



FOR ASSISTANCE IN COMPLETING THIS FORM CONTACT

Economy and Environment
Planning Service
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Application to determine if prior approval is required for a proposed: Change of use from
Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as
amended) - Schedule 2, Part 3, Class MA

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	20
Suffix	
Property Name	
Address Line 1	Joy Street
Address Line 2	
Address Line 3	Rochdale
Town/city	Rochdale
Postcode	OL12 0BZ

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
389957	414780

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

OL16 3BN

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

The current building and site

Has the building been vacant for a continuous period of at least 3 months immediately prior to the date of this application?

- ☒ Yes
☐ No

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- For periods prior to 1 September 2020
 - Shops (Use Class A1);
 - Financial and professional services (Use Class A2);
 - Food and drink (Use Class A3)
 - Business (Use Class B1);
 - Medical or health services
 - Non-residential institutions (Use Class D1(a));
 - Crèche, day nursery or day centre
 - Non-residential institutions (Use Class D1(b));
 - Indoor and outdoor sports
 - Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;
- For periods from 1 September 2020
 - Commercial, Business and Service (Use Class E)

- ☒ Yes
☐ No

Does the cumulative floor space of the existing building exceed 1,500 square metres?

- ☐ Yes
☒ No

Is any land covered by, or within the curtilage of, the building:

- in a site of special scientific interest;
- a listed building or land within its curtilage;
- a scheduled monument or land within its curtilage;
- a safety hazard area;
- a military explosives storage area;

Or, is the building:

- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site

☐ Yes

☒ No

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).

Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

☐ Yes

☒ No / Not relevant

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

☒ Yes

☐ No

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

☒ Yes

☐ No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenancy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

☐ Yes

☒ No

Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains one or more dwellinghouse, and is:

- 18 metres or more in height (as measured from ground level to the highest part of the roof); and/or
- Contains 7 or more stories

☐ Yes

☒ No

Description of Proposed Works, Impacts and Risks

Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

CHANGE OF USE FROM CLASS E TO CLASS C3

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

The plans show that the proposed bedroom on the first floor would have a window on the front elevation facing West. It is considered that adequate natural light would be received by the bedroom.

The proposed Lounge on the ground floor would have a window on the front elevation facing west, it is considered that adequate natural light would be received by the Lounge.

Given the open aspect of Joy street and noted landscaping features beyond the highway to the footpath, it is considered that the proposed dwelling would receive adequate natural light.

What will be the net increase in dwellinghouses?

1

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

The application property is set within a residential area.

The application property is on an adopted highway.

There will be no increase in the volume of traffic generated by the 1 Bedroom dwelling when compared to the volume of traffic and parking the exiting use of the hair salon can generate.

Parking on Joy Street is restricted with on-street parking.

The site is within a comfortable walking distance to local facilities and services, including retail, open space, civic uses. As well as active travel connections.

It is therefore considered that the proposed dwellinghouse would be located in a highly sustainable location.

With regards to bin storage, the GPDO allows for an assessment of the transport impacts of the development only, and particularly to ensure safe site access. Therefore bin storage is not in itself a matter for determination unless it is clearly demonstrated that it will result in highways safety issues. The bins will retain the existing arrangement. Which is that they are stored at the side passage way of 2 Leyton Street, leading to the communal area to the rear of 18 & 16 Joy Street, this appears to be the same arrangement as all the neighbouring properties that are serviced by Joy Street. Therefore the bins are not noted as a highway safety issue.

Please provide details of any contamination risks and how these will be mitigated

The proposal comprises the conversion of the former use by virtue of only internal works. The building has been used as a hair salon. The proposal would utilise the existing building and accesses to the building. It is considered that the site would be suitable for residential purposes and be satisfactorily safeguarded from actual and potential risks of contamination.

Please provide details of any flooding risks and how these will be mitigated.

The site is located with a Flood Zone 1 and is not located within a Critical Drainage Area. Additionally, it is noted that the existing use of the building is as a hair salon and the proposed development would only include internal alterations. It is considered the proposal is acceptable in regards to drainage and flood risk considerations

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

[Check if your site location is in Flood Zone 2 or 3 online](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated

The blank gable of Unit C7 of Fieldhouse industrial estate is 35m from the application site, between the application site and Unit C7 is a 2m high masonry wall with tree lined footpath (former railway line). It is not considered the unit C7 is close enough to the application property to form a impact on future residents.

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated

The application site is not located within a Conservation Area.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated

The application site is not in an area that is considered to be important for general or heavy industry, waste management, storage or distribution.

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated

The proposal would not result in the loss of a registered nursery or health centre.

List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building

House name:

Number:

20

Suffix:

Address line 1:

JOY ST

Address Line 2:

Town/City:

Postcode:

OL12 0BZ

Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

SHEILA KEAN

Date

08/02/2024