

APPLICATION NUMBER: 22/01532/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01532/FUL	Rosalind Gralton	19 July 2023

Address: 134-136 Drake Street Rochdale OL16 1PS

Proposal: Change of use of first floor from office space to 3No self-contained apartments. Single storey rear extension to ground floor offices.

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/A
	Neighbour comments received?	Y

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

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA DATE: 27.07.23

SITE

The site relates to two terraced, two storey properties, on Drake Street, at the junction with Moore Street. The properties benefit from existing two storey rear extensions on the property.

To the front, the property appears a commercial law office at ground floor. Windows are located at first floor on the front elevation.

The property is adjacent to (but not within) the Rochdale Town Centre Conservation Area, and is located within the defined urban area. The property is adjacent to listed building 132 Drake Street, located on the northern side of Moore Street. Additionally, the Congregational Church located north east of the application site is also a listed building.

PROPOSAL

Planning permission is sought for the change of use of the first floor from office space to 3 self-contained apartments.

An infill single storey rear extension is proposed to accommodate an extension to the existing ground floor offices. The existing ground floor offices will remain in use.

Value Added

Amended plans were received reducing one of the proposed flats from two bedroom to one bedroom, following officer advice.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS)

SO1 - To deliver a more prosperous economy

E1 – Establishing thriving town, district and local centre

E3 – Focusing on economic growth corridors and areas

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

P3 – Improving design of new development

SO4

T2 – Improving accessibility

DM1 – General development requirements

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area

G/S/1 – Hierarchy and role of centres

S/6 – District Centre, Local Centres and Linear Commercial Areas

R/3 – Drake St Physical Regeneration Area, Rochdale

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

06/D47062 - TWO STOREY REAR EXTENSION TO OFFICE – Granted subject to conditions 08/06/2006

CONSULTATION RESPONSES

Conservation And Design

The Council's Conservation Officer was consulted and their response is provided below:

'Site description (constraints)

The application site is located on the south side of Moore Street, on the corner with Drake Street. Directly opposite the application site, across Moore Street is situated the Grade II listed No. 132 Drake Street. This listed building 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.

The application site is also just outside of the boundary of the Rochdale Town Centre Conservation Area.

Description of Proposal

The application seeks permission for the change of use of the first floor of the property from offices to residential. The application also seeks permission for the construction of a single storey mono-pitched roof extension to the rear of No. 136 Drake Street.

Relevant Policy and Legislation

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.

Assessment

With regards to the proposed change of use, this use would be complimentary to the area, and would not give rise to any concerns regarding the significance of heritage assets.

Furthermore, the proposed single storey extension would be modest in scale, relate well to the original property, and would be largely screened from the street scene by the existing two storey rear outrigger on site. This element of the proposal would not result in harm to designated heritage assets.

Conclusion

As such, it is considered that the proposed development would have a neutral impact on both of the designated heritage assets, No. 132 Drake Street, as well as the Rochdale Town Centre Conservation Area.'

Highways

The Council's Highways Engineers were consulted on the application and their response is as below:

'The application site is within Rochdale town centre with its local amenities and excellent links to public transport so the lack of additional parking provision is not a concern.

The servicing arrangements appear to be acceptable with access via Back Drake Street.

The development should have no impact on highway capacity or road safety.

We would ask for a Construction Management Plan because of the proximity of the development to the Metrolink Line and its position on a very busy junction.

Highways raise no objection to this application subject to the Construction Management Plan.'

When queried regarding concerns of bins specifically, the response provided was below:

'The submitted plans show a bin storage area and although indications are that only 4 domestic bins will be provided there is a "yard" area that could accommodate additional bins. If it was considered to be an issue we could ask for a Service

Management Plan to control the size and number of bins and how they are collected.'

REPRESENTATIONS

The application was publicised by way of neighbour notification and site notice displayed adjacent to the site. A press notice was also posted due to the potential of the development to affect the setting of the Conservation Area and nearby listed buildings. One objection was received, with concerns relating to the bins and waste management. Concerns also relate to the poor state of the land currently.

ANALYSIS

The key considerations for this application are heritage and design, residential amenity and highways.

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 within the Drake Street 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 Policies E3 and C2 refer to focusing on economic growth corridors and areas of regeneration. Specifically relating to Milkstone and Deepdish the Council will *'Provide additional homes on vacant and underused sites and through redeveloping incompatible employment uses in residential areas.'* Policy C3 echoes this by stating in the south of the borough the Council will *'Focus higher density development in and around Rochdale, Middleton and Heywood town centres, along major transport corridors, the Canal corridor, and in key district and local centres'*.

The proposal seeks to convert the first floor of the property from offices to self-contained residential flats. Given the existing office use at ground floor is to be retained, it is not considered the proposal would result in the loss of this unit to the detriment of the viability and vitality of the local centre, and would not conflict with policies E1 or S/6 of the Rochdale Core Strategy and saved UDP policies.

On the basis outlined above, the principle of the development would be acceptable in accordance with Rochdale Core Strategy Policy C2, E3, E1, Saved UDP policies S/6 and G/D/1, and the NPPF.

Heritage and design

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.

Policy P2 of the Rochdale CS states *'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.'*

The Council has consulted the Conservation Officer on the proposals who concludes the use would not give rise to concerns regarding the significance of the heritage asset. Additionally, the proposed extension would be modest in scale and largely screened from the streetscene as a result of the existing outriggers. It is considered that the proposed development would have a neutral impact on both of the designated heritage assets, No. 132 Drake Street, as well as the Rochdale Town Centre Conservation Area.

To ensure the high quality of the development it is considered important that materials are controlled through condition but subject to this the impact on heritage and visual amenity would be acceptable in accordance with policies P1, P2, P3 and DM1 of the Core Strategy and the NPPF.

Occupier Amenity

Paragraph 130 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 proposed development seeks to create three self-contained apartments, 2no of 2 bed apartments and 1no of 1 bed apartments. The total internal floor space of all flats would comply with the national space standards in this instance, with 3 bedspace apartments for the two bedroom flats (measured 68sqm and 62sqm), and maximum 2 bedspaces (52sqm) in the one bedroom apartment. Each flat would have at least one bedroom measuring over 11.5sqm, as per national space standard requirements.

It is noted a reasonably sized rear garden is maintained. It is noted this garden is dominated by hardstanding, however the site is a short distance from Broadfield Park and local amenities.

It is noted permitted development rights assume the relationship between many Class E and residential uses is acceptable. If the ground floor use was to change to any other use within Class E through these rights, in this case, other legislation would be in place to protect the amenity of residents, such as Environmental Health, for example. To remove the permitted development rights in this case would duplicate the legislation currently in place.

In conclusion, given the size and design of the flats, in addition to the quality of the amenity space provided, it is concluded the proposal would be compliant with Policy DM1 of the Rochdale CS, and policies contained within the NPPF.

Residential Amenity

The proposed extension would infill the space between the outrigger and existing extensions at the rear of 136 Drake Street and would project 3m from the rear elevation. The extension would measure 2.5m in width. The proposed pitch height of

the roof would measure 3.5m and the eaves height would measure 2.1m, in keeping with existing single storey properties on 136 Drake Street.

One window is proposed to the rear elevation of the extension only, with no additional windows proposed to facilitate the change of use.

It is not considered the proposed office extension would intensify the existing office use to an unacceptable degree.

The proposed window to window distances at first floor side elevation along Moore Street would measure 10.5m and fall below the required 14m, would not be considered unacceptable in this instance, given the character and density of the properties.

A 34m distance from the rear bedroom window to the rear elevation of properties along St Chads Close, would be considered acceptable.

As such, it is not considered the proposal would result in any unacceptable impact upon residential amenity, and is compliant with the Core Strategy.

Highways

Relating to sustainable transport, Paragraph 111 of the NPPF states 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Policy DM1 sets out the general development requirements and establishes that proposals should not adversely impact on highway safety. To fully assess this matter consultations have taken place with Highways officers, who stated no concerns regarding parking given the sites central location to Rochdale Town Centre. Given the sites close proximity to the Metrolink line and a busy junction, a Construction Management Plan is requested subject to condition. Subject to this condition, no objections were raised.

When the case officer queried highways regarding concerns of bins specifically, the response provided was below:

'The submitted plans show a bin storage area and although indications are that only 4 domestic bins will be provided there is a "yard" area that could accommodate additional bins. If it was considered to be an issue we could ask for a Service Management Plan to control the size and number of bins and how they are collected.'

Given the size of the rear amenity area, bins should be maintained appropriately to accommodate the flats. While it is not considered an issue substantial enough to warrant a servicing management plan, details are requested of a bin store prior to first occupation, in order to ensure high quality design and amenity is provided for residents.

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:-

Amended proposed floor plans – 1961/3 received by the Council 19/07/2023
Proposed elevations - 1962/4 – received by the Council 06/12/2022
Existing floor plan and site plan – 1962/1 – received by the Council 06/12/2022
Existing elevations – 1962/2 - received by the Council 06/12/2022
Location Plan - received by the Council 06/12/2022

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. No part of the development shall be occupied until such time as details for the design of refuse/recycling bin store has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be installed in complete accordance and made available for use prior to the approved development first being brought into use. The approved refuse and recycling 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.

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:

None

Report Author Rosalind Gralton