

APPLICATION NUMBER: 24/00030/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00030/FUL	Hamish Rigg	14/05/2024

Address: 216 Yorkshire Street, Rochdale, OL16 2DW

Proposal: change of use of first and second floor into two self-contained flats; alterations to fenestration; new ground floor front door; replacement extraction flue to the rear.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?		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/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: RK

DATE: 11/06/2024

SITE

The application relates to 216 Yorkshire Street, a three-storey terraced property in Rochdale Town Centre. The ground floor is occupied as a takeaway and does not constitute part of this application. The first and second floors, to which this application relates, are currently used as offices, although currently they are seldom in use.

Located in Rochdale town centre, Yorkshire Street is a prominent commercial and retail thoroughfare, accommodating a variety of businesses and high pedestrian footfall. It therefore has a dense built environment comprised of mainly terraced properties. In addition, no. 216 is approx. 50m east of Town Head Conservation Area and its associated heritage assets, including Grade 2 listed 188a-194 and 170-174 Yorkshire Street, and Grade 2 listed St Mary's Ukrainian Church.

No. 216 faces north-west, fronting the public highway and overlooking 155 Yorkshire Street. It is adjoined by no. 218 to the east and no. 214 to the west, both of which are similar three-storey terraced buildings. The rear boundary of the curtilage faces south-east bordering the public highway of West Street.

PROPOSAL

Permission is sought for the change of use of the first and second floor into two self-contained flats; alterations to fenestration; a new ground floor front door; a replacement extraction flue to the rear.

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

None

CONSULTATION RESPONSES

Conservation 15/05/2024:

This site has previously been identified as a non-designated heritage asset. It is an attractive three storey terrace, with Flemish bond brick work and stone sills and headers to the windows.

The proposal seeks to convert the upper floors to a residential use. There is no objection to this, as it would provide a full use for the building. The existing windows are currently timber, and as such their replacement should also be timber, with details agreed by condition.

The proposal also includes the raising of the height of the flue. While the flue would be to the rear and in a back of house context, its increased height would result in some harm and this needs to be justified before it can be accepted. Steps should also be taken to minimise its appearance.

Officer's response:

The applicant has since updated the heritage statement with justification for the increased height of the flue. The officer is satisfied that it is justified in the interests of residential amenity which would allow the upper floor to be brought into use.

Highways 29/02/2024 – no objections:

This proposal is unlikely to generate any significant volume of traffic.

This is a location close to town centre amenities and public transport links.

We have no Refuse collection concerns.

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

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

We have no new Road Safety concerns as a result of this proposal.

Environmental Health – noise 25/04/2024:

This section has no objection in principle to the proposals, we would recommend the following conditions:

The homes are constructed in line with the requirements of the submitted noise impact assessment to ensure the following internal noise levels are achieved

- *35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;*
- *30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;*
- *35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;*
- *40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.*

Upon completion and prior to occupation validation testing is carried out

REPRESENTATIONS

Surrounding neighbours were sent letters of notification 12/04/2024, and a general site notice was posted 24/04/2024; no comments were received.

ANALYSIS

Principle for development:

Permission is sought for the change of use of the first and second floor into two self-contained flats. 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.

Heritage and design: DM1 and P3

Policies P3 and DM1 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, 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.

Furthermore, paragraph 135 of the NPPF goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history. Paragraph 139 states that development that is not well designed should be refused.

In addition, paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Any harm to, or loss of, the significance of a designated or non-designated heritage asset should require clear and convincing justification. Similarly, Policy P2 of the Core Strategy promotes the protection and enhancement of key heritage assets and their visual amenity.

The proposed external changes include: the installation of a new front opening/door at street level from which to access the flats; replacement UPVC windows to the front and rear; and the replacement of the existing extraction flue to the rear with one which extends 1m above the eaves line.

The Council's Conservation Officer supports the proposed change of use, yet stated that the replacement flue would cause some minor visual harm, and therefore needed justification. The applicant has amended the heritage statement to include a justification for the replacement flue, noting that an increase in height is necessary to ensure occupants are not adversely impacted by noise and odours produced by the flue. The replacement flue is therefore justified in order to bring the upper floors into residential use.

Notwithstanding, full specification details of the flue will be required by condition in line with the Conservation Officer's request that 'steps are taken to minimise its appearance'.

The applicant has provided a heritage statement (Building Design Services, M Farooq, February 2024) which identifies the significance of the surrounding heritage assets and the impact of the proposed development upon them. Whilst a heritage statement was necessary it is considered that the external works are minor, such that they would have a neutral impact on the setting of the nearby listed buildings. Hence, the proposal would not unduly harm the visual amenity of the property and would be acceptable to the character and appearance of the street scene and local heritage assets. The application therefore accords in this regard with policies DM1 and P2, and the NPPF where it would have a neutral impact with no harm to the significance of any of the designated heritage assets.

Amenity: DM1 and SPD

The Council's adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Furthermore, policy DM1 of the Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. Paragraph 5.1 of the SPD states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Additionally, the National Planning Policy Framework (NPPF) advises that planning

should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Owing to its town-centre location, the main consideration regarding the proposed change of use is the impact of the existing external noise levels on occupier amenity. A noise impact assessment has therefore been submitted by the applicant entitled 'Acoustic Survey and Assessment for Proposed Residential development at 216 Yorkshire Street' (Martin Environmental Solutions Ltd., March 2024). The report found that the existing background noise levels will result in an adverse impact on the proposed use as a self-contained flat. Notwithstanding, the report confirms that the installation of standard double-glazed windows with 'trickle window vents' will adequately mitigate the impact of the existing noise levels. In corroboration, the council's Environmental Health Officer raised no objections to the proposal, subject to the requirements of the submitted noise impact assessment being carried out. A suitably worded condition requiring adherence to the proposed mitigation measures will therefore be included to ensure that internal and external sound levels are acceptable.

Paragraph 4.1 of the 'Guidelines & Standards for Residential Development SPD' sets minimum space standards between new and existing residential developments in order to protect privacy and amenity. With a separation distance of 15m between the proposed front bedroom and living room windows and the opposing first and second floor windows at no. 155 Yorkshire Street, the development would not comply with the SPD.

However, the SPD allows exceptions to minimum space standards where development would not detract from the general levels of privacy and amenity in the area. As the site falls within a town centre, and considering the high building density and existing culture of 'overlooking', levels of privacy and amenity are typically lower than the SPD would ordinarily permit. As such, the proposed change of use would not detract from the existing levels of amenity and would be in keeping with the established separation distances.

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 habitable room is served with an adequate standard of light and outlook and meet the NDSS. The proposed bedrooms meet the minimum space required as it is over 11.5m². Therefore officers are satisfied that proposed flat will give an acceptable standard of amenity for its future occupiers.

Overall, and subject to the aforementioned noise condition, the proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with policies DM1, the SPD and the NPPF.

Refuse collection:

The plans and supporting 'Planning Statement' indicate the storage of a bin within the existing rear yard, and collection to the rear as per the existing strategy. This is considered to be acceptable.

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 changes 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 Plans: 2063/2
- Location plan
- Existing and proposed elevations: 2063/3
- Acoustic Survey and Assessment for Proposed Residential Development at 216 Yorkshire Street (Martin Environmental Solutions Ltd., March 2024, 2684-1)

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

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. The development hereby approved shall be constructed in accordance with the noise mitigation measures set out within '*Acoustic Survey and Assessment for Proposed Residential Development at 216 Yorkshire Street (Martin Environmental Solutions Ltd., March 2024, 2684-1)*'. No part of the development shall be occupied until such time as a verification report has been submitted to and approved in writing by the Local Planning Authority to confirm that the approved ventilation and acoustic measures have been implemented to achieve the required maximum noise levels. The noise attenuation measures shall be retained as installed thereafter in perpetuity.

Reason: To safeguard the amenities of residents in order to comply with the requirements of Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the external extraction flue, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The extraction flue shall be installed in accordance with the approved details thereafter.

Reason: In the interests of visual amenity and in accordance with policies P3 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.

Report Author Hamish Rigg