

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00180/FUL

CASE OFFICER

Rosalind Gralton

DETERMINATION DATE 24.06.2024 EXT OF TIME 16.08.2024

Address: 29 Spotland Road Rochdale OL12 6PE

Proposal: Change of use from single dwelling house to 2 self-contained flats, alterations to boundary treatment, formation of new footpaths and alteration to fenestration.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	NA

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

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY:

TH

DATE: 16.08.2024

SITE

The application site relates to a two storey end terrace property. The current use of the site is a C3 dwellinghouse. There is an existing dropped kerb on Ashworth Street to the rear which provides access into the rear garden, which is currently gated and provides in-curtilage car parking.

The property is within an area that is predominantly residential in character, including the adjoining property no. 31. The site lies to the south of Spotland Road, to the north of Ashworth Street and to the west of Julia Street.

The site is within the defined urban area. It is not within a conservation area and is not a listed building.

PROPOSAL

Planning permission is sought for the change of use from a single dwelling house to 2 self-contained 1 bedroom flats.

The conversion also proposes alterations to boundary treatment, formation of new footpaths and insertion of a single door on the side eastern elevation of the property.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional Policy

Places for Everyone Joint Development Plan

Policy JP-P1 – Sustainable Places

Policy JP-H3 – Type, Size and Design of New Housing

Adopted Rochdale Core Strategy (CS):

SO1 - To deliver a more prosperous economy

E3 – Focusing on economic growth corridors and areas

SO2 - Creating successful and healthy communities

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

C6 – Improving health and wellbeing

SO3 - To improve design, image and quality of place

P3 - Improving design of new development

DM1 - General development requirements

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

23/00429/FUL - Change of use from dwelling (Class C3) to hot food takeaway (Sui Generis) including installation of shop front and installation of external flue on rear elevation. – Refuse 2023-10-02

22/01059/FUL - Change of use from existing dwelling to Hot food takeaway (Sui Generis) on ground floor with self-contained flat (Use Class C3) on first floor and rear staircase access. Flue to rear elevation. - Refuse 2023-03-07

17/00678/FUL – Proposed change of use at ground floor from dwelling (Use Class C3) to shop (Use Class A1) with new shop front and the provision of a first floor flat (Use Class C3) (re-submission 17/00254/ful) – Refuse 2017-08-07

17/00254/FUL - Proposed change of use at ground floor from dwelling (Use Class C3) to shop (Use Class A1) with new shop front – Refuse - 2017-04-28

CONSULTATION RESPONSES

Highways And Engineering

No objections. Parking is adequate and no concerns regarding servicing.

Lead Local Flood Authority/Drainage

No objections subject to condition.

Env Health - Noise/Odours

This section has no objections to the proposals

REPRESENTATIONS

The application was publicised by way of neighbour notification and site notice. One objection was received, citing concerns with impact on parking as a result of the two flats.

ANALYSIS

Principle of Development

The application site is within the Defined Urban Area under the Rochdale Unitary Development Plan. 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.

Policy C1 states in the south of the Borough the Council will ‘deliver a majority of new homes to reflect its accessibility to the core of the city region, and the opportunities that exist for new housing’ and this will be done by ‘deliver new homes in regeneration areas ... and focus new housing in or close to key economic growth corridors/ areas and town centres’. The site is located opposite Spotland Road Local Centre and within 250m of Rochdale Town Centre. In terms of the siting of the residential dwellings, the proposal would be considered acceptable.

Accordingly, subject to an assessment of other development management requirements, the principle of development of the proposed change of use of the B8 storage unit to residential is accepted and in accordance with Policy C2 and C3 of the adopted Core Strategy and the National Planning Policy Framework.

Character and appearance

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, Paragraphs 131 and 135 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.

It is noted the works necessary for the subdivision of the dwelling predominately relate to internal works, the proposal will introduce a secondary front door to the eastern blank side elevation, which will be the sole entrance into the property for the occupant of Flat 2. As a result a new pathway is proposed on the land adjacent to the site, to provide access from the footway of Julia Street.

The rear yard area of the property would be removed and dedicated to the outdoor amenity space for Flat 1 only. Beyond this, a bin store is indicated on the proposed block plan, and spaces for 2 cars to be parked at the rear of the property is indicated also. Landscaping details proposed included permeable concrete flags. The fencing which currently runs along the boundary of the garden space would be removed beyond the amenity space of flat 1, which would open this out onto the highway. From a visual perspective, a condition securing details of bin store is proposed to ensure the bins are kept out of public view.

The submitted drawings provide no details of the proposed materials for the door, although UPVC is stated on the application form which would be acceptable within this location.

The existing fence would be retained as part of the proposals which would ensure the rear yard and bin storage area would not be visible from the highway and footway of Julia Street. This is secured via the approved plans condition.

Materials to the footpath are noted as tarmac to match the existing adjacent footpaths. From a design perspective there are no concerns with this from a visual amenity perspective.

It is noted the areas of the footpath proposed are not within the applicant's ownership and are within that of the Council. As such, these footpaths, which must be in place prior to occupation of either flat, shall not be secured prior to the agreement of the landowner. An informative attached to the decision notice provides further information to the applicant.

In conclusion the proposed alterations to the building would be minor in nature keeping with the existing building and would be in compliance with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF

Occupier Amenity

Paragraph 135 of the NPPF states *'Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'*

The Council's 'Guidelines & Standards for Residential Development SPD' in Section 4.10 discusses Changes of Use.

'When considering applications for the change of use of a building or part of a building to residential use, the Council will take into account the impact of residential use on the area and will also seek to secure a good standard of amenity for the future occupants. For example, residential uses may not be appropriate in certain commercial areas or above hot food take away shops as future residents could suffer from noise and smells nuisance or disturbance from activity late into the evening and early morning and this could affect the operations of the existing businesses.'

Policy JP-H3 of the Places for Everyone Joint Development Plan states that all new dwellings should accord with the Nationally Described Space Standards.

The Nationally Described Space Standards (NDSS) state in order to provide one bedspace, a single bedroom floor area must be at least 7.5m² and 2.15m wide.

The gross internal areas on the property is Flat 1 with 37m² and Flat 2 with 41m². Both would be one bedroom flats only. For a one bedspace, one bedroom flat, the NDSS states a 1 storey dwelling's minimum floorspace area is 37sqm.

Flat 1's bedroom would be 2.6m wide x 3.65m deep and would have a floor area of 9.6m².

Flat 2's bedroom would be 3m wide and 3.64m in length, and would have a floor area of 10.9m².

The plans now show the NDSS are met and therefore will deliver an acceptable internal level of amenity for occupants, and as such would be in compliance with Policy JP-H3.

Neighbour Amenity

The proposals would not introduce any new windows where there were previously none. To the eastern side elevation, a new access door will be created which will be the primary entry and exit into the property for the occupant of Flat 2.

Further to the general requirements of Core Strategy Policy DM1 and Paragraph 135 of the NPPF to ensure a generally high standard of amenity for residential occupiers, paragraph 191 of the NPPF seeks to ensure that new development is appropriate for its location taking account the likely effects of pollution on health, living conditions and the natural environment. In this context, planning decisions should avoid noise giving rise to significant adverse impacts on health and the quality of life. Policy G9 of the adopted Core Strategy also requires new development does not have impacts that lead to an unacceptable in noise (inter alia) pollution.

In relation to the noise impact the proposed subdivision of the dwelling would have on the adjoining neighbour, the Council's Environmental Health Officer was consulted, and raises no objections to the proposals.

Highways and Drainage

The Council's Highway's Officers were consulted on the application and responded with no objections. The proposed parking spaces, which are 2.4m in width and 4.8m in length, accord with the Council's parking space requirements are detailed within section 3.15 of 'Guidelines & Standards for Residential Development SPD'.

The Council's Drainage officer was also consulted on the application. A pre-commencement condition was requested, however it was not considered necessary

given the minimal size of the paving. As a result, a condition ensuring the proposed pathways are permeable tarmac to match the existing paths adjacent to the red edge is secured.

In addition to this, the Council is aware they are in ownership of the land the pathways would be sited on. As such, permission is required from the landowner, who in this case is the Council, will be required prior to the development of this. This planning permission does not confirm such an agreement and an informative is attached to the decision notice.

RECOMMENDATION: APPROVE SUBJECT TO 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 and documents:-

22.2830.3E – Existing and Proposed Block Plans – received 17/07/2024
22.2830.SC4.1E – Proposed Apartment Scheme
Site Location Plan
Application Form

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

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. Notwithstanding details on the approved plans, the proposed footpaths shall be constructed in permeable tarmac.

Reason: To prevent an increased risk of flooding as a result of the development in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. The proposed materials to the alterations of the building shall match that of the existing building.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. No part of the development shall be occupied until such time as details for elevations of the bin storage area has been submitted to and approved in writing by the Local Planning Authority, and implemented. The approved bin storage scheme shall be retained as constructed for its intended use thereafter.

Reason: To ensure the provision of satisfactory and secure facilities for storage of refuse and in the interests of visual amenity in accordance with policy P3 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

6. Notwithstanding the approved plans, the proposed gate shall not be erected until details of the gate design have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. The car parking to serve the development hereby permitted and as shown on plan '22.2830.3E – Existing and Proposed Block Plans – received 17/07/2024' shall be made fully available for use prior to first occupation of the dwelling its serves and shall be retained thereafter.

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy 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.

Notes for Applicant:

Informative:

1. The applicant is advised that part of the approved development (the proposed footpaths) is on land outside their ownership.

Planning approval does not grant the agreement of the Council as the landowner for these works to be undertaken. The Council's agreement as the landowner must be sought separately.

The Council's Estates team can be contacted on the following contact details:
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