

Officer Report

Case Reference: PL/2026/0468
Location: FIRST FLOOR PREMISES, 2 MIALl STREET, ROCHDALE, OL11 1HX
Proposal: Change of use of first floor ancillary storage facility (Use Class E) to a 5-bedroomed HMO (Use Class C4) with bin storage area to the rear
Recommendation: Approve with Conditions
Officer: Bob Melling

SITE DESCRIPTION AND CONTEXT

The application relates to the first floor of a corner property occupying a prominent position at the junction of Milkstone Road, Exeter Street and Miall Street. The ground floor comprises two established hot food takeaway premises fronting Milkstone Road. The application site comprises vacant ancillary storage accommodation at first floor level accessed via an existing external staircase from Exeter Street. The surrounding area is characterised by a dense urban grain comprising predominantly terraced residential properties interspersed with commercial uses concentrated along Milkstone Road.

The site lies on the edge of the Milkstone Road/Maldon Street Local Centre as designated under saved UDP Policy S/6. It benefits from good accessibility to public transport, local services, employment opportunities and Rochdale Train Station and is therefore considered to occupy a highly sustainable location.

PROPOSAL

Permission is sought for the conversion of the vacant first floor storage accommodation into a 5-bedroom House in Multiple Occupation (HMO) accommodating a maximum of 5 residents.

The proposed accommodation would comprise:

- 5 bedrooms;
- Communal kitchen/dining area;
- Communal kitchen;
- 1 shower room;
- 2 separate WCs;
- Retention of the existing external access staircase.

No external alterations are proposed.

Accommodation Schedule:

- Bedroom 1 - 19.4sqm
- Bedroom 2 - 20.5sqm
- Bedroom 3 - 15.0sqm
- Bedroom 4 - 21.5sqm
- Bedroom 5 - 20.8sqm

The proposed layout is shown on the submitted plans.

RELEVANT PLANNING AND ENFORCEMENT HISTORY

11/D54560: Installation Of Perforated Roller Shutter To Doorway Opening On Front Elevation Of Premises - Retrospective. Approved August 2011.

11/A5887: 2 Internally Illuminated Fascia Signs. Part Granted and Part Refused March 2011.

11/D54060: Change Of Use Of Part Of Ground Floor From Retail (Use Class A1) To Hot Food Takeaway (Use Class A5), Including Formation Of New Entrance Doorway. Approved March 2011.

09/A5776: Internally Illuminated Projecting Box Sign. Approved September 2009.

09/A5752: One Internally Illuminated Fascia Sign, Two Internally Illuminated Projecting Box Signs And One Non-Illuminated Fascia Sign - Retrospective. Part Granted and Part Refused May 2009.

04/D43122: Change Of Use Installation Of Security Shutters To Ground Floor Windows And Doors And Alterations To Front And Side Elevations Of Public House To Form Hot Food Takeaway (Retrospective) And Retail Unit At Ground Floor Level And Pool And Snooker Hall At First Floor Level. Approved May 2004.

04/A5395: Two Externally Illuminated Fascia Signs And 1 Non - Illuminated Hanging Sign (Retrospective). Approved January 2005.

03/D42387: Installation Of Security Shutters To Ground Floor Windows And Doors. Approved November 2003.

RELEVANT PLANNING POLICIES

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Regional Guidance

Places for Everyone Joint Development Plan (PfE) 2024:

JP-S1 Sustainable Development

JP-H3 Type, Size and Design of New Housing

JP-P1 Sustainable Places

JP-C8 Transport Requirements of New Development

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

S/6 District Centre, Local Centres and Linear Commercial Areas

Adopted Rochdale Core Strategy (CS) 2016:

SD1 Delivering Sustainable Development

C1 Delivering the Right Amount of Housing in the Right Places

C3 Delivering the Right Type of Housing

P3 Improving Design of New Development

G9 Reducing the Impact of Pollution, Contamination and Land Instability

T2 Improving Accessibility

DM1 General Development Requirements

Supplementary Planning Documents (SPD):

Guidelines & Standards for Residential Development SPD (2016)

Guidelines & Standards for Hot Food Takeaway Uses SPD (2017)

PUBLICITY

Site Notice: 25.07.2026

Press Notice: N/A

Neighbour notification letters: 30.06.2026

Weekly List: 13.07.2026

SUMMARY OF THIRD-PARTY REPRESENTATIONS

N/A

SUMMARY OF CONSULTATION RESPONSES

HMO Strategic Housing: I can confirm that the plans received meet Rochdale's HMO Standards, Facilities and Amenities.

Environmental Health: No comments received at time of writing.

ASSESSMENT

Principle of Development

The application site lies within the Defined Urban Area where development is directed by saved UDP Policy G/D/1. CS Policy C1 seeks to provide housing in sustainable locations and support the regeneration and reuse of existing buildings.

The proposal would bring vacant upper floor accommodation back into active use as residential accommodation. Importantly, the proposal would not result in the loss of any active commercial floorspace and the two takeaway units at ground floor level would continue operating as existing.

The application site occupies a highly sustainable location on the edge of the Milkstone Road/Maldon Street Local Centre and is within walking distance of public transport facilities, local services, employment opportunities and Rochdale town centre.

The proposal would contribute towards housing choice within the Borough by providing a small HMO accommodating up to five residents and the proposal represents an efficient reuse of previously developed land and vacant floorspace. The development is therefore considered acceptable in principle, subject to compliance with other development management considerations assessed below.

Residential Amenity

Occupier Amenity

The proposed development has been assessed against the Council's HMO standards. The accommodation provides five generously sized bedrooms ranging from approximately 15sqm to 21.5sqm together with communal kitchen/dining facilities, one shower room and two separate WCs. The Council's Strategic Housing Officer has confirmed compliance with the Council's HMO standards.

All bedrooms benefit from direct natural light and ventilation from external windows and are considered to provide an acceptable standard of accommodation.

The communal kitchen/dining area occupies a more internal position within the building and benefits from windows facing the covered access walkway. Whilst this

arrangement results in a relatively restricted outlook compared with the bedrooms, the room nonetheless receives natural light and ventilation and remains functional as communal accommodation. Having regard to the layout as a whole, the accommodation is considered to provide an acceptable standard of amenity for future occupiers.

Outlook and Privacy

The Residential Development SPD generally seeks a separation distance of 21m between directly facing habitable room windows.

It is noted that one of the proposed windows would face properties on the opposite side of Exeter Street at a separation distance of approximately 11.48m. Whilst this falls below the separation distances normally sought by the SPD, this relationship reflects the established pattern of development within the surrounding area, which is characterised by closely spaced terraced properties, narrow streets and reduced separation distances.

Furthermore, no new window openings are proposed, and the development would not materially alter existing overlooking relationships. Having regard to the dense urban grain which characterises this part of Rochdale, the relationship is considered acceptable on balance.

No extensions or external alterations are proposed and therefore no unacceptable overbearing, overshadowing or privacy impacts would arise.

Relationship with Existing Hot Food Takeaway Uses

The principal consideration is the relationship between the proposed HMO and the two established hot food takeaway units at ground floor level.

Future occupiers would inevitably be exposed to a degree of:

- customer activity and comings and goings;
- delivery collections;
- vehicle movements;
- cooking odours;
- extraction equipment noise;
- refrigeration plant;
- vibration associated with mechanical equipment.

The application is accompanied by a Residential Amenity Impact Statement which acknowledges these potential impacts and identifies mitigation measures including acoustic glazing, enhanced acoustic insulation, mechanical ventilation with heat recovery, acoustic attenuation, anti-vibration measures and odour control systems.

The proposal would not increase the scale of the takeaway operations, alter their opening hours or intensify customer activity. Rather, it introduces residential accommodation above premises that already operate within an established mixed-use environment.

The applicant's Planning Statement confirms that the proposal would accommodate a maximum of five occupants and notes that the scale of occupation would be comparable to that of a larger family dwelling.

The Council's Hot Food Takeaway SPD seeks to ensure that development does not result in unacceptable impacts arising from noise, fumes, odours and extraction equipment. In the present case, it is accepted that such matters require careful consideration owing to the proximity of existing extraction systems and flues to parts of the proposed accommodation.

The submitted plans and site circumstances indicate that extraction flues are positioned adjacent to some bedroom windows. Whilst these structures form part of the outlook from those rooms, they are not considered to materially diminish natural light levels or create an unacceptable sense of enclosure. Furthermore, all bedrooms would retain adequate outlook and ventilation.

Significant weight is attached to Appeal Decision APP/P4225/W/23/3314663 relating to 30 Bridge Street, Heywood. In that case, the Planning Inspector concluded that a flue located immediately adjacent to a residential flat window did not result in unacceptable impacts upon light or outlook and further concluded that concerns relating to noise, odours and extract ventilation systems could appropriately be addressed through planning conditions.

Whilst the submitted Residential Amenity Impact Statement is not a detailed acoustic assessment, it identifies mitigation measures capable of addressing the recognised amenity impacts. It is considered reasonable and necessary to secure detailed schemes relating to acoustic insulation, ventilation, odour mitigation and vibration control through planning conditions prior to occupation of the development. This approach is consistent with the findings of the aforementioned appeal decision.

Having regard to the mixed-use character of the locality, the absence of any intensification of the takeaway uses, the submitted Residential Amenity Impact Statement, and the ability to secure detailed mitigation through condition, it is considered that adequate living conditions can be achieved for future occupiers. The proposal is therefore considered compliant with CS Policies DM1 and G9, the Residential Development SPD, the Hot Food Takeaway SPD and the NPPF.

Impact on Character and Appearance

No external alterations are proposed as part of the development.

Accordingly, the proposal would preserve the character and appearance of the host building and wider street scene and would not adversely affect the visual character of the area.

The proposal accords with CS Policies DM1 and P3 and PfE Policy JP-P1.

Highways and Parking

The application proposes no off-street parking provision.

The site occupies a highly sustainable location on the edge of a local centre with excellent access to public transport, local services, employment opportunities and Rochdale Town Centre. Future occupiers would therefore have access to a wide range of services without reliance upon the private car.

Given the scale of the proposal, the sustainable location and the generally reduced levels of car ownership typically associated with HMO accommodation, the proposal would not result in a severe impact upon the local highway network.

Accordingly, the proposal complies with CS Policies DM1 and T2, PfE Policy JP-C8 and the NPPF.

Recommendation: Approve with Conditions

PROCEDURAL STATEMENT

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application, and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Human Rights and Public Sector Equality Duty

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application. In particular due regard has been afforded to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers are satisfied that the application material and Officers' assessment has taken into account these issues.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – Embracing All Voices (2024-2026), which seeks to promote a culture of equity, diversity and inclusion that benefit the community as a whole.

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

- Existing and Proposed Floor Plans. Dwg no. M150-100/B
- Location Plan. Dwg no. M150-101
- Existing Block Plan. Dwg no. M150-102
- Proposed Block Plan. Dwg no. M150-103
- Existing and Proposed Elevations. Dwg no. M150-104
- Proposed Kitchen Plan. Dwg no. M150-105
- Planning Statement by AJ Cocker Associates dated April 2026
- Residential Amenity Impact Statement by AJ Cocker Associates dated June 2026

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

- 3 The development hereby approved shall be for use by a maximum of 5 residents only and the communal kitchen and kitchen/dining room as shown on approved drawing number M150-100/B shall be retained for communal use for so long as the property remains in use as an HMO.

Reason: To ensure that an adequate standard of amenity and living space is provided for the residents in accordance with Policy DM1 of the Rochdale Core Strategy, Policy JP-H3 of Places for Everyone, the

Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.

- 4 Prior to the first occupation of the HMO hereby approved, schemes to control noise, vibration, odours and fumes arising from the existing hot food takeaway premises at ground floor level shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall include details of:

a) sound insulation measures between the commercial and residential accommodation;

b) acoustic glazing and any associated ventilation strategy serving habitable rooms;

c) measures to control noise and vibration arising from extraction equipment, refrigeration equipment and any other fixed plant associated with the takeaway premises;

d) measures to prevent cooking odours and fumes from adversely affecting the residential accommodation.

The approved schemes shall be fully implemented prior to first occupation of the HMO and shall thereafter be operated, maintained and retained in accordance with the approved details for so long as the development remains in use.

Reason: To safeguard the amenities and living conditions of future occupiers of the development having regard to the proximity of existing hot food takeaway premises, in accordance with Policies DM1 and G9 of the Rochdale Core Strategy, Policy JP-P1 of Places for Everyone, the Guidelines and Standards for Residential Development SPD, the Guidelines and Standards for Hot Food Takeaway Uses SPD 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 cycle 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 cycle store shall be retained as constructed for its intended use thereafter.

Reason: To ensure the provision of satisfactory and secure facilities for cycle storage and in the interests of visual amenity in accordance with Policies P3, T2 and DM1 of the adopted Rochdale Core Strategy, Policies

JP-P1 and JP-C6 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 6 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.

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.