

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

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Find contact details for Local Planning Authorities: <https://www.planningportal.co.uk/lpasearch>

If printed, please complete using block capitals and black ink.

1. Applicant Name and Address

Title:	Mr	First name:	Noah
Last name:	Fletcher		
Company (optional):	Cassel & Fletcher Ltd		
Unit:		Number:	
		Suffix:	
Building name:	Auldbank House		
Address 1:	424 Bury Old Rd		
Address 2:	Prestwich		
Address 3:			
Town:	Manchester		
County:			
Country:			
Postcode:	M25 1PR		

2. Agent Name and Address

Title:	MR	First name:	BENJAMIN
Last name:	MAGUIRE		
Company (optional):	BM ARCHITECTURAL DESIGNS		
Unit:		Number:	
		Suffix:	
Building name:			
Address 1:	APARTMENT 8		
Address 2:	224 GREAT CLOWES STREET		
Address 3:			
Town:	SALFORD		
County:			
Country:			
Postcode:	M7 2ZS		

3. Site Address Details

Please provide the full postal address of the application site.

Unit:		Number:		Suffix:	
Building name:					
Address 1:	117 Yorkshire Street and 2 Whitehall Street				
Address 2:	Rochdale				
Address 3:					
Address 4:					
Postcode:	OL16 1DS				

4a. Eligibility - 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

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

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 as an indoor swimming pool or skating rink;
- For periods from 1 September 2020 - Commercial, Business and Service (Use Class E)

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

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

☐ Yes ☒ No

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

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

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

4b. Eligibility - The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses (Use Class C3) from Offices (Use Class E(g)(i), previously Use Class B1(a)).

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

☐ Yes ☒ No / Not relevant

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

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

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Following the changes of use, 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

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

5. Agricultural Tenants

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

☐ Yes ☒ No

If yes, have all the parties to any agricultural tenancy agreements consented to the change of use?

☐ Yes ☐ No

If occupied under any agricultural tenancy agreements and:

- all parties have consented to the change of use

You will need to include copies of the written confirmations from all relevant parties, stating their consent, when this application is submitted.

- not all parties have consented to the change of use

Your proposals will not be eligible for permitted development based on the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

6. Description of Proposed Works, Impacts and Risks

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

CREATION OF 1 NEW 1 BEDROOM APARTMENT TO BE KNOWN AS 117A YORKSHIRE STREET IN THE BASEMENT BY OPENING UP AN EXISTING BRICKED UP OPENING ON WHITEHALL STREET, FORMING A NEW STAIR, AND CONVERTING AN EXISTING STORAGE AREA INTO RESIDENTIAL ACCOMMODATION. 2 EXISTING WINDOW OPENINGS ON WHITEHALL STREET TO BE GIVEN NEW WINDOWS WITH OPENABLE LIGHTS

6. Description of Proposed Works, Impacts and Risks (continued)

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

2 x 1m2 EACH WINDOWS ONTO WHITEHALL STREET REPLACED WITH NEW UPVC WINDOWS WITH OPENING LIGHTS AND GUARD RAILS TO OUTSIDE. RATIO OF 1 IN 12 OF FLOOR AREA TO BEDROOM AND 1 IN 15 TO LIVING ROOM. 0.5m2 OPENING LIGHTS TO BOTH ROOMS.

What will be the net increase in dwellinghouses:

1

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

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

The application site is located within a highly sustainable and accessible location within Rochdale Town Centre, which is in proximity to a range of services, amenities and employment opportunities. The site is in close proximity to bus stops, and in walking distance of Rochdale Train Station and Rochdale Town Centre Metrolink stop which all provide services to a range of destinations. Given the highly sustainable nature of the site, it is not considered necessary for future residents to own a car. However, should residents ultimately find they require access to the car there are numerous pay and display car parks which offer short and long stay parking facilities, or alternatively residents can use Enterprise Car Club which is available in Rochdale.

The creation of 1 No. apartments will have no material impact in terms of transport or impact on the highway network. Access to the site will be pedestrian only.

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

There are no uses in the immediate vicinity of the site which pose a risk to future residents of the development in terms of contamination. It is therefore confirmed that there will not be any contamination risk for future occupants or contractors.

6. Description of Proposed Works, Impacts and Risks (continued)

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

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

- is in Flood Zones 2 or 3 (Check online: <https://flood-map-for-planning.service.gov.uk/>); or
- is in an area with critical drainage problems (Check with the Local Planning Authority, it will have been notified of such areas by the Environment Agency).

The Environment Agency's Flood risk map for planning has been consulted and identifies the site as located in Flood Risk Zone 1; where there is a less than 0.1% or 1 in 1000 chance of flooding. The proposal will not in any way increase flooding risk on the site or in the local vicinity as no new areas of hard standing or impermeable surfaces will be created.

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:

There are no commercial premises in proximity to the site which would be associated with noise impacts that could affect occupiers of the new dwellinghouses. Commercial uses in proximity to the site include the tailors, barbers, and hairdressers on the ground floor of the building, shops, solicitors offices, and estate agents. It is intended to create a new 1 hour fire resisting ceiling with acoustic sound reduction measures compliant with building regs to the new apartment.

If the proposed development would result in a building that contains more than one dwellinghouse, and is either 18 metres (or more) in height or contains 7 (or more) storeys.

Please provide details of the fire safety impacts on the intended occupants of the building.

For such proposals, a 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development should also accompany the application.

Prior approval is not required.

6. Description of Proposed Works, Impacts and Risks (continued)

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 building is not located within a Conservation Area and does not involve the change of use of the ground floor.

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 site is located within the Town Centre and the Defined Urban Area on Rochdale Council's adopted proposals map. Specifically, the site is not shown within an Employment Area on the proposals map. The development surrounding the site is primarily commercial and retail use, typical of a town centre location.

The building is not located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

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 will not result in the loss of services provided by a registered nursery, or a health centre.

7. Checklist

Please read the following checklist to make sure you provide all the required information in support of your proposal. The information provided should include all the details necessary for the Local Planning Authority to determine if the proposal complies with permitted development legislation, and if its prior approval is required or should be granted. If sufficient information is not provided the Local Authority can either request it, or refuse the application.

All sections of this application completed in full, dated and signed.	☒	The confirmations in regard to agricultural tenancies (if required by the answers provided to question 5)	☐
The correct fee	☒	A site specific flood risk assessment (if required as per the flood risk details of question 6)	☐
A plan indicating the site and showing the proposed development.	☒	A 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development (if required as per the fire safety details of question 6)	☐
Floor plans indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses	☒	All plans should be drawn to an identified scale and show the direction of North. Plans can be bought from one of the Planning Portal's accredited suppliers: https://www.planningportal.co.uk/buyaplanningmap	

8. Declaration

I/we hereby apply for a determination as to whether prior approval will be required as described in this form 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.

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):	
	Benjamin Maguire	22/02/2024	(date cannot be pre-application)

9. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension:
Country code:	Mobile number (optional):	
Country code:	Fax number (optional):	

Email address:

10. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension:
Country code:	Mobile number (optional):	
	07415493002	
Country code:	Fax number (optional):	

Email address: