

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00310/FUL	Hamish Rigg	24/06/2024

Address: 90 Durham Street, Rochdale, OL11 1JZ

Proposal: Change of use of first floor to self-contained flat together with formation of doorway to side elevation and a first floor rear window

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
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	n/a
-----	--	-----

CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	Grant Subject to Conditions
----------------	-----------------------------

CHECKED AND SIGNED OFF BY: RK

DATE: 22/07/2024

SITE

The application relates to the first floor of 90 Durham Street, which was formally used as a storage and office space for the wholesale shop below, but is currently vacant. 90 Durham Street is an attractive 19th Century semi-detached property.

Located on the edge of Rochdale Town Centre, Durham Street and its wider neighbourhood is typically urban and therefore falls within the UDP's defined Urban Area. It is an area of mixed use; including residential, commercial, and industrial. The housing is predominantly terraced, although there is a new-build estate with detached and semi-detached houses opposite the application site. There are various nearby public amenities including Deeplish Primary School, Neeli Mosque, and Rochdale Railway Station, as well as numerous shops and warehouse buildings.

90 Durham Street faces north, overlooking the public highway and 83 and 85 Durham Street, which form part of the aforementioned new-build estate. It is adjoined by 88 Durham Street to the west, a two-storey commercial unit built in 2016. The adjacent building to the east is 92 Durham Street; a two-storey commercial building. The rear boundary of the curtilage faces south and borders an alley way serving the rear of properties along Exeter Street.

PROPOSAL

Permission is sought for the change of use of the first floor to a self-contained flat, together with the formation of a ground floor doorway and first-floor rear window. The proposal would involve internal works to rearrange the floor plans.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

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-P1 Sustainable places

Adopted Rochdale Core Strategy (CS):

DM1	General Development Requirements
C1	Delivering the right amount of housing in the right places
SO3	Improving design, image and quality of place
P1	Improving image
P3	Improving design of new development
C3	Delivering the Right Type of Housing
P2	Protecting and enhancing character
G9	Reducing the impact of pollution, contamination and land instability

SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General Development requirements
SD1	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

94/D31523/FUL - Change Of Use To Industrial With Retail Shop And Showroom On Ground Floor Level And Formation Of Car Park To Side- Grant STC

CONSULTATION RESPONSES

Environmental Health (noise) 13/05/2024:

No comments

Highways 14/05/2024:

We have no objection to these proposals.

The additional dwelling is unlikely to generate any significant amount of traffic.

Whilst an additional parking bay would be preferred there is very little parking in the vicinity and on street parking although discouraged is within the character of the area. We could not sustain an objection to this proposal on insufficient parking grounds.

No changes to the highway network are proposed.

We have no new road safety concerns as a result of this proposal.

REPRESENTATIONS

Letters of notification were sent to surrounding properties 26/04/2024; no objections were raised

ANALYSIS

Principle for development:

Permission is sought for the change of use of the first floor into a self-contained flat. Places for Everyone establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough. Policy C1 of the Core Strategy aims to maximise the potential of previously developed sites within the

urban area to achieve a target of 80% of new housing of previously developed land. The site falls within the 'defined urban area' as set out in Policy G/D/1 of the saved Unitary Development Plan (UDP). Furthermore, policy JP-H4 of PfE states that new housing should be delivered a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Therefore, where possible concentrating a higher density of housing in town centres.

The principle for development relating to this application is therefore established by contributing towards additional housing supply, and in supporting development within the defined urban area and town centres.

Design: DM1 and P3

When read collectively, the NPPF, policy DM1 and P3 of the Core Strategy and JP-P1 of Places for Everyone requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

The only external physical works involve the installation of a UPVC first-floor rear window. The proposed window would match the existing rear window and those on the adjoining building, no. 88. As such, the proposed window would be in-keeping with the surrounding context and would not harm the appearance of the building.

Overall, the proposed development would have a neutral impact on design and therefore accords with policies DM1 and P2, and the NPPF.

Amenity: DM1 and SPD

The NPPF, Core Strategy (DM1), and the SPD all require proposals to demonstrate that they will not have a negative impact on residential amenity through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The proposed flat would include two bedrooms to the front of the property with windows overlooking Durham Street and the opposing houses, no. 83 and no.85. Paragraph 4.1 of the SPD sets a minimum space standard of 21m between directly facing habitable room windows at an upper-floor level. With a separation distance of 13m between the proposed bedroom windows and the opposing first-floor windows at no. 83 and no. 85, the development would not comply with the SPD.

Notwithstanding, the SPD allows exceptions to minimum space standards where development would not detract from the general levels of privacy and amenity in the area. There is an established precedence of 'overlooking' residential properties along Durham Street and the wider area, due to a historically higher building density. Levels of privacy and amenity are well-established and consistent across the surrounding area, and therefore the proposed change of use would not detract from the existing levels of amenity and would be in keeping with the established separation distances.

However, owing to its urban context, the impact of the existing external noise levels on occupier amenity are a key consideration for the proposed change of use. As such, the council's environmental health officer has been consulted but raise no

objections in this regard. Whilst the proposed flat is in a built-up area, it is predominantly residential and therefore appropriate in terms of residential amenity.

Space standards:

The Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is suitable for application across all tenures. The total floor space measure approx. 86.25sqm and is therefore able to accommodate the proposed two-bedrooms. The bedrooms themselves meet the minimum space required for 2 bed spaces as they both measure over 11m². It is also noted that all habitable rooms and windows would be served with an adequate standard of light and outlook. The officer is therefore satisfied that the proposed flat meets the requirements of the NDSS and will give an acceptable standard of amenity for its future occupiers.

Highways: DM1 and T2, Appendix 5

Whilst the applicant has indicated no on-site parking spaces, the Council's Highways Officer raised no objections to the proposed development. The officer concluded that the change of use is unlikely to generate a significant volume of traffic and that it is close enough to town centre amenities and transport links that off street parking is not essential. Moreover, they raised no concerns regarding refuse collection.

RECOMMENDATION

Grant 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:-

- Proposed floor plans and site plan: 2114/3 (received 13/06/2024)
- Proposed elevations: 2114/4
- Location plan

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.

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.

Report Author Hamish Rigg