

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00960/FUL

CASE OFFICER

Anna Hayes

DETERMINATION DATE 23.12.2024 **EXT OF TIME** 03.07.2025

Address: 5-9 Ann Street Rochdale OL16 1QQ

Proposal: Change of use from a food production unit for off-site catering (B8) to an 8-bed House in Multiple Occupation (HMO) (Sui Generis Use) together with external alterations to fenestration to front and rear elevations

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/A
	Neighbour comments received?	N

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	Grant subject to conditions
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CHECKED AND SIGNED OFF BY:

DATE:

SITE

The application relates to 5-9 Ann Street in Rochdale which comprises of a two storey building located in a prominent corner plot position at the junction of Ann Street with Great George Street. The building is currently vacant but the application states that the building was last in use as a food production unit for off-site catering. To the rear elevation there is a single storey lean-to extension and a small yard, which backs onto a recently constructed MOT garage. The surrounding area consists of a mix of commercial, industrial, and residential uses.

The site is within the Defined Urban Boundary (Policy G/D/1) as identified in the Proposals Map of the saved UDP and falls just outside of the defined Drake Street Linear Commercial Area as designated under saved UDP policy S/6.

PROPOSAL

Planning permission is sought for the proposed change of use of 5 – 9 Ann Street to a 6-bed House in Multiple Occupation (HMO) (Sui Generis Use) together with external alterations including render to the front and rear elevations and new fenestration/windows.

The proposed accommodation at ground floor comprises of a shared lounge with a separate kitchen/dining room, as well as 2no bedrooms, with 4 additional bedrooms at first floor level. All bedrooms have en-suite bathrooms. A small yard is located to the rear of the building for shared outdoor amenity space and bin storage.

Amendments

As originally submitted, planning permission was sought for an 8-bed HMO with 3 bedrooms at ground floor and 5 bedrooms at first floor. Due to amenity issues, in particular a lack of privacy and outlook for future occupants, the proposal was reduced to 5 bedrooms and an improved layout, as reflected above. Amended plans were received 23.05.2025.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

Chapter 2 Achieving sustainable development

Chapter 5 Delivering a sufficient supply of homes

Chapter 9 Promoting sustainable transport

Chapter 11 Making effective use of land

Chapter 12 Achieving well-designed places

Chapter 16 Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

Development Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The development plan for the proposal consists of the Places for Everyone (PfE) Joint Development Plan, Rochdale Core Strategy (CS), adopted 2016, and saved Unitary Development Plan (UDP) policies. The Council also has an adopted series of Supplementary Planning Documents and Supplementary Guidance Notes, which are other material considerations.

Places for Everyone Joint Development Plan (PfE) (2024)

Sustainable and Resilient Places

JP-S1 Sustainable Development
JP-S2 Carbon and Energy
JP-S3 Heat and Energy Networks
JP-S4 Flood Risk and the Water Environment
JP-S5 Clean Air
JP-S6 Resource Efficiency

Places for Homes

JP-H1 Scale, Distribution and Phasing of New Housing Development
JP-H3 Type, Size and Design of New Housing

Greener Places

JP-G1 Landscape Character
JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places
JP-P2 Heritage

Connected Places

JP-C6 Walking and Cycling
JP-C8 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

DM1 General Development requirements
SD1 Delivering sustainable development

SO1 To deliver a more prosperous economy

E2 Increasing jobs and prosperity

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places
C2 Focusing on regeneration areas and economic growth corridors/areas
C3 Delivering the right type of housing
C6 Improving health and wellbeing

SO3 Improving design, image and quality of place

P1 Improving Image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development

SO4 Promoting a greener environment

G6 Enhancing green infrastructure
G8 Managing water resources and flood risk
G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
G/R/1 Physical Regeneration

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

88/D22653 – Change of use from residential to storage. Approved.

21/00302/FUL - Change of use from storage (Class B8) to food production for off-site catering including erection of single storey rear extension and installation of extraction flue – Approved 01.10.2021

CONSULTATION RESPONSES

Highways and Engineering

Confirms no objections to the proposal.

Env Health - Noise/Odours

No objection to the proposal. Recommends that the development is constructed in line with the requirements of the submitted noise impact assessment.

Strategic Housing - HMO

Confirms no objections to the proposal.

REPRESENTATIONS

Neighbour notification letters were issued and a site notice was posted in the vicinity of the application site. No comments were received from third parties.

ANALYSIS

Principle of development

The application seeks planning permission to convert the existing building from its current employment use to residential use. Although the site is not located within an allocated employment zone, as indicated by the Unitary Development Plan proposals map, Core Strategy Policy E2 specifies that B1-B8 sites outside employment zones should be preserved when they are best suited for continued employment uses. However, alternative uses will be permitted if it can be demonstrated that such uses would be more suitable.

Firstly, in considering whether a residential use would be a more suitable alternative, the following additional policy considerations can be noted:

- At the national level, Chapter 5 of the NPPF focuses on ensuring a sufficient supply of housing. Paragraph 61 states that the overall aim should be to meet as much of the area's identified housing need as possible, including providing a suitable mix of housing types to serve the local community.
- Locally, Policy C1 of the adopted Core Strategy (CS) focuses on delivering the right number of homes in suitable locations, particularly prioritising the regeneration of inner areas and town centres. In addition, CS Policy C2 emphasises directing housing development towards regeneration zones and areas along economic growth corridors, with the goal of promoting sustainable development patterns, addressing social and economic deprivation, and enhancing quality of life. This policy also supports residential schemes that help bring vacant properties back into use. Furthermore, CS Policy C3 encourages higher-density development, especially in and around Rochdale town centre, along major transport routes, and within key district and local centres.

- As defined in Annex 2 of the NPPF, the site qualifies as previously developed land. Core Strategy Policy C1 states that the Council aims to make the most of such sites within the urban area, with a target of delivering 80% of new housing on previously developed land. Paragraph 125(c) of the NPPF places significant emphasis on the importance of using suitable brownfield land within existing settlements to meet housing and other identified needs, stating that such proposals should be approved unless they would result in substantial harm. Additionally, paragraph 128 encourages Local Authorities to adopt a positive stance toward proposals that seek alternative uses for previously developed land not specifically allocated in local plans.
- Complementing this, Policy JP-J4 of the Places for Everyone (PfE) plan recognises the potential of relocating existing businesses to unlock lower-quality employment sites for redevelopment, including for residential use.

In considering the merits of this particular site, it is noted that Ann Street is located within a mixed character urban area (UDP Policy G/D/1) with a blend of commercial and residential uses. The application property immediately adjoins an existing residential property (HMO) and so the proposed redevelopment of this building for further housing would, in principle, be an appropriate and complimentary use to its immediate neighbour in accordance with CS policy E2.

Given that a mix of residential and commercial uses is common in this area and considering the site's location within the defined urban area with convenient access to public transport and local amenities, the site is deemed a suitable and sustainable location for new residential development. Consequently, the proposal is found to be acceptable in principle, subject to the other material factors outlined below, and is consistent with the current, positively framed policies of the NPPF and PfE as outlined above.

Character and Appearance

One of the core planning principles of the NPPF is to always seek to secure high quality design. Paragraphs 131 and 135 of the 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. This is echoed locally through policies DM1 and P3 of the Council's adopted Core Strategy.

External amendments include new windows and new white render to the front and rear elevations, including to the existing single storey rear extension. The existing window caging is also to be removed. New boundary treatment is also proposed to the rear of the building around the existing yard area and example images indicate that this could comprise of a new 6ft high feather edge timber fence. A matching gate will also be installed to provide external access onto Great George Street. This is acceptable in principle however formal details and a site plan showing the location of the fencing with accompanying elevation drawings have not been submitted. A condition is therefore recommended on this basis in order to secure these details prior to the first occupation of the development.

Overall, the proposed external amendments would be a positive improvement to the building and improve the visual quality of Ann Street. Subject to conditions the development is found to be acceptable in regard to visual amenity and compliant with policies DM1 and P3.

Residential Amenity / Living Conditions

Paragraph 135 of the NPPF requires that new development achieves a high standard of amenity for existing and future users. This is reflected locally through CS policy DM1 which requires development proposals to ensure that they “do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy”.

Chapter 4 of the Council's Guidelines and Standards for Residential Development Supplementary Planning Document (SPD) sets out the required space standards for new residential development, and whilst it is expected that most new development will have some impact on neighbours, it is important to ensure that the impact is not so significant that it results in unacceptable harm.

Paragraph 4.1 sets out that a separation distance of 21m should be retained 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. Additionally, a distance of 14m should be retained between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room, which reduces to 10m for new residential development at single storey level.

Paragraph 4.3 of this Chapter does go on to say, however, that exceptions to these minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits. For example, where the character and density of the surrounding area would be best preserved by reduced distances and this would not detract from the general levels of privacy and amenity typical in the area, then exceptions may be made.

Proposed bedrooms 1 – 5 all front onto Ann Street. Whilst the interface distance between these habitable rooms and the properties opposite on Ann Street would be around 10m (therefore substandard) this arrangement would reflect the existing pattern of development in the locality, where buildings are positioned in a tight urban grain and so the proposal would not be a departure from this established character. Therefore, in acknowledgement of paragraph 4.3 of the SPD as set out above, the position of these habitable room windows to the front of Ann Street is considered to be acceptable on balance and would not detract from the general levels of privacy and amenity typical in this area, particularly on street frontages.

Bedroom 6 is located to the rear of the property at first floor level. There is an existing window to this room, but this is obscure glazed and overlooks the adjacent garage forecourt. To improve the outlook to bedroom 6, a new clear glazed first floor window is proposed to the gable end overlooking St George Street which will provide an acceptable outlook to this room, improving the standard of amenity.

The Strategic Housing Service have been consulted on the development and have reviewed the proposed plans, confirming that they hold no objection to the development. Whilst the Nationally Described Space Standards (NDSS) does not apply to HMOs, all of the bedrooms would still exceed the 7.5m² minimum standard as set out in the NDSS and the prescribed Rochdale Room Size Requirements for HMOs of 6.5m². The double kitchen proposed also achieves the minimum standard of 16.7m² for HMOs of this size.

Other surrounding residential uses comprise of traditional two storey residential terraced properties, noting that there is also an adjoining HMO. As a result, Officers have considered if there would be a potential over concentration of HMO uses in this

area however no such Article 4 direction exists and further consultation with the Council's Strategic Housing team confirms no objection in this regard. In any case, paragraph 63 of the NPPF seeks to secure a mix of housing tenures particularly in sustainable urban locations and the effective re-use of brownfield sites, especially noting the current housing crisis. This development would secure a home for a further 6 individuals in Rochdale in a highly sustainable urban location and bring appreciable benefits including the effective redevelopment of a vacant building and external visual improvements.

Surrounding uses comprise of commercial, industrial and residential. In acknowledgement of this, a Noise Impact Assessment (NIA) has been submitted alongside the application which has been reviewed by the Council's Environmental Health department. Environmental Health officers (EHO) have confirmed that they hold no objection to the development subject to the condition that the development is carried out in line with the requirements of the submitted NIA to achieve the prescribed internal and external noise levels, and that upon completion of the development and prior to first occupation, validation testing is carried out. Officers have no reason to disagree with the findings of the NIA and the EHO, and so conditions are recommended on this basis if put forward for an approval.

Consideration is also given to paragraph 200 of the NPPF and given that other residential uses exist within the vicinity of the existing businesses, Officers are satisfied that subject to conditions, the development would integrate sympathetically within the existing urban surroundings without comprising the use, function and efficiency of surrounding commercial developments.

Whilst the application site is located within a highly sustainable location with ease of access to outdoor community spaces, including Broadfield Park located some 115m in distance away to the west, the future users would also have access to a private, shared communal yard to the rear of the property for clothes drying, sitting out, etc.

Overall, subject to conditions, Officers are satisfied that the development would provide for acceptable living conditions for the future occupiers, in accordance with paragraph 135 of the NPPF and Core Strategy policies DM1 and P1.

Highway Safety and Access

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

Paragraph 116 of the National Planning Policy Framework states that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Policy T2 of the adopted Core Strategy is regarding improved accessibility.

Consultation has been undertaken with the Highways Authority, which has raised no objection to the proposal. The Core Strategy contains no set parking standards in relation to HMOs; each is required to be reviewed on an individual basis taking into consideration the location.

The Highways Authority confirm that the proposed use is generally accepted as having low car ownership and generating less traffic than 8 residences typically. The site is in a sustainable location close to the Town Centre and within a reasonable walk from Public Transport Hubs. The LHA are content that the parking provision is adequate, and the development will not generate a problematic volume of traffic. Servicing of the premises will continue as normal for this property and neighbouring ones. No new highways are proposed as a result of this proposal. No changes to existing highways are as a result of this proposal. There are no new road safety issues as a result of this development. No PROW will be obstructed by this proposal. On this basis there are no objections from the Local Highway Authority and the LPA have no reason to disagree. The scheme is therefore found to be acceptable in regard to highway safety and compliant with paragraph 116 of the NPPF.

Conclusion

The proposed change of use of the commercial unit to a 6 bedroom / 6 person HMO is acceptable in principle and would provide a suitable standard of residential amenity for future occupiers of the development and would not harm the amenity of surrounding occupiers subject to conditions. There are no highway or pedestrian safety concerns and as such, the proposal complies with the development plan.

RECOMMENDATION

GRANT subject to the following conditions;

1. The works must be begun not later than the expiration of 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. The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise required by the conditions below:

AS-001-001-B (Location Plan, Proposed Site Plan and Proposed Ground Floor Layout) received 23.06.2025

AS-001-002-B (Proposed First Floor Layout) received 23.06.2025

AS-001-003-B (Proposed Front and Rear Elevations) received 23.06.2025

AS-001-004-B (Proposed Side Elevations) received 23.06.2025

Document reference 2406242.1 revision 0.0 (Noise Impact Assessment) dated 13.09.2024.

Reason: For the avoidance of any doubt and to ensure a satisfactory standard of development in accordance with policies of the adopted Core Strategy and the National Planning Policy Framework.

3. Prior to the first occupation of the development hereby approved, the existing window caging shall be removed and the render to be re-applied (colour white) to the front and rear elevations as indicated on approved drawing numbers AS-001-003-B and AS-001-0040-B shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with

Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. Prior to the first occupation of the HMO hereby approved, the refuse and recycling storage facility as indicated on approved drawing AS-001-001-B shall be implemented fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the HMO at all times.

Reason: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy T2 of the adopted Rochdale Core Strategy, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

5. The HMO hereby approved shall be constructed in line with the requirements of the submitted Noise Impact Assessment (Document reference 2406242.1 revision 0.0) to ensure the following internal and external 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.

Prior to the first occupation of the development hereby approved, an acoustic verification report shall have been first submitted to, and approved in writing by, the Local Planning Authority, confirming that the above levels have been achieved.

Reason: In order to safeguard the amenities of the area and to prevent nuisance arising in accordance with Policies DM1 and G9 of the Rochdale Council Core Strategy and the National Planning Policy Framework.

6. The development hereby approved shall be for use by 6 residents only and the communal living spaces as shown on approved drawings AS-001-001-B and AS-001-002-B shall be retained for communal use for so long as the property remains in use as a HMO.

Reason: To ensure that an adequate standard of amenity and living space is provided for the residents in accordance with DM1 of the adopted Rochdale Core Strategy, Policy JP-H3 of PfE, the SPD and the NPPF.

7. Notwithstanding any description of materials in the application, prior to the first occupation of the development hereby approved, full details of the boundary treatment to be installed to the rear yard shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, height, colour and texture of the boundary materials. The development shall be carried out in accordance with the approved details and retained as approved thereafter.

Reason: In the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with

Policies P2, 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.