

Officer Report

Case Reference: 25/01057/FUL
Location: 22-24 St Mary's Gate, Rochdale, OL16 1DZ
Proposal: Change of use of first and second floors to a 6 bedroomed HMO with alterations to fenestration on the rear elevation
Recommendation: Approve with Conditions
Officer: Anna Hayes

SITE

The application site relates to 22-24 St Mary's Gate which comprises a three-storey mid-terrace commercial property prominently positioned fronting onto St Mary's Gate in Rochdale. To the rear, it adjoins Reed Hill car park, which is Council owned. The property forms part of a parade of commercial units within Rochdale Town Centre, located just outside the Toad Lane and Town Head Conservation Areas. The adjoining properties at 26 and 28 St Mary's Gate are recognised as non-designated heritage assets. Nearby are The Reed Hotel (Grade II Listed) and St Mary's Church (Grade II Listed), although neither is within influential proximity to the site.

The application property is of red brick construction and has a pitched slate roof. At the rear, there is an existing three-storey extension with a flat roof, brown uPVC windows, and a separate rear entrance at lower ground floor level. At the date of the Officer's site visit, the ground floor of the property was occupied by a Pilates studio, namely 'VYLA Pilates'. The upper floors are noted to be vacant.

PROPOSAL

Planning permission is sought for the change of use of the upper floors at 22-24 St Mary's Gate into a House in Multiple Occupation (HMO) with six bedrooms accommodating six occupants. Proposed access to the property will remain via the existing rear entrance, separate to the Pilates Studio at ground floor level, which gains primary access via St Mary's Gate. The application covers several internal and external alterations. Internally, rooms will be created or split to suit the new HMO layout. Externally, changes include removing current signage from the three-storey rear extension and installing two new windows for new habitable rooms.

The proposed windows will match the existing ones in colour (dark brown) and material (uPVC).

Bin storage will be provided in the rear yard with 2 commercial bins of 100-litre capacity. There will also be a secure cycle store located on the lower ground floor.

The application is supported with a Design and Access Statement, BNG Exemption Statement, Management Plan and Noise Impact Assessment.

To note: Initially, planning permission was sought for the creation of seven bedrooms. This proposal resulted in substandard living accommodations and insufficient communal space for the intended occupants. Consequently, the number of bedrooms was reduced to six, with the seventh bedroom converted into an additional living area. The amended plans were submitted on 06 April 2026 and the development description was updated on this basis.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

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, saved Unitary Development Plan (UDP) policies, and the Greater Manchester Joint Minerals Plan April 2013. 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)

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:

Sustainable and Resilient Places

JP-S1 Sustainable Development

JP-S2 Carbon and Energy

JP-S4 Flood Risk and the Water Environment

Places for Homes

JP-H1 Scale, Distribution and Phasing of New Housing Development

JP-H2 Affordability of New Housing

JP-H3 Type, Size and Design and New Housing

JP-H4 Density of New Housing

Greener Places

JP-G1 Landscape Character

JP-G6 Urban Green Space

JP-G7 Trees and Woodland

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places

JP-P2 Heritage

Connected Places

JP-C1 An Integrated Network

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Rochdale Core Strategy (CS)

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

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

G7 Increasing the value of biodiversity and geodiversity

G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Managing delivery and monitoring progress

DM1 General Development requirements

SD1 Delivering sustainable development

Rochdale Unitary Development Plan (UDP)

G/D/1 Defined Urban Area

G/R/1 Physical Regeneration Area

G/S/1 Rochdale Town Centre

RELEVANT SITE HISTORY

No recent planning history.

CONSULTATION RESPONSES

Highways and Engineering

Confirms no objection to the proposal.

Environmental Health (Noise/ Odours)

Confirms no objection to the proposal subject to conditions.

HMO – Strategic Housing

No objections subject to a reduction to 6 bedrooms and provision of additional communal living accommodation.

Transport for Greater Manchester (TfGM)

Confirms no objection to the proposal.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the application has been advertised by neighbour notification letters and site notice.

No comments have been received.

Ecology and Biodiversity

Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain, subject to some exceptions including 'developments below the threshold', every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

PfE Policy JP-G8 also states that through local planning and associated activities a net enhancement of biodiversity resources will be sought where relevant. Development will be expected to achieve a measurable net gain in biodiversity of no less than 10%.

In this instance, the application is below the de-minimis threshold and therefore statutory BNG does not apply.

Drainage

Policy G8 of the adopted Rochdale Core Strategy, seeks to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. The policy aims to prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from development sites. JP-S4 of PfE states flood risk will be managed by '2. Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants.

The application is for a change of use with no external ground works proposed. As such, a detailed drainage strategy is not required. The proposed development accords with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

Land Contamination

Paragraph 180 of the NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by,

unacceptable levels of soil, air, water or noise pollution or land instability. Core Strategy Policy G9 similarly seeks to ensure that sensitive new forms of development are not adversely affected by existing sources of pollution.

The application raises no land contamination issues. On the basis of the above, the development would comply with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Principle

The application site is situated in the Defined Urban Area and Rochdale Town Centre as defined by the UDP Proposals Map.

Policy E1 of the Rochdale Core Strategy (CS) 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.

The NPPF also sets out that planning policies and decisions should 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 particular, paragraph 90 recognises that residential development often plays an important role in ensuring the vitality of centres and so the Local Planning Authority (LPA) should encourage residential development on appropriate sites.

The proposed HMO is located over the upper floors, retaining an active commercial frontage along St Mary's Gate within the existing parade of commercial, business and service uses. Therefore would not result in an unacceptable loss of retail floorspace.

It is also noted that permitted development rights exist for the property, as conferred by Schedule 2, Part 3, Class O of the GPDO, for change of use from offices (Class B1a) to dwellinghouses (Class C3) and therefore to object on the basis of the loss of employment land to residential purposes would not be sustainable.

The site is located within an urban, central location within walking distance of a variety of retail, leisure, health, education and community-based amenities in the local centre and town centre. The site is also located within close proximity to high frequency public transport options. The proposed development is therefore considered to be within a sustainable and accessible location.

It is therefore considered that the principle of the development would comply with the policies within the UDP and those within the NPPF for directing new housing development in sustainable locations and provide a more flexible supply of housing. The proposed development would also make a small but valuable contribution to the supply of housing in the borough in accordance with the objectives of the NPPF.

Design

One of the core planning principles of the NPPF is to always seek to secure high quality design. Section 12 of the NPPF places particular emphasis on achieving high quality design and section 16 places value on conserving and enhancing the historic environment. 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.

Locally, 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 adopted 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.

The site is not located within a Conservation Area. The nearest listed buildings, namely The Reed Hotel (Grade II Listed) and St Mary's Church (Grade II Listed), are also not within influential distance. The building has previously been amended with non-sympathetic alterations including a three-storey flat roof rear extension with brown PVC windows. In this case, the external alterations are limited to the insertion of two new windows to the rear elevation. Whilst Officers would usually seek the use of higher quality materials, in this case, maintaining a consistent design is prioritised and considered most appropriate. As the proposed materials will match those already in place (brown PVC), the external changes are deemed acceptable overall. Given the extension's prominent location within the streetscape, it is essential that the windows incorporate appropriate detailing, including suitable reveals and cills to correspond with the existing rear extension. Accordingly, it is deemed reasonable for these specifications to be secured by condition.

Overall, subject to conditions, the proposal is found to be acceptable in regard to visual amenity and compliant with policies P1, P2, P3 of the Rochdale Core Strategy as well as design policies contained within the NPPF and PfE.

Residential Amenity

At paragraph 135, the NPPF outlines the importance of planning in securing good standards of amenity for future and existing occupiers of land and buildings. Core Strategy policies DM1, G9, C1 and C6 cumulatively seek to reduce air and noise pollution, and DM1 in particular requires development to not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development', which establishes minimum space standards will be applied to all new residential developments and development which affect existing residential properties. Paragraph 4.1 sets out the following minimum space standards:

- i. 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
- ii. 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room
- iii. (10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

Paragraph 4.3 does state 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.

New habitable rooms are proposed to the front and rear elevation of the building. No existing residential properties would be affected by the proposal when considering light, privacy and outlook, with separation distances between windows exceeding those outlined above in paragraph 4.1. Overall, the proposed relationship between the extension and neighbouring properties is deemed acceptable.

The proposed accommodation includes two shared kitchens and living rooms over the first and second floors. The Council's Strategic Housing Department have been consulted on the application, and they have raised no concerns with the layout or the level of accommodation proposed to serve 6 occupants. Each of the bedrooms and habitable spaces have access to natural light and ventilation. It is considered that the proposal would provide an adequate level of amenity for future residents.

The Environmental Protection Team have reviewed the Noise Impact Assessment prepared by RP Acoustics Ltd, Dated: 01/12/2025) The assessment considers the suitability of the site for residential use given its location adjacent to the A58 St Mary's Gate, a high noise environment, and examines sound insulation requirements between the proposed HMO and the commercial ground floor premises (Pilates studio). The report is technically competent and demonstrates that, with appropriate mitigation, internal noise levels in accordance with BS 8233:2014 can be achieved. Prior to the use the applicant shall ensure the mitigation measures detailed in the Noise Impact Assessment prepared by RP Acoustics Ltd, Dated: 01/12/2025 are implemented.

On the recommendations of the above, there are no objections to the proposal on residential amenity grounds. The proposal is therefore considered to be in accordance with Core Strategy policy DM1 and paragraph 135 of the NPPF.

Access and Highway Safety

Paragraph 116 of the NPPF states that "Development should only be prevented or refused on highways 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 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.

The Local Highway Authority has been consulted regarding the application and raises no objections. The site is located in Rochdale Town Centre, with a number of local amenities and public transport options within walking distance, making it a highly sustainable location. Traffic generation associated with the proposed use is not expected to be significant. Given the town centre location, the LHA would not expect any parking at this location. The proposed site access is established and adequate. The submitted plans indicate no alterations to the existing highways network and no new highways are proposed as part of this development. Furthermore, no public rights of way will be obstructed, and there are no new road safety concerns arising from the proposals.

Bin storage is shown to the rear of the property, as per the existing arrangement. New cycle storage is proposed at lower ground floor level to serve the development.

On the recommendations of the LHA above, Officers have no reason to disagree and consider the proposal to be acceptable in regard to highway safety and would not be in conflict with paragraph 116 of the NPPF and Policy T2 of the Core Strategy.

Recommendation: Approve with Conditions

Condition(s) (6)

- 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 The development hereby approved shall be carried out in accordance with the following drawings and documents hereby approved unless otherwise required by the conditions below:

Plans

- Location Plan 1:1250 dated 16 October 2025
- Block / Site plan 1:500 dated 06 October 2025

- Existing and Proposed rear elevations, existing and proposed second floor plans and proposed lower ground floor plan dated 31.03.2026 received 06.04.2026
- Existing lower ground, ground and first floor plans and proposed first floor plan

Documents

- Noise Impact Assessment – reference NIA/1483/25/583/v1.0/22-24 St Mary's Gate, Rochdale

Reason: For the avoidance of doubt and to ensure a satisfactory development in accordance with the policies within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 No works for the replacement or insertion of any windows or external doors to the building shall take place until such time as full product specifications for the replacement windows including large scale elevations and sections of reveals at a scale of not less than 1:50 have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 4 The development hereby approved shall be constructed in accordance with the noise mitigation measures set out within the submitted Noise Impact Assessment, reference NIA/1483/25/583/v1.0/22-24 St Mary's Gate, Rochdale. No part of the development shall be occupied until such time as a verification report has been submitted to and approved in writing by the Local Planning Authority to confirm that the approved ventilation and acoustic measures have been implemented to achieve the required maximum noise levels. The noise attenuation measures shall be retained as installed thereafter.

Reason: To safeguard the amenities of residents in order to comply with the requirements of Policies G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 5 The development hereby approved shall not be brought into use until such time as details for the design of refuse/recycling bin store has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be installed in complete accordance and made available for use prior to the approved development first being brought into use. The approved refuse and recycling scheme shall be retained as constructed for its intended use thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 6 The development hereby approved shall be for use by up to 6 residents only and the communal living spaces as shown on approved drawings (Existing and Proposed rear elevations, existing and proposed second floor plans and proposed lower ground floor plan dated 31.03.2026 received 06.04.2026; Existing lower ground, ground and first floor plans and proposed first floor plan) 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.

Approval Reason(s) (1)

- 7 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.