

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/00382/FUL	Claire Ringwood	19 th April 2024

Address: 35 Whitworth Road, Rochdale, OL12 0RA

Proposal: Change of use from teaching centre (F1) to Class E (i) (office use) including alterations and repairs to fenestration

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 24 April 2024

SITE

The application site is a two storey mid terrace building located to the north of the Town Centre. Originally brick with a slate roof, the external walls have now been covered in pebbledash. The building is in a dilapidated state but was historically used as a teaching centre. Some repair works have been started internally. The site is located to the west of the Whitworth Road Local Centre although it does not lie within it. The site is within a row of terraces consisting of Globe Taxis, a vacant unit, Aerial and Satellite Shop (which appears vacant), Mississippi Fried Chicken, Garlic Flames Indian Take Away and another vacant unit. Due to levels at the site, the properties within the row have basements at the rear with stepped access to the ground floor. The cobbled access also provides the entrance to a Motorcycle Centre and an MOT car repair business.

The building is located within the defined urban area, a physical regeneration area, a key route network and an SSSI Impact Risk Zone. Due to its age, the building is also identified as a non-designated heritage asset (NDHA).

PROPOSAL

Original submission

Planning permission was originally sought for the change of use to an office at basement and ground floor and one flat on the first and second floors. Due to an objection from Environmental Health based on noise concerns given the close proximity to the road network and the night time economy, and following a previous refusal and dismissed appeal at 41 Whitworth Road (application ref: 15/00820/FUL) for the change of use of the first and second floors to a flat, following officers advice, the proposal was amended to office use only. Alterations to the frontage which were also not considered acceptable due to the NDHA status were removed from the proposal.

Amended submission

The amended proposal is for the change of use from a teaching centre (F1) to Class E (i) (office use) including alterations and repairs to fenestration. Bin storage remains at the rear and no changes (other than materials) are proposed to the frontage.

PLANS AND DOCUMENTS SUBMITTED

Site Location Plan
Existing and Proposed Floor Plans
Design & Access Statement
Sequential Test
Design Calculations
Received 23rd August 2023

Existing Elevations
Existing and Proposed Block Plans
Proposed Elevations
Received 25th September 2023

The following amended plans were received 15th December 2023:

Existing Elevations
Existing and Proposed Floor Plans

Proposed Elevations

Existing and Proposed Block Plans
Heritage Statement
Received 29th January 2024

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-S1: Sustainable Development
JP-J1: Supporting Long-Term Economic Growth
JP-J3: Office Development
JP-P1: Sustainable Places
JP-P2: Heritage
JP-C8: Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS)

SO1 - To deliver a more prosperous economy

E1 – Establishing thriving town, district and local centre
E2 – Increasing jobs and prosperity

SO2 – Creating successful and healthy communities

C2 – Focusing on regeneration areas and economic growth corridors/ areas

SO3 – Improving design, image and quality of place

P1 – Improving image
P2 – Protecting and enhancing character, landscape and heritage

SO4

T2 – Improving accessibility

DM1 – General development requirements

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area
G/R/1 – Physical Regeneration
A/24 – Strategic Highway Network
S/6 – District Centre, Local Centres and Linear Commercial Areas

Supplementary Planning Documents (SPD):

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

East Central Rochdale Area Framework (May 2008)

RELEVANT SITE HISTORY

80/D11571 - Use Of Premises As Religious Teaching Centre. Approved 20/11/1980.

93/D29337 - Use Of Land To Form Private Gardens. Approved 17/06/1993.

CONSULTATION RESPONSES

Conservation And Design

Initial Comments

This row of terraces appears on a 1900 OS survey, so would be considered worthy of designation as an NDHA. In this case a heritage statement should be provided to comply with paragraph 194 of the NPPF.

Updated Comments

No objection subject to conditions relating to the shop front and materials.

Highways

In terms of traffic impact the existing and proposed uses are likely to generate similar levels of vehicle movements therefore the impact would be neutral.

The application site is on the edge of Rochdale town centre with its amenities and public transport links and there is adequate public parking within close proximity, therefore we have no concerns regarding the lack of parking provision.

The use of the current premises would generate a similar servicing requirement to the proposed use and therefore we raise no concern on this issue.

If approved the development should not have any impact on road safety or highways capacity on the wider highway network.

Highways raise no objection to this application, and request no specific planning conditions.

Environmental Health (Noise)

Initial Comments

This section cannot support the application in its current form. Given the close proximity to the road network and some night time economy, we require a noise impact assessment to inform the design of the residential units to achieve the following internal noise levels:

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

ventilation provided between 7 am and 11pm;

- 40dB(A) Leq (1 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times;

Following amended proposal

No assessment required if the proposal is for offices.

REPRESENTATIONS

The application was publicised by way of neighbour notification letters. No letters of representation have been received.

ANALYSIS

Principle of Development

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

The site is located just outside the Whitworth Road Local Centre and is highly accessible by a range of transport modes. The site is also a short distance away from Rochdale Town Centre.

Core Strategy Policy E2 focuses on ensuring a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation and retention of successful businesses and increase the number and quality of jobs to create a more prosperous lower carbon economy. Policy JP-J1 of PfE states 'a thriving, inclusive and productive economy will be sought in all our boroughs. There will be an emphasis on: A. maintaining a very high level of economic diversity across our boroughs and B. facilitating the development of high value clusters in key economic sectors'.

A Sequential Test has been submitted with the application. Given the mix of units within the row of terraces, the adjoining uses clearly limit the potential uses of the site as it would be unsuitable for uses such as residential. The office use as proposed would be relatively small in scale, less impacted by the surrounding uses and the night time economy and would bring a vacant building back into use. It would also be directly comparable to the existing approved use and would not give rise to any further technical issues. Given the scale of the proposal, its proposed use, and its siting within a long established commercial terrace, it is not considered proportionate or appropriate to apply the sequential test strictly given the specific locational circumstances. Furthermore, given its scale, the proposal will clearly have no significant impacts on the vitality and viability of the local or town centres which lie in very close proximity and would likely benefit very slightly from increased footfall and activity in the area.

On the basis outlined above, the principle of the development would be acceptable in accordance with Rochdale Core Strategy Policy E2, Policy JP-J1 of PfE, saved UDP policies S/6 and G/D/1 and the NPPF.

Impact on the non-designated heritage asset

The impact of a development on a non-designated heritage asset is a material planning consideration (NPPF paragraph 209). A balanced judgement should be had, having regard to the significance of the asset and the scale of any harm or loss.

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

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

The application property is depicted on the first town plan, surveyed in 1848 and published in 1851. As a result of its age, the terrace technically meets the local criteria for consideration as a non-designated heritage asset.

Originally brick with a slate roof the exterior walls have now been covered in pebbledash and the majority of the windows have been replaced with UPVC. The existing shopfront is timber and there are existing rooflights on the front and rear elevations.

The row of terraced properties have been heavily altered and much of their historic detailing has been lost. The majority of the terrace has been rendered, historic windows have been replaced with UPVC, some chimneys have been lost and some of the original slates have been replaced with concrete tiles. Given the nature and extent of the unsympathetic alterations which have taken place, much of the significance associated with the buildings has been lost. Any remaining significance stems from the age of the properties and the evidence they provide in terms of the development of Rochdale during the 19th century.

The Council's Conservation Officer has reviewed the application and visited the site and raised no objections in principle to the works proposed which would provide a new use for the building.

Externally, a new front door and window is proposed which are proposed to be UPVC. The use of UPVC is not typically acceptable on historic properties, noting that it is a modern material and poorly replicates the detailing of traditional timber joinery. That being said, the majority of the existing windows are UPVC, and although the shopfront is currently timber, there are examples of aluminium and UPVC shopfronts within the locality. Taking this into account, any harm to significance is likely to be minor. To mitigate this, details of the shopfront should be required by condition.

The proposed plans also show the existing pebbledash to be repaired and painted or replaced with render. It would be preferable for the pebbledash to be removed and the brickwork made good. However, the removal of the pebbledash may also result in the removal of the face of the brickwork. If this is the case, then the application of render may be an option. To allow the building to breathe, a lime based product should be used. The existing natural slates should be retained and reused as part of the proposed works.

There would be some minor harm resulting from the use of UPVC however, this needs to be judged in the context of surrounding properties and the already reduced significance of the asset. The proposal would also ensure the reuse of the building, which is a benefit.

Taking the above into consideration, subject to conditions relating to materials and the shopfront the proposed works are considered acceptable and in accordance with policies P1, P2, P3 and DM1 of the Core Strategy, Policy JP-P2 of PfE and the NPPF.

Impact on neighbouring properties and future occupiers

Taking the surrounding land uses into consideration the proposed office use would not have a detrimental impact on neighbouring businesses and as offices are generally open during the day, the night time economy surrounding the application site will not have any impact on future occupiers of the building. However, as permitted development rights assume the relationship between many Class E and residential uses is acceptable officers consider it reasonable to remove this permitted development right due to the surrounding land uses and night time economy which would not be an acceptable environment for a residential use, and which has been identified by the Planning Inspector on the dismissed appeal noted above.

In conclusion, subject to a condition to remove permitted development rights for a change of use to residential, the proposal would be compliant with Policy DM1 of the Rochdale Core Strategy and the NPPF.

Highways

Policy DM1 sets out the general development requirements and establishes that proposals should not adversely impact on highway safety. The Council's Highways officer has reviewed the application and advised that in terms of traffic impact and servicing requirements, the existing and proposed uses are likely to generate similar levels of both and the site is on the edge of Rochdale town centre with its amenities and public transport links with adequate public parking within close proximity. There is not considered to be any impact on road safety or highways capacity on the wider highway network and Highways raised no objection to the proposal.

The proposal is therefore in accordance with Policy DM1 and T2 of the Rochdale Core Strategy, JP-C8 of PfE and the NPPF.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:-

Site Location Plan
Received 23rd August 2023

Existing Elevations
Existing and Proposed Floor Plans

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. No works shall commence on site until full details of the external materials, including works to the shopfront, have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include, but not limited to, windows, doors, render and natural slate. The materials shall be installed in accordance with the approved details thereafter.

Reason: To protect the significance of the Borough's heritage assets and in the interests of visual amenity, in accordance with Policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy Policy, JP-P2 of PfE and the NPPF.

4. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the premises shall not be used in any way as a Class C3 – Dwellinghouse(s).

Reason: As the surrounding land uses and busy road network would be harmful to the living environment of occupiers of a dwellinghouse(s) and to accord with Policies G9 and DM1 of the Core Strategy and the NPPF.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

The applicant is advised that the Council's Conservation Officer highlighted that it would be preferable for the pebbledash to be removed and the brickwork made good. However, the removal of the pebbledash may also result in the removal of the face of the brickwork. If this is the case, then the application of render may be an option. To allow the building to breathe, a lime based product should be used. The existing natural slates should be retained and reused as part of the proposed works. This information should be taken into consideration when details of the proposed materials are submitted to discharge Condition 3 above.