table above Flat's 3 and 5, and the proposed dwellinghouse would not meet the requirements of the Nationally Described Space Standards. Officers therefore consider that the proposed occupier amenity would be to an unsatisfactory standard for these residential units. This concern is further compounded by the bedroom size of Flat 3, which measures approximately 6.7 sqm, which is below the required 11.5 sqm as outlined within paragraph 10.d of the Nationally Described Space Standards. Each room would be provided with adequate natural light. It is noted that the outlook from some principle room windows of the flats proposed would not be ideal, however Officers do not consider that this would warrant refusal.

The omission of any formal provision of outdoor amenity space for the proposed flats can be accepted where the proposed units are not considered to constitute a family residence, and suitable opportunities exist within the vicinity of the site to provide suitable access to outdoor public amenity space, as seen at Broadfield Park.

However, due to the size of the proposed dwellinghouse, there is a strong likelihood that this property would be occupied by a family. The application proposes some level of amenity space, which consists of two 8 sqm sections of soft landscaping in separate areas of the site, however this would be disjointed and would be insufficient to ensure the enjoyment of future occupiers, and therefore the application would result in an unacceptable level of occupier amenity.

In light of the above, the proposal would provide an unacceptable level of amenity for future occupiers in conflict 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.

In relation to parking, the proposed development would result in a loss of 4 existing car parking spaces with the residential use increasing parking demand with potentially 12 parking spaces required to meet Council standards. It should be noted that these standards are a maximum. It is acknowledged that the surrounding area suffers from on-street parking congestion, and the proposed development may result in an increase to this. However, the site is in a sustainable location within the town centre, with good public transport links and local amenities within walking distance. Officers therefore consider that the loss in parking and net increase would not warrant refusal.

In regards to bin servicing, it is acknowledged that the proposed house would have an acceptable arrangement for bin collection. With regards to the main building at No. 132 Drake Street, the provided supporting information appears to indicate that each residential unit within the building would have an individual bin however there are concerns that the rear yard is insufficient in size to accommodate these bins. The application was reviewed by the Council's Highway Engineer who shared these concerns, noting it would result in bins being stored on the street, and requested further information. Whilst this arrangement is not ideal, Officers do not consider that the proposed bin storage would warrant an outright refusal. Instead, Officers consider it appropriate to attach a condition to the permission in the event of an approval for further details on the proposed bin storage to be submitted to and approved by Rochdale Council.

With this condition in mind, it is considered that the proposal would have an acceptable impact on highways safety and congestion, and the application would comply with Rochdale Core Strategy policies T2 and DM1, the Residential Development SPD and the National Planning Policy Framework.

Ecology

Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

The application has been reviewed by the Greater Manchester Ecology Unit, who noted that the proposed development will result in a significant disturbance to and loss of the existing roof space potential bat roosting habitat. Furthermore, whilst in a low risk location, there is still a potential foraging habitat with 400m and a species of bat (*common pipistrelle*) has been recorded on Great George Street nearby indicating there is likely a roost in the locality.

The consultation with the GMEU concluded that prior to determination a bat assessment should be carried out by a suitably experienced bat worker. The assessment should include as a minimum a visual inspection of the existing roof space for evidence of bats and exterior of the building for potential bat access points. Should the property be assessed as more than low risk, further information will be required prior to determination.

RECOMMENDATION

REFUSAL for the following reason(s):

1. By reason of its design, scale, size, siting, and improper choice of materials the proposed development would result in an incongruous addition to the streetscene which would fail to integrate and relate well to the surrounding area, visually detracting from the character and appearance of the site, resulting in a loss of historic fabric, and would fail to sustain and enhance the historic and architectural significance of heritage assets. The proposed development is therefore considered to result in less than substantial harm to both the Rochdale Town Centre Conservation Area, and the Grade II listed

No. 132 Drake Street, and without sufficient public benefits, the proposal is in conflict with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. By reason of the insufficient separation distance between the proposed dormer windows and the boundary of the proposed new dwellinghouse, the proposal would result in an unsatisfactory level of privacy for the occupiers of the proposed dwellinghouse. Furthermore, by reason of the separation distance between the first floor window on the side elevation of the proposed dwellinghouse and the neighbouring property at No. 4 Moore Street, the proposal would result in an unsatisfactory level of outlook for the occupiers of the proposed dwellinghouse. In addition, by reason of the inadequate level of internal floor space proposed for flats 3 and 5 and the proposed dwellinghouse, in addition to the inadequate bedroom size of flat 3, and the lack of provision of private amenity space for the proposed dwellinghouse, the proposal would result in an unsatisfactory standard of occupier amenity for the future occupiers of these properties, 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.
3. Insufficient information has been provided to demonstrate that the proposed works to the roof of no. 132 Drake Street would not result in the loss of potential bat roosting habitat. The proposal is therefore in conflict with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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:

For the avoidance of doubt, this decision relates to the following plans:

- PL01 Proposed conversion of existing listed building into eight flats 7 one new detached dwelling to rear
- PL02 Proposed conversion of existing listed building into eight flats 7 one new detached dwelling to rear
- PL03 Proposed conversion of existing listed building into eight flats 7 one new detached dwelling to rear