

Officer Report

Case Reference: 24/00506/FUL
Location: Pharmacy Heybrook Corner Service Station Halifax Road
Rochdale OL16 2NT
Proposal: First floor extension to existing pharmacy to form additional
storage space and alterations to fenestration and shop front
Recommendation: Approve with Conditions
Officer: Majid Mir

SITE DESCRIPTION AND CONTEXT

The application relates to a single storey building with a flat roof sited within Heybrook Service Station forecourt. The building fronts on to the service station forecourt. The service station has a single storey sales building set in an 'L' form that is also set slightly further forward than the application building when viewed from Halifax Road/Yorkshire Street. To the southwest and facing the side elevation of the application building are the residential properties within Heybrook House.

Immediately to the rear of the application site is Heybrook Mill, a Grade II listed 19th century woollen mill and associated housing. Further southwest of the application site are rows of terrace properties used as dwellings. The surrounding area is a mixture of commercial uses (fronting Halifax Road/Yorkshire Street) and residential dwellings to the south.

The site is located within the defined urban area.

PROPOSAL

Permission is sought to construct a pitched roof to create a storage room on the first floor. The application also seeks to alter the fenestration on the side elevation with the installation of two windows and a door on the side and reconfiguration of the modern shopfront.

It is noted that application PL/2026/0082 has been granted planning permission for the alterations to the side and front of the application building.

It should also be noted that the existing windows and door on the side elevation facing Hamer Lane are unauthorised and the current application seeks to regularise this unauthorised development. Prior to the installation of the existing unauthorised windows and door, the side elevation facing Hamer Lane comprised a rendered elevation with a single door.

RELEVANT PLANNING HISTORY

PL/2026/0082 – Subdivision of commercial unit (Class E) to form office unit (Class E) and laundrette (Sui Generis) including insertion of windows and door to side elevation and

formation of additional entrance to front elevation. Decision: Grant subject to conditions – 10.06.2026.

17/01513/FUL – Erection of a single storey extension to rear. Decision: Refuse – 25.05.2018.

11/A5934 – Installation Of One Internally Illuminated Fascia Sign And One Internally Illuminated Projecting Box Sign (Retrospective). Decision: Part Granted and Part Refuse - 24.10.2011. Appeal Allowed - 19.04.2012.

10/D53386 – Proposed Change Of Use Of Forecourt Mot Centre To Forecourt Dispensing Chemist Including Alterations And Installation Of New Shop Front – Resubmission Of D53044. Decision: Approve – 26.08.2010.

10/D53044 – Change Of Use Of Forecourt Mot Centre To Forecourt Dispensing Chemist Including Alterations And Installation Of New Shop Front. Decision: Withdrawn – 11.05.2010.

05/D45013 – Installation Of Wall Mounted A.T.M (Resubmission Of D43733). Decision: Approve - 22.04.2005.

04/D43733 – Installation of An Automated Teller Machine. Decision: Refuse - 13.08.2004

98/D35254 – Alterations To Petrol Service Station Including- Enlargement Of Existing Sales Building To Extend Retail Sales Area And Incorporate Hot Food Takeaway (Class A3) And Also Additional Underground Storage Tank. Decision: Approve - 09.06.1998.

86/D19899 – Installation of 2000 Gallon Derv Tank And Bund Wall And Erection Of 2.1-Metre-High Fence. Decision: Approve - 08.01.1987.

81/D13135 – Use of Premises as Vehicle Repair Workshop. Decision: Approve - 19.11.1981.

81/D12664 – Use of Premises as Vehicle Repair Workshop. Decision: Refuse - 27.08.1981.

80/D10158 – Car Sales Unit. Decision: Refuse - 21.04.1980.

80/D10709 – Car Wash Slot Machine. Decision: Refuse. -16.06.1980.

RELEVANT PLANNING POLICIES

National

National Planning Policy Framework (NPPF) 2024.

National Planning Practice Guidance (NPPG).

Sub-Regional

Places for Everyone Joint Development Plan (PfE) 2024:

JP-S1: Sustainable Development

JP-P1: Sustainable Places

JP-P2: Heritage

Local

Rochdale Core Strategy (CS) 2016:

E1: Establishing thriving town, district and local centres

E5: Encouraging the visitor economy

P1: Improving image

P2: Protecting and enhancing character, landscape and heritage

P3: Improving design of new development

T2: Improving accessibility

SD1: Delivering sustainable development

DM1: General development requirements

Rochdale Unitary Development Plan (UDP) 2006:

G/D/1: Defined Urban Area

Supplementary Planning Documents (SPD):

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

PUBLICITY

Letters of notification were sent out to neighbouring properties, site notices were placed in the vicinity of the site and a press notice was released. Three objections and seven supporting representations were received. The representations have been summarised below:

Fails to comply with policy DM1

Loss of outlook, visual intrusion, overbearing impact, and overshadowing caused to the window on the side elevation of adjacent property

Unable to open window on adjacent property

Window may be used as a fire escape in case of emergencies - It's the only possible exit on this side of our building.

Officer comments: Where relevant discussed in the amenity section of the report.

Right to light from adjacent property

Officer comments: A "right to light" is an easement that gives a landowner the right to receive light and is a private civil matter. It however differs from impact on the loss of light which is a material planning. Where relevant this is discussed in the amenity section of the report.

Design

Impact on listed buildings

Officer comments: Discussed in the design and heritage section of the report.

Impact on viability of building and business.

Impact on usage of adjacent property.

Officer comments: Some of the comments received related to the impact on neighbouring business and the potential negative financial impact of the proposal. These are not material planning considerations. Where relevant to planning, this is discussed in the report below.

CONSULTATION

Conservation

Initial comments:

Summary: I am not able to support this application.

The proposal would result in less than substantial harm to the significance of the designated heritage asset. This harm has not been adequately justified and it has not been demonstrated that there are public benefits to outweigh this harm. The proposal would conflict with the aims of NPPF Chapter 16, Rochdale CS policy P2 and PfE policy JP-P2. It would fail to preserve the special interest of the building, as a result of its design, scale, form and massing.

Following amendments:

The roof form is better with the steeper pitch and the use of slate is an improvement. The windows on the gable end need more work – it all looks quite cramped. Are there opportunities to improve the shopfront as part of the works. Still not supportive of the blank rendered wall. I would also like to see some openings along this elevation to add visual interest.

If you are minded to approve, please condition materials, metal rainwater goods, timber windows with details by condition, eaves and ridge details.

Environmental Health

This section has no objection in principle to the proposal, given the close proximity to existing residential properties we would recommend the following condition:

The hours of construction are limited to 08:00-18:00 Monday-Friday 09:00-14:00 Saturday with no work on Sundays or bank holidays

Highways

Whilst this proposal would indicate an intensification of the use we expect the proposal would not produce any noticeable increase in the traffic generated by the proposal nor would it require significant additional parking.

No changes are proposed to the surrounding highways.

We therefore have no objections to this proposal.

ANALYSIS

Principle of Development

The proposed first floor extension would provide additional storage space for the commercial unit. The addition of the proposed first floor would not lead to a change of use but would increase the floor space.

The application site is located approximately halfway between Yorkshire Street Local Centre and Halifax Road (Hamer) Local Centre, as defined under saved UDP Policy S/6. The immediate area comprises a mix of commercial, light industrial and residential uses.

CS Policy E1 establishes that the Local Planning Authority (LPA) will focus retail, leisure, cultural, office and other development to promote the viability and vitality of the borough's town centres. Further, Policy E1 sets out that the LPA will only consider out of centre development when there are no suitable sites in, or on the edge, or well connected to, the town centre, district centres or local centres and the proposal would cause no significant overall impact on the existing centres vitality and viability.

It is considered that the increase in the storage space for the commercial unit will not adversely affect the vitality of the nearby local centres and therefore the application is acceptable in principle.

Design and Impact on Heritage Assets

The application site lies adjacent to Heybrook Mill and Mill Housing, a Grade II Listed Building. The proposal must therefore be considered in the context of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which places a statutory duty on the LPA to have special regard to the desirability of preserving the listed building, its setting, and any features of special architectural or historic interest when determining applications.

Case law has established that decision-makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when undertaking the planning balance.

The Development Plan is also relevant in this regard. Core Strategy policies DM1 and P3 require development proposals to achieve high quality design, while policy P2 seeks to ensure that development protects and enhances the character, landscape, and historic environment. P/E

policy JP-P2 confirms that proposals affecting heritage assets should be assessed in accordance with national policy set out in the NPPF.

Paragraph 213 of the NPPF states that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 215 goes on to state that where a development proposal would result in less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

In this case, the existing pharmacy building is a mid-20th century, brick-built, flat-roofed structure which has been rendered and fitted with a modern glazed shopfront. The lawful side elevation is currently blank, save for a single door, and presents an inactive and visually poor frontage to Hamer Lane. Overall the building is of no particular architectural or historic merit. The building differs from the majority of the surrounding buildings and appears at odds within neighbouring listed building and the wider character and appearance of the surrounding area. The Conservation Officer concluded that the existing building does not appear to contribute positively to the significance of the listed building, as a result of its form, materiality and size.

The proposed insertion of an additional door within the existing modern shopfront has been approved through planning permission PL/2026/0082 and was concluded by the planning officer, it is considered that it would read as a minor alteration associated with the operation of the service station and would not result in harm to the setting of the listed building.

In regard to introduction of two new windows and a replacement door within the side elevation, this has also been approved through planning permission PL/2026/0082. As noted by the planning officer for that application, the addition of the openings would provide a more active and visually engaging frontage. The use of stone surrounds to frame these openings is considered to respond positively to the character of the nearby listed building, introducing a level of detailing that enhances, rather than detracts from, the wider setting. Subject to appropriate conditions securing the detailed design, materials, and finishes (including large-scale drawings), these changes would represent a modest improvement to the appearance of the building.

The proposed pitched roof differs from the approved scheme. The application proposes a dual pitched gable roof with the gable to the front of the application property. The existing building is a later addition and has a flat roof. As noted above, the building differs from the majority of the surrounding buildings and appears at odds within neighbouring listed building and the wider character and appearance of the surrounding area. Furthermore, the existing building does not appear to contribute positively to the significance of the listed building, as a result of its form, materiality and size. The proposal seeks to increase the overall height of the building and introduce a dual pitched roof. The increase in height would significantly increase the prominence of the extension in relation to the listed building, particularly in views from Yorkshire Street and Hamer Lane.

The proposed pitched roof would match the pitch of the adjoining listed building. Furthermore, the gable roof design would be more in keeping with the character of the surrounding area. Additionally, the use of natural slate would be in keeping with the listed building and the character of the surrounding area. With the addition of the roof there will be a slight increase in the ridge and an increase in visible elevation of the front facing gable. The gable roof will be visible from surrounding public vantage points and would make the application building more prominent within the streetscene. However, the addition of the pitched roof that has similar

roof design and pitch as the adjacent property along with appropriate materials will have a positive visual impact in comparison to the existing flat structure which is out of keeping for the local area. The application proposes a window on the first floor that match the design of the windows on the side elevation. The addition of the window would reduce the amount of blank elevation and render on the gable end. It is considered that the window size, design and positioning is acceptable.

Overall, the proposal would result in neutral impact on the significance and setting of the listed building. Additionally, as noted by the planning officer for planning application PL/2026/0082, 'even if a very low level of less than substantial harm was identified, this would be clearly outweighed by the public benefits of the scheme.' The addition of the first floor would allow for the allow for additional storage space for the commercial units and help contribute to the vitality and economic function of the area. Accordingly, the proposal is considered to comply with the statutory duty under Section 66 of the Act, the Development Plan and the relevant provisions of the NPPF.

Amenity

Core Strategy policy G9 requires that development does not give rise to unacceptable levels of air, water, noise, light, or other forms of pollution. Policy DM1 of the Core Strategy similarly requires that proposals safeguard residential amenity and incorporate appropriate mitigation where necessary. Policy DM1 states that 'all development proposals, including changes of use of land and buildings, extensions and alterations, will be expected to demonstrate that they ... do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy'.

The application site forms part of an established service station complex located at the junction of Hamer Lane and the A58, a heavily trafficked route. The surrounding environment is therefore characterised by a relatively high level of background noise and activity, with neighbouring uses including a tyre workshop, a gym, and the petrol filling station itself.

The proposal involves the slight increase eaves height, the construction of pitched gable roof along with the alterations to the fenestration. The first created through the construction of the roof would be used for storage. The Environmental Health Department have raised no objection in principle to the proposal. However, given the close proximity to existing residential properties, the Environmental Health Department have recommended the inclusion of a condition requiring the restriction of construction work of between 08:00 and 18:00 from Mondays to Fridays, 09:00 and 14:00 on Saturdays and no work on Sundays or bank holidays. Noting the scale of development and the nature of the development, plus other legislation that already restricts standard construction times, it is considered that the restriction on construction time would not meet the 6 tests requirement for conditions.

Given the modest scale of the proposed operation and its position within a commercial setting, it is not considered that the development would generate levels of noise, activity, or disturbance that would materially exceed the existing baseline conditions. In particular, the proposal is unlikely to result in undue harm to the amenities of nearby residents, including those occupying Heybrook House. The nature and scale of the use, when viewed in the context of the surrounding commercial activities and high levels of passing traffic, would not give rise to unacceptable impacts in terms of noise or general disturbance.

In regard to the construction of the proposed roof, it is noted that the nearest residential properties are those of Heybrook House. Heybrook House is gated to the front with access for vehicles to enter and park to the front. There is also a private rear garden area which is enclosed by the application property and the adjoining service station building. To the northeast, Heybrook Mill is immediately adjacent to Heybrook House. Heybrook Mill is a three storey building which is used for commercial purposes with multiple businesses operating from the premises.

The SPD sets out guidance for two storey rear extensions, 'Planning permission will not normally be granted for two storey or first floor extensions to detached, semi-detached or terraced dwellings that project beyond a 30 degree line drawn from a point 2.4m along the common boundary from the rear elevation of the adjoining or adjacent dwelling' Paragraph 4.1 of the SPD provides minimum spaces standards that will be applied to all new residential developments and developments which affect existing residential properties. However, paragraph 4.3 adds that 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.

There are windows at ground floor and first floor on the rear elevation of the Heybrook House that face northwest. The rear garden area is enclosed by the service station building in the forecourt which is set close to the shared boundary. The building is approximately 5m to 9m from the rear elevation. It appears part of this structure may be unauthorised. The application building is set approximately 3m from the boundary with Heybrook House and with a structure sandwiched in between the application property and the boundary of Heybrook House.

Nevertheless, when using the guidance set out in the SPD for a first floor extension, the proposal would fail to adhere to the standards and would project approximately 3.3m further forward than the requirements set out in the SPD. However, as noted above, the two are separated by a distance of 3m and by a structure. Additionally, as the pitched roof rises, it moves away from Heybrook House. Considering the distance, the design of the proposal and the existing arrangement on the neighbouring site, it is considered that the proposal will not have substantially greater amenity impact than the existing arrangement and would be in keeping with the level of amenity experienced in the immediate area. It is considered that the proposal would not appear as an overbearing or significantly oppressive addition to the detriment of the amenity of these occupiers.

Objections were raised on the impact of the proposal on the window on the first floor side elevation of the adjoining Heybrook Mill. Objections have been raised due to the loss of light and outlook to the window on the side elevation of Heybrook Mill. The proposed roof has a kink adjacent to where the window is located on Heybrook Mill. As such, a gap (approximately 0.52m to the window) is retained where the window is located and the roof will not be built up to the party wall at this point. The roof will be sited directly in front of the window and would screen the bottom left hand corner of the roof. The area it will screen is approximately 0.5sqm and would represent a reduction of approximately 17%. Furthermore, it is noted that the building is a commercial building and as such does not receive same level of protection as a residential property.

Objections were also raised in regard to fire safety and the potential to use the window as a fire escape in case of emergencies. It is noted that the window is a first floor window directly adjacent to application site. No evidence has been provided to indicate that the window is

identified as a means of escape or a primary means of escape. Furthermore, fire safety is also assessed through the building controls process.

Overall, the proposal is considered the proposal would not result in unacceptable pollution or harm to residential amenity and therefore would comply with Core Strategy policies G9 and DM1, policy JP-S1 of the PfE, the SPD and NPPF.

Highways

Core Strategy policy DM1 requires development to provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements.

The property occupies a sustainable location within a dense urban environment. The premises front Halifax Road/Yorkshire Street which is well served by public transport and would be readily accessible to surrounding residential properties on foot. Parking is available in front of the premises and additional spaces are available within the service station forecourt. Furthermore, it is noted that the highways department raised no objection to the proposal. Additionally, it is considered that the increase in the storage space would not produce any noticeable increase in the traffic generated and nor would it require significant additional parking.

As such, it is considered that the proposal would not be detrimental to the safe and efficient operation of the highway network both adjacent to or further away from the site and is therefore in accordance with the requirements of the Development Plan and the NPPF.

Recommendation: Approve with Conditions

Condition(s) (4)

- 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 shall be carried out in accordance with the following plans and documents hereby approved:-

- Location Plan. Drawing number: D258-02
- Existing Block Plan. Drawing number: D258-03
- Proposed Block Plan. Drawing number: D258-04
- Existing and Proposed. Drawing number: D258-100/D

- Existing Elevation (south west) and Proposed Elevation (south west). Drawing number: D258-101

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

- 3 No above ground works shall take place until such time as a detailed specification and/or samples of materials to be used externally in the construction of the development have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the duly approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance, securing a high quality form of development and to safeguard the setting of the adjacent Grade II Listed Building, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until full details (including product specifications) of the following have been submitted to and approved in writing by the Local Planning Authority:

- Sections and elevations at a scale of 1:20 (or similar) of the proposed windows and door;
- Details of materials, finishes, colour, and framing (including confirmation of timber or aluminium) for the proposed windows and door;
- Details of the proposed stone surrounds, including material, profile, depth, and method of fixing;
- Details of the treatment of the opening to be infilled, including materials and finish to match the existing wall.
- Details of metal rainwater goods.
- Details of eaves and ridge including elevation and cross-section drawings at a scale of no less than 1:50.

The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance, securing a high quality form of development and to safeguard the setting of the adjacent Grade II Listed Building, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Approval Reason(s) (1)

- 1 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.

Informatives (1)

- 1 The applicant is reminded of their obligation under the Planning (Listed Buildings and Conservation Areas) Act 1990. Listed Building Consent must be obtained prior any development work being undertaken.
- 2 The applicant is reminded of their obligations under the Town and Country Planning (Control of Advertisements) Regulations 2007. Advertisement Consent must be obtained prior to the installation of any signage or advertisements associated with the uses here approved.