

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01308/FUL	Jake Powell	08/01/2022

Address: 65 Oldham Road, Rochdale, OL16 5QR

Proposal: Change of use from shop into two self-contained flats and rear dormer extension, including alterations to fenestration on all 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
	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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: AT

DATE: 11.01.2023

SITE

The application relates to 65 Oldham Road, which is a two-storey end-terraced premises located on the corner of Oldham Road and Wood Street. The property is currently vacant, however was previously in use for retail purposes on the ground floor, with ancillary storage above.

The area is predominately commercial in use, with the site located within the Oldham Road/Milnrow Road Local Centre.

PROPOSAL

The application seeks permission for the conversion of the property into two residential units. One unit would be situated on the ground floor, comprising of a bedroom and en-suite bathroom, living room and kitchen.

Another unit would be situated on the first and second floor. This would comprise of a bedroom, shower room, kitchen and lounge at first floor level, with an additional 2 bedrooms and a shower room at second floor level. A rear dormer extension is also proposed to facilitate this change of use.

The application also proposes alterations to the fenestration of the building to accommodate the proposed change of use. This would include some infilling at ground floor level to the front elevation of the property, as well as the installation of a window. Three windows would also be installed on the side elevation of the property, and one window would be installed at first floor level to the rear elevation of the property.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

DM1	General development requirements
SO1	Delivering a more prosperous economy
E1	Establishing thriving town, district and local centres
SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
G/S/1	Hierarchy and Role of Centres <i>Policy to be read in conjunction with CS Policy E1 until replaced by Site Allocations or other DPD.</i>

Supplementary Planning Documents (SPD):

RELEVANT SITE HISTORY

00/D38074 Partial Demolition And Construction Of New Front Elevation And Gable Wall. Grant subject to conditions

CONSULTATION RESPONSES

Environmental Health

Given the close proximity to the road network we would require an acoustic report to inform the design of the units to achieve the following internal 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.

Highways

This application, if approved is likely to have a detrimental impact on future highways network development schemes and potential junction improvements to the Wood Street Oldham Road junction which is part of the strategic highway network.

The submitted location plan including the site edged red includes an area of land acquired by the Council to undertake those potential improvements which if planning permission is granted may nullify any such scheme.

The planning statement Para 2.5 appears to refer to two parking spaces being allocated and states "The red edge location plan shows the building to have a small external curtilage area. There are two dedicated parking spaces which is shared with number 67 Oldham Road." Highways would never support this area of land being allocated for parking spaces because of the obvious road safety issues it would create at the junction of two busy classified roads. The granting of planning permission may formalise parking on this area of land which is included in the site edged red.

The application also increases servicing in this location and although the application has identified a bin storage area it has not identified how this area will be accessed by the refuse collection vehicle. Servicing directly from the junction will interrupt the free flow of traffic and create extensive road safety issues.

In conclusion Highways object to this application because of its potential detrimental impact on highway improvements and road safety.

REPRESENTATIONS

The application has been publicised with neighbour notification letters in addition to a site notice. No letters of representation have been received in respect of this application.

ANALYSIS

Principle of Development

The application is located within an area identified as defined urban area under the saved UDP proposals map. As such policy G/D/1 is relevant to any development at the site and this establishes that development should be concentrated in the urban area.

Within the defined urban area the principle of residential use is acceptable and such a use would contribute towards meeting the Council's housing targets which are set out in policy C1 of the Core Strategy as 460 net additional dwellings per year. There should however still be assurances that the application comprises sustainable development and achieves an acceptable level of residential amenity whilst still protecting matters such as visual amenity and highway safety.

Policy E1 of the Rochdale Core Strategy states that the Council will focus retail, leisure, cultural, office, residential and other development to promote the viability and vitality of all the Borough's town centres to maintain them as thriving and sustainable centres and the preferred shopping and leisure destinations. Specifically, the CS notes that town centres have the potential to play an important role in providing new quality housing in sustainable locations.

Paragraph 23 of the NPPF sets out that Local Planning Authorities should recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites.

The application site is located in the Oldham Road/Milnrow Road Local Centre and would result in the loss of the ground floor retail unit. The proposed development could therefore be considered to negatively impact the vitality and viability of the Oldham Road/Milnrow Road Local Centre.

However, the applicant has indicated that the site has been vacant for some time, and whilst limited evidence has been provided to support this claim, from historic records Officers acknowledge that the property has been vacant for an extended period of time.

The application proposes to convert the existing property into two residential units. As outlined in Policy E1 of the adopted Rochdale Core Strategy, town centres have a potential to play an important role with regards to providing residential development. Whilst it is not ideal that the proposed development would result in the loss of an existing retail unit within the Oldham Road/Milnrow Road Local Centre, the application would bring a vacant property back into use, which would be beneficial to the Local Centre as a whole.

Furthermore, it should be noted that a similar development could be permitted by way of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

In light of the above, it is considered that the proposed development would have an acceptable impact on the vitality and viability of the Oldham Road/Milnrow Road Local Centre by way of the proposed residential development, and the proposal is therefore acceptable in principle and would comply with local policy and the NPPF.

Visual Amenity

Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

Paragraphs 126 and 130 of the National Planning Policy Framework (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, which is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The SPD states that dormer extensions can be visually prominent, particularly where they can be seen from the public highway, and therefore it is important that they are carefully designed and sited. Dormers to the front elevation will not normally be permitted. Rear dormers should be modest in size and not occupy a disproportionately large portion of the roof. The following principles will apply to dormer extensions:

- (i) They should not exceed the height of the ridge and where possible, should be sited below the ridge line of the dwelling;
- (ii) They should be set back from the eaves line;
- (iii) They should be set in from the party/side walls of the house;
- (iv) Dormers with flat roofs should be avoided, unless they are considered to better respect the design of the host building and character of the area;
- (v) Dormers which wrap around the side ridges of a hipped roof are not acceptable;
- (vi) Dormer windows should normally line up vertically with existing windows and/or be smaller than existing openings and the window design should match the existing window style;
- (vii) The materials used in the construction of dormers should match those of the existing roof; and
- (viii) Dormer extensions should protect the amenity of neighbouring occupants and should achieve the minimum space standards set out in Section 4. Side facing windows should be obscurely glazed.

The application proposes the construction of a flat roof dormer extension to the rear. The proposed rear dormer would be flat roofed, and would not relate well to the original structure, dominating the rear roofslope of the property. By reason of its design, the proposed dormer extension would appear as a visually incongruous addition to the site. This concern is further compounded as the extension would be clearly visible from the streetscene at a busy and prominent approach to the town centre. Whilst it is noted that the neighbouring property at No. 67 Oldham Road benefits from a rear dormer extension of similar design, there is no record of permission being granted for this neighbouring extension, and this precedent does not result in the proposed appearing as an acceptable addition to the application site. The proposed dormer extension would therefore have an unacceptable impact on the character and appearance of the site and the surrounding area.

It is however acknowledged that the proposed alterations to the fenestration to accommodate the proposed change of use are considered appropriate for the building type and surrounding area.

As such, it is considered that by reason of its design and scale, the proposed dormer extension would dominate the rear roofslope of the property and would not relate well, appearing as an incongruous addition to the site and surrounding area, in conflict with Policies DM1 and P3 of the adopted Core Strategy, as well as the National Planning Policy Framework.

Residential Amenity

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

Noise and Disturbance

The site is located within local centre area. These uses within this area are mixed at ground floor level, although are predominately Class E and Sui Generis. Many properties within this area above ground floor level are residential. The proposed conversion of the property to residential would share an acceptable relationship with neighbouring properties, and would not result in any significant increase in noise and disturbance.

However, the application has been reviewed by the councils Environmental Health Officer (Noise and Pollution) who raised some concerns with the proposal given the close proximity to the road network. The Officer recommended that an acoustic report to inform the design of the units to achieve the following internal noise levels should be provided:

- 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.

In the event that permission is granted, a suitably worded condition could be attached to the permission to ensure that an acoustic report indicating these levels are achieved within the residential units prior to occupation.

Minimum Distance Requirements

The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development 2016 (SPD)*' contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents. Given that there are no residential properties to the rear of the site, the proposed development would meet the minimum distance requirements set out in paragraph 4.1 of the SPD in this regard. The application proposes 3 no. windows on the side elevation of the property, however to ensure the occupiers of the site would not overlook occupiers of the adjacent Eagle Hotel, Officers would consider it appropriate to attach a condition to the permission in the event of an approval for these windows to be installed in obscure glazing and retained thereafter. As such it is considered the proposed development would not unduly impact on the amenity of the neighbouring properties.

Occupier Amenity

The Nationally Described Space Standards is a technical standards document produced by the Government to ensure internal space within new dwellings is suitable for application across all tenures. Table 1 sets out the minimum gross internal floor area requirements for new dwellings, across varying number of bedrooms, occupants and floors.

Below is an extract from the Nationally Described Space Standards, which specifically details the Gross Internal Area requirements for new 1 and 3 bedroom apartments.

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	Built-in storage
1b	1p	39(37)		1.0
1b	2p	50	58	1.5
3b	4p	74	84	2.5
3b	5p	86	93	2.5
3b	6p	95	102	2.5

In assessing this application, the table below sets out the GIA of each unit. It is noted that no details on the intended number of occupants have been submitted. However due to the sizing of the proposed units, it is likely that the one bedroom unit would accommodate one individual and the three bedroom unit would accommodate approximately 4 individuals.

Unit	No. of occupiers	Gross Internal Area (M ²)	Required GIA (M ²)	Difference (M ²)
Unit A (Ground Floor)	1	31	37	-6
Unit B (First and Second Floor)	4	64	84	-20

Both units would not meet the requirements of the Nationally Described Space Standards and Officers therefore consider that the proposed occupier amenity would be unsatisfactory. However, with regards to the proposed ground floor unit, as this accommodation would be for one individual, and that the location is within a highly sustainable location within short distance to local amenities, Officers do not consider that the slight shortfall would warrant refusal.

Nevertheless it is also noted that the proposal neglects to provide a suitable outdoor space for the occupiers to enjoy. In the case with flats this may be acceptable on some occasions, however considering Unit B on the first and second floor would provide 3 bedrooms, there is a possibility this would be utilised by families. As such the concerns regarding levels of occupier amenity to the upstairs property being unsatisfactory are further compounded by a lack of usable private amenity space.

In light of the above, the proposal would provide an unacceptable level of amenity for future occupiers of the first and second floor residential unit in conflict with policy DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the CS.

The application has been reviewed by the Council's Highways Engineer who raised concerns regarding the proposed development. These concerns are partly with regards to land ownership, as the location plan provided outlines an area of land to the side of the property which may have been previously acquired by the Council to undertake potential improvements to the Oldham Road/Wood Street Junction. Whilst this point is noted, historic mapping records indicate that this parcel of land is attached to the application site. As such, the proposed development would not reduce the potential for any improvements to the junction at Oldham Road and Wood Street, and would therefore not have a detrimental impact on highway safety and congestion.

Furthermore, concerns were raised by the Highways Engineer regarding parking. From the supporting information, the applicant has indicated that two parking spaces will be provided for the properties to the rear of the site. Access to and from this formalised parking would be onto Wood Street, near to the junction with Oldham Road, and due to this close proximity this may interrupt the free flow of traffic and result in a detrimental impact on highway safety and congestion for both users of the parking and the highway network. However, as this area of parking is already in situ and is not a newly proposed addition, Officers consider that the proposed parking provision would not warrant refusal.

Finally, concerns were raised by the Highways Engineer regarding bin storage on site as well as access to this bin storage. However other properties within the vicinity have similar servicing arrangements, with bins being brought to the street on bin collection day. As such Officers consider that whilst the proposal lacks clarity into proposed servicing arrangements, this would also not warrant refusal.

For these reasons, it is considered that the proposal would have an acceptable impact on highway safety and congestion, and the application would comply with adopted Rochdale Core Strategy policies T2 and DM1, the Residential Development SPD and the National Planning Policy Framework.

RECOMMENDATION

REFUSAL for the following reason(s):

1. By reason of its siting, scale and design, the proposed dormer extension would dominate the rear roofslope of the property and would not relate well to the design of the existing structure, appearing as an incongruous addition when viewed from the streetscene, which would detract from the character and appearance of the site and surrounding area. The proposal is therefore in conflict with the visual amenity aims of policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.
2. By reason of the inadequate level of internal floor space proposed and the lack of provision of private amenity space for the proposed first/second floor residential unit, the proposed development would result in an unsatisfactory standard of occupier amenity for the future occupiers, in conflict with Policy DM1 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not

comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Notes for Applicant:

For the avoidance of doubt, this decision relates to the following plans:

Location Plan

1953/2 Proposed Floor Plans

1953/3 Proposed Site Plan, Elevations and Section

Report Author Jake Powell