

Officer Report

Case Reference: 24/01156/FUL
Location: 27-31 Market Place Middleton M24 6AE
Proposal: Change of use of first and second floors from light industrial/office space to three self-contained flats together with alterations to front and rear fenestration and creation of outdoor amenity space
Recommendation: Approve with Conditions
Officer: Bob Melling

SITE

The application relates to Nos. 27-31 Market Place, a detached three-storey building located within Middleton Town Centre. The ground floor accommodates a hot food takeaway and retail premises, whilst the first and second floors comprise vacant former office accommodation. To the rear is an enclosed yard area containing a warehouse/storage structure which is in a poor state of repair and is proposed to be demolished as part of the development.

The site lies within the Middleton Town Centre Conservation Area and immediately adjacent to the Grade II Listed Providence United Reform Church. Surrounding land uses are predominantly commercial in character, although a number of upper floor residential units exist within the wider town centre.

To the rear of the site is a burial ground and mature vegetation which provide a verdant backdrop to this part of the Conservation Area.

PROPOSAL

Permission is sought for the conversion of the first and second floors of the existing building into three self-contained flats comprising one one-bedroom apartment and two two-bedroom apartments. The proposals also include alterations to front and rear fenestration, demolition of the rear warehouse structure, provision of communal amenity space, cycle storage and refuse storage.

The application was amended during its consideration to address concerns regarding the original plans. Revisions include the complete removal of the rear warehouse structure, alterations to the apartment entrance, amendments to bin storage arrangements, revisions to fenestration and clarification of external materials and demolition works.

RELEVANT SITE HISTORY

23/01189/PRA56: Prior approval for change of use from light industrial/offices to 3 flats on the first and second floors (1x1 bed and 2x2 bed). Withdrawn (December 2023)

99/D36136: Change Of Use Of Retail/ Light Industrial Premises To Restaurant And Hot Food Take-Away.

Granted STC (March 1999)

84/D16765: Alterations To Shop Fronts. Granted STC (July 1984)

82/D13664: Alterations To Windows On Front Elevation To Premises. Granted STC (July 1982)

78/D07351: New Warehouse And Showroom. Granted STC (May 1979)

77/D04588: New Storage Warehouse For Retail And Wholesale Trading. Granted STC (April 1977)

RELEVANT PLANNING POLICY

National Planning Policy Framework (2026):

S4 Principle of Development Within Settlements

HO7 Meeting the Need for Homes

TC2 Development in Town Centres

L2 Making Effective Use of Land

DP3 Key Principles for Well Designed Places

P3 Living Conditions and Pollution

P4 Impact of Development on Existing Activities

N2 Improving the Natural Environment

HE4 Securing the Conservation of Heritage Assets

HE5 Assessing Effects on Heritage Assets

HE6 Proposals Affecting Designated Heritage Assets

HE9 Conservation Areas.

Places for Everyone (2024):

JP-S1 Sustainable Development

JP-H1 Scale, Distribution and Phasing of Housing

JP-H3 Type, Size and Design of Housing

JP-G8 Net Enhancement of Biodiversity and Geodiversity

JP-P1 Sustainable Places

JP-P2 Heritage.

Rochdale Core Strategy (2016):

SO1 Delivering Sustainable Development

DM1 General Development Requirements

C1 Delivering the Right Amount of Housing

C3 Delivering the Right Type of Housing

P2 Protecting and Enhancing Character

P3 Improving Design of New Development

G7 Increasing the Value of Biodiversity and Geodiversity

G9 Reducing the Impact of Pollution

T2 Improving Accessibility.

Saved Rochdale Unitary Development Plan (2006):

G/D/1 Defined Urban Area.

Supplementary Planning Documents:

Guidelines and Standards for Residential Development SPD (2016).

CONSULTATION RESPONSES

Note: The following responses have been summarised by the Case Officer.

Highways

No objections.

Conservation Officer

No objections. Supports the reuse of the building and raises no concerns regarding the impact upon the Conservation Area.

Environmental Health

Advises that the submitted noise assessment is limited and does not adequately assess the wider commercial environment or night-time economy. However, Environmental Health confirms that, should permission be granted, the mitigation measures identified within the submitted report together with post-completion validation testing could be secured through planning condition.

Greater Manchester Ecology Unit

Following review of the Preliminary Roost Assessment, GMEU advised that the building displayed moderate bat roost potential and that two nocturnal bat surveys should be undertaken prior to determination.

REPRESENTATIONS

The application was advertised via neighbour letters, a site notice and an advert in the local press. No letters of representation were received.

ANALYSIS

Principle of Development

The application site lies within Middleton Town Centre and the Defined Urban Area. The proposal would bring vacant upper floor accommodation back into productive use and provide three additional residential units within a highly sustainable location.

Policy C1 of the Core Strategy seeks to maximise the use of previously developed land and Places for Everyone seeks to focus housing growth in sustainable urban locations. The site is well served by public transport and is located within easy walking distance of shops, services and community facilities.

The proposal would make effective use of a vacant building, contribute towards the Borough's housing supply and support the vitality and viability of Middleton Town Centre. The principle of residential use is therefore acceptable having regard to Policies JP-S1, JP-H1, C1 and G/D/1 together with Policies S4, HO7, L2 and TC2 of the NPPF.

Heritage and Design

The site lies within the Middleton Town Centre Conservation Area and adjacent to the Grade II Listed Providence United Reform Church. Consequently, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

The proposals include relatively modest alterations to the building comprising replacement and infilled openings, removal of modern render, repairs to brickwork, demolition of the rear warehouse structure and associated improvements.

The application was amended during the course of its consideration. In particular, the complete removal of the rear warehouse structure and related revisions represent an improvement to the scheme and assist in decluttering the rear of the site.

The Conservation Officer raises no objections to the proposal and considers that the reuse of the vacant upper floors would represent a positive outcome for this part of the town centre.

Officers consider that the proposed external alterations would preserve the character and appearance of the Conservation Area and would not adversely affect the setting of the adjacent listed building. The proposal would therefore result in no harm to the significance of designated heritage assets and accord with Core Strategy Policies P2 and DM1, PfE Policy JP-P2 and Policies HE4, HE5, HE6 and HE9 of the NPPF.

Ecology and Biodiversity

The application is supported by a Preliminary Roost Assessment carried out by Collington Winter Environmental Ltd in June 2025. The survey identified multiple potential roost features, including damaged mortar, deteriorated fascia boards, slipped roof tiles and defects associated with the rear structure. Consequently, the building was assessed as offering moderate bat roost potential and further nocturnal surveys were recommended.

Following consultation, Greater Manchester Ecology Unit advised that the application should not be determined until the recommended surveys had been completed.

The applicant subsequently commissioned two dusk emergence surveys which were undertaken on 23 July 2026 and 26 August 2026 in accordance with recognised survey guidance. No bats were recorded emerging from, or re-entering, the building during either survey and the ecologist concludes that no further bat surveys are required.

Having regard to the submitted ecological evidence, officers are satisfied that the proposal would not adversely affect bats or their roosts and would not result in unacceptable impacts on protected species. The proposal therefore complies with Core Strategy Policy G7, PfE Policy JP-G8 and Policy N2 of the NPPF.

Residential Amenity

Policy DM1 of the Core Strategy requires development to protect the amenity of existing and future occupants.

The proposed flats would comfortably exceed the Nationally Described Space Standards and would benefit from acceptable levels of outlook and natural lighting. Communal amenity space is proposed to the rear together with cycle and refuse storage facilities.

During consideration of the application, concerns were identified regarding a proposed kitchen window facing the existing takeaway extraction flue. Revised plans were subsequently submitted which removed the affected window. Officers are therefore satisfied that unacceptable odour impacts would not arise.

The principal amenity issue relates to noise. The submitted Design, Access and Noise Statement identifies a series of mitigation measures including acoustic glazing, upgraded wall construction and appropriate ventilation systems. Whilst Environmental Health expressed reservations regarding the robustness of the submitted assessment, it advised that the proposed mitigation measures and subsequent validation testing could be secured through condition.

Subject to the imposition of an appropriate condition securing implementation and verification of the recommended noise mitigation measures, officers are satisfied that future occupiers would benefit from acceptable living conditions. The proposal therefore complies with Policies DM1 and G9 of the Core Strategy and Policy P3 of the NPPF.

With regard to privacy, whilst the proposal does not fully accord with separation distances contained within the SPD, the site is located within a dense town centre environment where close relationships between buildings are characteristic of the area. The proposal would not materially worsen existing conditions and is therefore considered acceptable.

Highways

The proposal provides no off-street parking. However, the site occupies a highly sustainable town centre location with excellent access to public transport and local services. Cycle storage is proposed within the rear yard area and the Highway Authority raises no objections.

The development would not result in severe highway impacts and accords with Policy T2 of the Core Strategy and the transport objectives of the NPPF.

Planning Balance

The proposal would bring vacant upper floor accommodation back into beneficial use, provide three additional dwellings within a highly sustainable town centre location, make effective use of previously developed land and contribute towards the vitality and viability of Middleton Town Centre.

The scheme would preserve the character and appearance of the Conservation Area, would not adversely affect the setting of nearby listed buildings, would provide acceptable living conditions subject to conditions and would not adversely affect protected species.

The proposal is therefore considered to accord with the Development Plan and there are no material considerations which indicate that planning permission should be withheld.

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:

- Dwg No. 817-01 Rev C Existing Survey
- Dwg No. 817-02 Rev C Existing Survey sheet 1/2
- Dwg No. 817-02a Existing Survey sheet 2/2
- Dwg No. 817-03 Rev D Proposed Floor Plans
- Dwg No. 817-04 Rev B Proposed Plans & Elevations
- Dwg No. 817-05 Rev C Proposed Site Plan
- Dwg No. 817-06 Rev C Existing Survey
- Dwg No. 817-07 Rev A Proposed Plans and Elevations
- Preliminary Bat Roost Assessment Report by Collington Winter Environmental Ltd dated 30/06/2025
- Dusk Emergence Surveys by Eps Ltd dated 10/09/2026
- Design, Access and Noise Statement

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 No works for the replacement or insertion of any windows shall take place until full product specifications for the windows at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed 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 P2, P3 and DM1 of the Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 The development hereby approved shall be carried out in line with the requirements of the submitted noise impact assessment ('Design, Access and Noise Statement') to achieve the following internal noise levels:

- 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;

- 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

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 Rochdale Core Strategy, JP-P1 of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 5 Prior to the first occupation of any of the flats hereby approved, the refuse storage facilities, including the timber gates shown on Drawing No. 817-07 Rev A and the bin storage arrangement shown on Drawing No. 817-05 Rev C, shall be fully installed and made available for use.

The refuse storage facilities and associated gates shall thereafter be retained in accordance with the approved details.

Reason: To ensure satisfactory refuse storage facilities are provided in the interests of visual amenity, the character and appearance of the Middleton Town Centre Conservation Area and the amenities of future occupiers in accordance with Policies DM1, P2 and P3 of the Rochdale Core Strategy, Policy JP-P2 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 6 Prior to first occupation of the development hereby approved, details of biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the provision of at least one integrated bat roost feature and at least one integrated bird nesting feature to be incorporated within the building hereby approved.

The approved measures shall be installed prior to first occupation of the development and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the Rochdale Core Strategy, Policy JP-G8 of the 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 All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement.