

Officer Report

Case Reference: PL/2026/0206
Location: 289A OLDHAM ROAD, MIDDLETON, MANCHESTER, M24 2DW
Proposal: Change of use of first floor & second floor into 3 units (use class E(c) (iii), rear dormer extension, installation of external staircase and new door at first floor side elevation, insertion of rooflight on front roof elevation, alteration of existing flue and partial demolition of existing detached garage
Recommendation: Approve with Conditions
Officer: Sam Yuen

LOCATION

The application relates to no. 289A Oldham Road, a two-storey, semi-detached property comprising a hot food takeaway (Sui Generis) at ground floor level with ancillary storage space at first floor level. The main part of the takeaway is adjoined by a vacant shop to the west (no. 289) with terraced, residential properties to the rear fronting Norman Street and on the opposite side of Oldham Road. To the east of the main building is an area of hardstanding including a large, prefabricated garage. This area is bounded by a 2m high brick wall including 2m high vehicular access gates. The site is located within the Defined Urban Area, approximately 688m to the east of the Middleton Town Centre boundary.

PROPOSAL DESCRIPTION

Planning permission is sought for the change of use of the first and second floor of the existing building to form 3no. units under (Class E(c)(iii)). The applicant indicates the proposed use is intended for low-impact commercial businesses uses and no general industrial, storage or higher-impact commercial uses proposed. The proposal also includes the erection of a rear dormer and an external staircase to provide access to the proposed units, following the partial demolition of an existing garage outbuilding and front boundary wall.

The submitted plans also indicate the addition of a roof light to the front roof slope, as well as the relocation of an existing extraction flue.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

JP-S1 Sustainable Development

JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

DM1 General development requirements

P3 Improving design of new development

E1 Establishing thriving town, district and local centres

C1 Delivering the right amount of housing in the right place

G9 Reducing the impact of pollution

T2 Improving accessibility

Appendix 5 Schedule of parking standards

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (SPD) (2016)

Guidelines and Standards for Hot Food Takeaway Uses (HFTA SPD) (2015, updated 2017)

RELEVANT SITE HISTORY

25/00356/FUL – Change of use from one hot food takeaway to mixed use of a hot food takeaway at ground floor (Sui Generis), a retail unit (E) and self-contained flat (C3) at first floor and a self-contained flat (C3) at second floor including a rear dormer, roof lights, the repositioning of the extraction flue and the installation of external staircase to provide access to proposed retail unit and flats - Refuse

Officer's Comments:

1. By reason of its design, size, siting and massing, the proposed dormer would constitute an incongruous, disproportionate and poorly designed addition that would be detrimental to the character and appearance of the host property and surrounding area. The proposed development therefore fails to comply with policies DM1 and P3 of the adopted Rochdale Core Strategy, policy JP-P1 of the Places for Everyone

Joint DPD, the Guidelines and Standards for Residential Development' Supplementary Planning Document and the National Planning Policy Framework.

2. By virtue of the intensification of the existing use and failure to comply with the minimum separation distances outlined in paragraph 4.1 of the SPD, the proposed first and second floor windows serving the proposed residential units would result in a harmful loss of privacy for the occupiers of nos. 28 and 30 Norman Street. The proposed dormer would also have an overbearing impact on the aforementioned properties. The proposal does not therefore accord with policy DM1 of the adopted Rochdale Core Strategy, policy JP-P1 of the Places for Everyone Joint DPD, the Council's 'Guidelines and Standards for Residential Development' Supplementary Planning Document and the National Planning Policy Framework.

3. The proposal fails to demonstrate adequate levels of internal amenity for future occupants due to its non-compliance with the Nationally Described Space Standards in terms of its gross internal floor area and floor-to-ceiling heights. The proposal therefore does not comply with, policies JP-H3 and JP-P1 of the Places for Everyone Joint DPD, policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' Supplementary Planning Document and the National Planning Policy Framework.

99/D36467 – Single Storey Side Extension To Existing Hot Food Take-Away – Grant subject to conditions

96/D33071 – Change Of Use From Shop To Hot Food Takeaway – Grant subject to conditions

90/D24911 – Two Storey Rear Extension To Premises – Grant subject to conditions

86/D19533 – Formation Of Car Park – Grant subject to conditions

CONSULTATION RESPONSES

Highways And Engineering

No objections.

Greater Manchester Ecology Unit (GMEU)

The Ecology Unit notes there is negligible potential for the proposed works to disturb roosting bats and therefore no further surveys are required. General advice on protected species applies.

REPRESENTATIONS

Neighbour notifications via letters were sent to surrounding properties and a site notice was posted within the vicinity of the site. No comments were received.

PRINCIPLE OF DEVELOPMENT

The application is located within the Defined Urban Area. As such saved UDP Policy G/D/1 is relevant to any development at the site and this establishes that development should be concentrated in the urban area.

The application relates to a two-storey, semi-detached property located on Oldham Road in Middleton. The site is situated approximately 0.5 miles to the southeast of the Middleton Town Centre boundary. Surrounding development is predominantly residential, however there are also a number of commercial units including a convenience store, two takeaways, two pubs, two barbershops, a cafe and two vacant units. The site is located on a public transport corridor with connections to Middleton Town Centre. However, it would not qualify as an edge of centre site as it is not within 300m of the town centre boundary.

The proposal seeks permission for the change of use of the upper floors of a two-storey semi-detached property to three commercial units of Class E use.

When read collectively, Paragraph 90 of the NPPF, PfE Policy JP-P2, and CS Policy E1 aim to focus commercial, retail, cultural, and office development within town centres, in order maintain them as thriving and sustainable locations. As such, Policy E1 requires such development to be concentrated within, or close to, allocated town centres under Policy G/S/1.

Paragraph 92 of the NPPF states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable edge of centre sites are fully explored.

Whilst the site falls outside the allocated town centre, it falls within a well-established mixed-use area that is easily accessible via sustainable methods of travel. The proposed use covers an internal floorspace of approx. 67m² and is not of a scale which would result in substantial harm to the vitality of Middleton Town Centre. No details of the prospective tenants have been provided; however, the applicant has indicated the proposed units would be intended for low-impact commercial business uses, including but not limited to, offices, accountants, solicitors, estate agents, barbers, hairdressers, beauty or nail treatment businesses. Whilst it is noted Class E covers a broad spectrum of uses, some of which would be more appropriate in the town centre than in the application site (such as food and drink establishments), given the limited floorspace and the mixed uses along this highway, it is considered the proposal would not amount to significant impact to the vitality of Middleton Town Centre and would be acceptable in this location.

Notwithstanding the absence of an adequate sequential assessment, the proposal is considered to comply with the requirements of the adopted Core Strategy, PfE and the NPPF and would be acceptable in principle, subject to an assessment of all other material planning considerations below.

DESIGN

Core Strategy Policies P3 and DM1 require development proposals to adhere to high quality design and enhance the borough's identity and sense of place by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. Paragraph 135 of the NPPF explains that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

As part of the change of use, the proposal seeks to construct a dormer to the rear north-facing roof slope of the building. Whilst the proposed use itself is not residential, regards have been had to Section 5.16 of the SPD which sets out design guidance for dormer extensions. The proposed dormer is of a modest scale which is set away from the ridge line, side walls and eaves. Whilst the dormer would be subject to views from Oldham Road and to a lesser extent from Temple Street, owing to its rear siting, the visual impact of this addition would not amount to unacceptable levels of harm to the character and appearance of the surrounding street scene and would be acceptable.

The applicant has agreed to amend the external finish of the dormer to hanging tiles which would be in keeping with the host building and surrounding area.

The proposals would result in the demolition of a small section of the front boundary wall and part of the existing detached garage to allow for access to the commercial unit on the first and second floors via an external staircase and a new doorway on the side elevation at first floor level. Providing the boundary wall and garage are made good, it is not considered that these alterations would result in undue harm to the character and appearance of the area.

No concerns are had with regard to the re-siting of the existing extraction flue from the rear to the side elevation which is not considered to result in undue visual harm given the level of setback from the highway.

Taken as a whole, it is considered that the proposed additions and external works to the host property would be appropriately designed and would have an acceptable impact on the visual amenity of the area, in accordance with CS Policies DM1 and P3, PfE Policy JP-P1 and the NPPF.

AMENITY

Policies in the Core Strategy, PfE and the NPPF seek to ensure that planning decisions should result in places with a high standard of amenity for existing and future users. Although it is expected that most new developments will have some impact on neighbours, it is important to ensure that the impact is not so significant that it results in unacceptable harm. All new developments should avoid causing a significant loss of privacy and/or light for occupiers of new neighbouring dwellings and existing dwellings.

Residential Amenity

The proposed rear dormer window would be obscurely glazed and is thus not considered to result in undue overlooking impacts to the rear-facing residential properties. No adverse harm has been identified in relation to the proposed stairwell and flue.

The proposals would therefore have an acceptable impact on the amenity of the neighbouring occupiers and would accord with Core Strategy Policy DM1, PfE Policy JP-P1, the SPD and the NPPF.

Noise

Paragraph 198(a) of the NPPF advises that planning decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. Similarly, CS Policy G9 explains that new development should not lead to an unacceptable increase in noise pollution.

The proposals would result in an intensification of the application site, with the ancillary first and second floor storage space being brought into commercial use. No details have been provided with regard to the specific proposed use beyond its Class E use. However, given the limited internal area of the individual units, it is considered the expected operations of the units would not generate levels of activity which would be detrimental to the neighbouring residential dwellings. It is also considered the proposed use would not materially alter the spatial relationship between the existing commercial uses and adjacent residential dwellings.

Therefore, it is not considered that there would be an unacceptable impact on neighbouring occupiers with regards to noise disturbance, in accordance with Policy G9 of the Core Strategy and the NPPF.

HIGHWAYS AND PARKING

Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

The application site is located on Oldham Road in Middleton which is a sustainable location with access to local amenities and public transport options within a short walking distance.

No concerns have been raised by the Highways Officer, who does not expect the proposal to generate any significant volume of traffic in this location. Furthermore, it is considered that the servicing arrangements would likely remain unchanged.

As such, it is considered the proposal is acceptable in terms of highway safety and would accord with CS Policies T2 and DM1, and the NPPF.

Recommendation: Approve with Conditions

Condition(s) (4)

- 1 The development hereby permitted shall begin no later than three years from the date of this planning permission.

Reason: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following drawings and documents hereby approved:

- Location Plan - received 05/05/2026
- Existing Location Plan - drawing no. 289A - OR - 108 received 05/05/2026
- Proposed Location Plan - drawing no. 289A - OR - 109 received 05/05/2026
- Existing Site Plan - drawing no. 289A - OR - 106 received 05/05/2026
- Proposed Site Plan - drawing no. 289A - OR - 107 received 05/05/2026
- Existing Floor Plans - drawing no. 289A - OR - 101 Rev. A received 05/05/2026
- Existing Elevations - drawing no. 289A - OR - 103 Rev. A received 05/05/2026
- Existing Section Plan - drawing no. 289A - OR - 105 Rev. A received 05/05/2026
- Proposed Floor Plans - drawing no. 289A - OR - 102 Rev. A received 05/05/2026
- Proposed Elevations - drawing no. 289A - OR - 104 Rev. A received 07/07/2026
- Existing and Proposed Roof Plan - drawing no. 289A - OR - 106 Rev. A received 05/05/2026

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained 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 The materials used in the construction of the proposed rear dormer hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of proposed dormer extension, the rear north-facing dormer windows at the second floor on the development hereby approved shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level. The windows shall be retained as such thereafter:

Reason: In the interest of amenity and in compliance with Policy 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.

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.