

APPLICATION NUMBER: 23/01273/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/01273/FUL

CASE OFFICER

Rachel Carney

DETERMINATION DATE 02.04.2024 EXT OF TIME 24.05.24

Address: 475 Oldham Road Rochdale OL16 4TD

Proposal: Change of use of public house (Sui Generis use) to 6 apartments (use class C3) with infill first floor extension and other associated works

PUBLICITY	Weekly list expired?	y	Site notice expired?	y
	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
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CONDITIONS	Pre-commencement conditions proposed?	n
	Pre-commencement conditions agreed (or notification period expired)?	n/a

RECOMMENDATION

APPROVE

CHECKED AND SIGNED OFF BY: LA DATE: 24.05.24

SITE

The application relates to the former public house, the Plough Inn at 475 Oldham Road. The property occupies a prominent position on the corner of Oldham Road and Argyle Street and comprises a detached, two storey building which has an attractive stone frontage and a later, two storey red brick extension to the rear. The first floor of the property is used as a four bedroom residential flat.

The property is located within the Oldham Road/Kingsway local centre and surrounding development comprises a mix of commercial and residential. The land to the immediate north of the site is currently undeveloped but planning permission has recently been approved for the construction of two commercial units.

PROPOSAL

The application proposes a change of use of the public house to provide six apartments. An infill extension is also proposed, as well as other external works including removal of an existing extension and the provision of bin and bike storage.

The proposed development would be set out with three apartments to each floor to the ground floor. Four of the apartments would provide one bedroom accommodation, one would be a single bedsit with an integral living room and bedroom and one apartment would provide two bedroom accommodation.

To the side (north) elevation, the property currently includes a single storey infill extension. It is proposed that this be removed and a small first floor extension be constructed in the resulting alcove. An existing rear window is also to be removed a new window, to serve a bedroom, is to be created to the ground floor, side elevation. To the rear of the site a bin store a bike storage for six bikes is to be provided and the area behind a rear bedroom window for the two bedroom apartment will be fenced off to provide a private amenity space for that unit. The former public house signage is proposed to be removed.

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-J2 Employment Sites and Premises

JP-H1 Scale Distribution and Phasing of New Housing Development

JP-H3 Type, Size and Design of New Development

JP-P1 Sustainable Places
JP-C8 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

- E1 Establishing thriving town, district and local centres
- C1 Delivering the right amount of housing in the right places
- C3 Delivering the right type of housing
- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development
- DM1 General development requirements

Unitary Development Plan (UDP):

- S6 Oldham Road/Kingsway local centre
- GR1 Physical Regeneration Area
- GD1 Defined Urban Area

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Highways And Engineering

No objections.

We would expect no additional traffic as a result of this proposal.

The applicant has proposed no parking as a result of this development. Whilst we would usually expect a minimum of 6 parking bays this development is located within a local centre and as such does not require any parking provision.

Access proposals for this development are acceptable.

No changes are proposed to the existing highways layout. No new highways are proposed as a result of this development.

We have no new road safety concerns as a result of these proposals.

No PROW or Bridleway will be impacted by these proposals

Env Health - Noise/Odours

This section cannot support the application in its current form. The acoustic report does not appear to have taken any measurements of the existing noise, as such the proposed mitigation is unquantified. Additionally there is no mention of noise transfer between the units.

To allow full consideration we would require the correct measurements to be undertaken by a competent (named) person and for the resultant measurements be correctly reviewed against the relevant standards in order to demonstrate that the proposed mitigation will result in the required internal noise levels, and propose any additional mitigation between units.

Second comments following the submission of a Noise Impact Assessment

Development acceptable subject to the homes being constructed in line with the requirements of the Noise Impact Assessment. Suggested condition for required noise levels.

Conservation And Design

The application site is a public house on the corner of Oldham Road and Argyle Street. The building is currently vacant and this application seeks consent for its conversion into six apartments. As part of these works, a first floor infill extension is proposed.

The application is submitted by a heritage statement. This estimates that the building dates from the early 20th century, and notes that it may be of some local interest, warranting consideration as a non-designated heritage asset.

The conclusions regarding the significance of the building are broadly agreed. However, it may be older than the early 20th century. A building is shown in the approximate location of the site on the first edition OS map, dating from the 1850s.

The building has undergone numerous alterations, including the construction of a red brick range to the rear. Some of these, such as the cement repointing have had a harmful impact on its appearance. However, some architectural details survive, including the stone surrounds to the existing windows and doors.

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

The main external works are for a first floor infill extension. This extension would be a modest feature. Subject to a condition requiring bricks and slates to match (the plans appear to show stone, but brick would be more appropriate), the extension would have a neutral impact on significance. Other works include refuse and cycle storage and are shown to be located within the yard to the rear, which is screened by an existing brick wall. These would also have a neutral impact on significance.

While there would be some loss of significance resulting from the conversion of the public house to apartments, it is acknowledged that the proposal would provide a viable use for the building. Subject to a condition relating to materials, there are no objections to the proposal.

Strategic Planning

No comments received to date

REPRESENTATIONS

The application has been publicised with a site notice and neighbour notification letters. No representations have been received.

ANALYSIS

Principle of development

The application site is located within the existing Oldham Road/Kingsway Local Centre and the development would result in the provision of six apartments in a former public house. Policy E1 of the Core Strategy establishes that the Council will focus retail, leisure, cultural, office, residential and other development to promote the viability and vitality of the boroughs town centres, to maintain them as thriving and

sustainable centres. The policy also supports the change of use of a vacant retail unit (marketed for at least 6 months for retail use where the applicants can demonstrate that the use will clearly assist, and not harm, the vitality and viability of the centre. Accompanying text also acknowledges that the town centre has the potential to play an important role in providing new quality housing in sustainable locations.

Saved UDP policy S6 states that the conversion or redevelopment of vacant commercial premises to residential use will only be permitted in local centres that have a high overall vacancy rate and where it will assist regeneration.

Chapter 7 of the NPPF also requires that planning decision support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. In this regard the important role that residential development often plays in ensuring the vitality of centres should be recognised and residential development on appropriate sites should be encouraged.

Information submitted with the planning application details that the majority of the application building is currently vacant following the closure of the public house in April 2023. It is stated that poor trading conditions made the business no longer viable. It is stated that prior to its closure the pub experienced poor trading with declining numbers and sales. It is also stated that the issues facing public houses are well-publicised and are likely to be attributed to a range of factors including cheaper alcohol available at shops and supermarkets; people choosing to socialise at home rather than going out; changing demographics and, the smoking ban.

In considering the acceptability of the residential use within the local centre it is noted that the Planning Statement considers the impacts on its vitality and states that the surrounding area contains several commercial and retail premises, some of which are closed down. The statement also claims that it is clear that the area is in need of investment to assist with its regeneration and that the proposal would not result in the loss of valued community facility due to the presence of other pubs within walking distance of the site including, The Hornet, The Sandbrook and The Spring Inn.

Policy C1 is also relevant to the application and this requires the delivery of at least 460 net additional homes per year, up to 2028. Within this policy it is stated that the Council will maximise the potential of previously development site; including empty homes and buildings, with the urban area to achieve a target of 80% of new housing on previously developed land.

It is also noted that the site is within a sustainable location, with easy access to the existing uses within the local centre and with good public transport links into Rochdale.

Taking into consideration all of the above, on balance it is considered that conversion of the building to provide six residential flats is acceptable in principle. Whilst the proposal would result in the loss of a public house, a main town centre, it is accepted that the pub closed due to poor trade and whilst there is no evidence to demonstrate that the pub has been actively marketed, the site is not an existing retail unit and as stated within the supporting statement, it is accepted that public houses are struggling for various reasons, including the current economic climate.

The existing vacancy rates for the local centre have not been provided although an officer site visit confirmed that some properties within the local centre currently appear vacant. However, on a whole, the linear centre provides a relatively wide range of shops and services for local residents, with planning permission recently approved on the adjacent site for the erection of two new units. There are also

existing residential uses within the local centre, including first floor flats as well and a small number of houses.

Given the above it is considered that the conversion of the former public house to residential would not adversely impact on the vitality and viability of the local centre. Additionally, the provision of five extra residential units would add to the boroughs housing supply and provide a sustainable development for a vacant site. The principle of development is therefore acceptable and in accordance, in this regard, with the requirements of policy E1, C1 and DM1 of the Core Strategy and policy in the NPPF.

Visual amenity and Heritage

The application proposes relatively minor external alterations to the building, including removal of an existing infill extension, the erection of a new infill extension and the provision of bin and cycle storage.

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 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, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Additionally, Paragraph 134 states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

A Heritage Statement has been submitted to support the proposals. The Heritage Statement estimates that the building dates from the early 20th Century and notes that it may be of some local interest, warranting consideration as a heritage asset. Paragraph 209 of the NPPF requires that the effect of an application on the significance of a non-designated heritage asset be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required, having regard to the scale of any harm or loss and the significance of the heritage asset.

The Heritage Statement has been reviewed by the Council Conservation Officer and the conclusions regarding the significance of the building are broadly agreed. However it is noted that the building may be older than the early 20th Century as a building is shown on the first edition OS map, dating from the 1850's.

Considering the impact of the proposals it is noted that the building has previously undergone numerous alterations, including the construction of a large red brick extension to the rear. The Conservation Officer has advised that some of these alterations, such as the cement pointing, have had a harmful impact on its appearance. However, some of the original architectural details survive, including the stone surrounds to windows and doors.

The removal of the existing infill extension is considered to be an acceptable alteration. As a modern addition this does not positively contribute to the amenity of the site. Similarly, the proposed extension would be a modest feature that would have minimal impact on the visual amenity and visual appearance of the building. Nonetheless, care should be taken to ensure appropriate materials are used and contrary to the plans, which appear to show stone, it is considered that brick should be used. Details of external walling and roofing materials should be required through

condition. The Conservation Officer has advised that the extension would have a neutral impact on significance.

The other external works located to the rear of the building would also be acceptable in terms of their impact on design and heritage. Located within the rear yard of the building the structures which include a refuse and cycle store and fence, would be largely hidden from public view by the existing boundary treatment and would in any event, be appropriately scaled for the development. These structures would have little impact on visual amenity and the Conservation Officer has advised they would also have a neutral impact on significance.

The Conservation Officer has advised that there would be some loss of significance resulting from the conversion of the public house to apartments. However, it is also acknowledged that the proposal would provide a viable use for the building.

Further to the above it is considered that the application would have a neutral impact on the significance of the building as a non-designated heritage asset and would result in no undue harm to visual amenity. The application therefore accords, in this regard, with policies P1, P2 and P3 of the Core Strategy and the policy in the NPPF.

Residential amenity

Policy DM1 of the adopted Core Strategy requires that all development proposals are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents. Development should also not affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy and development should mitigate against any impacts due to noise, dust, light and odour pollution. Policy G9 also requires that sensitive new development such as housing, are not adversely affected by existing sources of pollution such as roads and certain types of industry.

Given the location of the application site, within a local centre and on the edge of a main road (A road) into Rochdale consultation has been carried out with the Council's Environmental Services. The application is also supported by an acoustic report.

The Environmental Health Officer initially commented that they could support the application as the submitted acoustic report did not take any measurements of existing noise and as such, the proposed mitigation was unquantified. Additionally, the report failed to mention noise transfer between the units.

The agent subsequently submitted a Noise Impact Assessment and following review by Environmental Services, their objection has been withdrawn and subject to the development being constructed in accordance with the requirements of the Noise Impact Assessment, no objections are raised. Mitigation included within the report are the construction of an inner stud wall, the installation of acoustic trickle ventilators for all windows to habitable rooms, the filling of an gaps with an acoustic material (not expanding foam) and sound insulation through the internal dividing structures. It is suggested that noise levels at the site be controlled through condition.

In other considerations the flats would provide sufficient amenity for future residents and surrounding development through their proposed layout.

The SPD – Guidelines and Standards for Residential Development sets out minimum space standards that should be applied to all new residential development and development which affect existing residential properties. These are:

- 21m between directly facing principal windows of habitable rooms, at an upper floor level and 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage;
- 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room; and
- 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The SPD advises that where these separation distances cannot be achieved, proposals should be “compatible with the density and character of surrounding development”.

Fenestration would remain largely unchanged as a result of this development and it is accepted that the first floor has an existing residential use, with the rear most windows providing primary windows for the existing living room. The distance from the first floor to the rear boundary of the site 6.3m and to the gable end of the adjacent property at no. 3-5 Argyle Street is approximately 9.0m. The application proposes that these existing windows serve a bedroom and living room for flat E. In respect of this relationship it is accepted that the relationship represents a shortfall compared to the 14m recommended under the SPD. Nonetheless, given the existing relationship, this proposal is considered to be acceptable.

The area where fenestration would change is to the ground floor. Initially, the existing window layout was to be retained but concerns were raised over the impact on amenity for the residents of flat C through use of the bin and bike stores. Amended plans have therefore been submitted and these reposition one of the bedroom windows from the rear elevation to the side so as to protect occupiers of that bedroom from disturbance and overlooking. It is recognised that the repositioned window would overlook the highway, however, this would replicate the position of existing windows at the site as well as other residential properties along Argyle Street and surrounding development and whilst the proximity to the highway would not be ideal, on balance it is considered that an adequate level of amenity would be provided.

In respect of the other rear window, this is to be separated from the bin store and bike shed by a timber fence. This would protect occupiers of that bedroom from disturbances and loss of privacy associated with use of the bin and bike stores. The fence would also provide a small area of private amenity space for occupants of that flat. Residents of that flat would also be adequately screened from 3-5 Argyle Street by the existing boundary treatment.

When assessing amenity it is also important to consider the National Space Standards. These require a minimum of 37m² floor space (if proposal has a shower room rather than a bathroom, otherwise increase to 39m²) for one bedroom flats and 61m² for a two bedroom flat. The flats comply with the requirements under the national space standards and the development is acceptable in this regard.

Further to the above it is considered that the application would provide an adequate level of amenity for existing and future residents and the application is acceptable in this regard and in accordance with policy DM1 of the Core Strategy

Highway safety

Policy T2 of the Core Strategy requires that development comply with the Council's car parking standards and policy DM1 requires that development provides satisfactory vehicular access with adequate parking, manoeuvring and serving arrangements, taking into account the proposed use and location.

Highway Services have been consulted on the application and advised no objections. Given the existing use, Highway Services have confirmed that they would expect no additional traffic as a result of this proposal. Additionally, whilst residential development would normally be expected to include off street parking provision, given the sustainable location, within a local centre, it is considered that absence of parking would be acceptable and result in no undue harm to highway safety.

No objections have been raised in respect of the proposed bin storage and there are no road safety concerns as a result of this development. The application is therefore acceptable in respect of highway safety and is in accordance with the requirements of policy T2 and DM1 of the adopted Core Strategy.

Summary

Further to the above, the proposed change of use and alterations to provide six apartments at the former Plough Inn is considered to be acceptable and the recommendation is therefore for approval.

RECOMMENDATION

APPROVE

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 approval relates to the plans and documents as listed below:

- Existing and Proposed External Works – Drawing no. 004 Rev 10
- Existing and Proposed Elevations – Drawing no. 005 Rev 5
- Existing and Proposed Roof Plan – Drawing no. 006
- Bin Store Details
- Timber Fence Details

The development shall be carried out in accordance with the drawings/documents 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 any description of materials in the application no above ground construction works of the extension shall take place until samples and / or full specification of materials to be used externally on the extension and for the new window have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the external walling materials shall be brick, not stone. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the approved details.

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

4. The bin store and bike storage as shown on drawing no. 004 revision 10 (External Works) shall be fully provided prior to first occupation and retained thereafter.

Reason: In the interests of highway safety and visual amenity and to accord with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The 1.8m high fence as shown on drawing no. 004 revision 10 (External Works) shall be installed prior to first occupation and retained thereafter.

Reason: In the interest of residential amenity and to protect the residents from undue levels of disturbance and loss of privacy and to accord with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The development shall be first constructed in accordance with the measures outlined in the submitted Acoustic Survey and Assessment, prepared by Martin Environmental Solutions Ltd, Report No: 2698-1, dated March 2024 to achieve the following internal and external noise levels:

- 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.

Prior to occupation a validation report that demonstrate the required internal and external noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be retained.

Reason: To protect the amenity of occupiers of the development from unacceptable external noise disturbance.

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 Rachel Carney