

Officer Report

Case Reference: PL/2026/0683
Location: 51 Tweedale Street, Rochdale, OL11 1HH
Proposal: Change of use from residential dwelling (Use Class C3) to hot food takeaway (Sui Generis) including erection of flue to the rear elevation and alterations to front elevation to form new shop front
Recommendation: Refuse
Officer: Rosalind Galton

Site, Surroundings and Background

The application relates to a two-storey end-terrace property on the southern side of Tweedale Street, in the Milkstone area approximately 750m southwest of Rochdale Town Centre and is 25m west of the boundary of the Milkstone Road local centre, as set out under saved UDP Policies G/S/1 and S/6. The site is located within the Defined Urban Area. The building fronts directly onto the highway and does not benefit from any dedicated off-street parking. The property does however benefit from a rear yard area, which is perpendicular to properties located behind on Mere Street and Castlemere Street. The adjoining property to the east includes a ground floor barbershop use, and to the non-adjoined side is a parcel of land, which benefits from Planning Permission ref. 24/00031/FUL for a row of 4 dwellings.

Proposal

The proposed development purely seeks the change of use of the existing residential dwellinghouse (Class C3) to a Hot Food Takeaway (Use Class Sui Generis). To facilitate the change of use, a new shopfront is proposed to the front elevation, and a flue to the rear elevation, is proposed. The shopfront is to be constructed from aluminium, with large areas of glazing covering much of the ground floor elevation. No dedicated off street parking or waiting area is proposed as part of the application. No details of waste management have been provided at this stage.

Relevant Planning Policy

Development Plan

The adopted development plan for Rochdale consists of the:

Greater Manchester Places for Everyone (PfE) Joint Development Plan Document (DPD) (March 2024);

Rochdale Core Strategy (CS) October 2016);

Saved Unitary Development Plan (UDP) Policies (June 2006); and

Relevant policies include:

Places for Everyone (PfE) 2024

Places for People

JP-P1 Sustainable Places

JP-S1 Sustainable Development

JP-P1 Sustainable Places

JP-P2 Heritage

JP-H3 Type, Size and Design of New Housing

Rochdale Core Strategy (CS) 2016

The Core Strategy sets out local strategic and development management policies for Rochdale Borough, and should be read alongside PfE.

Spatial Strategy

SD1 Delivering sustainable development

Creating successful and healthy communities (SO2)

C1 Delivering the right amount of housing in the right places

Improving design, image and quality of place (SO3)

P1 Improving image

P2 - Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

Promoting a greener environment (SO4)

G9 Reducing the impact of pollution, contamination and land instability

Improving accessibility and delivering sustainable transport (SO5)

T2 Improving accessibility

SD1 Delivering sustainable development

DM1 General development requirements

Rochdale Unitary Development Plan (UDP) 2006 Saved Policies

A majority of the relevant UDP's policies have been superseded by the CS and PfE, except for the following:

G/D/1 Defined Urban Area

G/S/1 Hierarchy and Role of Centres

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

Supplementary Planning Documents (SPD)

Supplementary Planning Document 'Shop Fronts and Security Shutters' Adopted September 2012, updated February 2017.

Guidelines and Standards for Hot Food Takeaway Uses Supplementary Planning Document, adopted April 2015, updated February 2017.

National Policies and Guidance

The National Planning Policy Framework (NPPF) (August 2026) and Planning Practice Guidance (NPPG) are relevant overarching material considerations.

The following NPPF policies are of primary relevance and are broadly aligned with adopted National Development Management Policies:

TR 1-8 (Promoting sustainable transport)

TC 1-4 (Ensuring the vitality of town centres)

DP 1-4 (Achieving well-designed places)

HC 1-8 (Promoting healthy communities)

Relevant Planning History

24/00087/FUL - Change of use of residential dwelling (Class C3) to Hot Food Takeaway (Sui Generis) including erection of a flue to rear elevation and alterations to shopfront - Refuse 22/05/2025

Reasons for refusal:

1. The application fails to demonstrate that the site is sequentially preferable and would seek to site a main town centre use outside of any designated centre. In the absence of any appropriate information to demonstrate otherwise, the proposals would be harmful to the vitality and viability of the Milkstone Road Local Centre. The proposal would therefore fall contrary to the requirements of Policy E1 of the Core Strategy and the National Planning Policy Framework.
2. The proposed Hot Food Takeaway would be inappropriate for this location as it would be within walking distance of St Johns RC Primary School. The proposals would therefore detract from health outcomes of young people and be contrary to the aims and requirements of the Guidelines and Standards for Hot Food Takeaways SPD, Policy C6 of the adopted

Rochdale Core Strategy, Policy JP-P6 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. The proposed shopfront would, by reason of its design and materiality, would comprise an incongruous and wholly unsympathetic addition which would fail to comply with the guidance provided within the 'Shop Fronts and Security Shutters' adopted September 2012, updated February 2017, and would give rise to an unacceptable impact on the character and appearance of the host building and on the surrounding street scene. Given the proximity of the site to the Castlemere Community Centre, which is regarded as a Non-Designated Heritage Asset, the proposals would give rise to less than substantial harm to the significance of this building through the development of an intrusive and inappropriate form of development within its setting. This harm is not justified, mitigated or outweighed by public benefit and therefore, the application is contrary to Policies P2 and P3 of Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan, as well as policies contained within the National Planning Policy Framework.

PL/2026/0129 - Proposed change of use of residential dwelling (Class C3) to hotfood (sui-generis) including erection of a flue to rear elevation and alterations to shop front –
Withdrawn 09/04/2026

Other Considerations

In determining this application, due regard has been had to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who do and do not share a protected characteristic. From the limited available evidence and the personal circumstances identified, this decision has the potential to affect persons with a protected characteristic for the purposes of the PSED.

The impact of the proposal upon noise and disturbance has been considered within paragraphs 7.24-7.27 of this report.

Publicity

Summary of Third Party Responses

Letters of notification were issued on the 12th August 2026.

One letter of objection was received, raising concerns regarding noise and disturbance caused to neighbouring properties along Mere St, which share the rear alleyway of Tweeddale Street, as well as highlighting the presence of anti-social behaviour in this location. It was emphasised within the objection letter the impact increased noise and disturbance would have on the health and wellbeing of occupants.

Councillor Aiza Rashid called the application in support of the proposal. The call in request did not comply with the Rochdale Council scheme of delegation and therefore a delegated decision was necessary.

Summary of Consultee Responses

Highways

Concerns raised regarding delivery drivers parking, however no objections

Environmental Health (Noise)

No response received. Comments from April 2026 application carried over: The submitted assessment was taken in April 2024. The Environmental Health officer noted there are residential dwellings in close proximity of the site and an updated noise impact assessment is required to capture current site conditions and potential impact of noise and odour on sensitive noise receptors.

Public Health

Objection- The proposals would site a hot food takeaway use in an area with some of the highest concentrations nationally, and where obesity and associated diseases are of serious concern.

Assessment

Principle of Development

The application site is within the Defined Urban Area under the Rochdale Unitary Development Plan. Policy G/D/1 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that new development should be located in the urban area, so as to support urban regeneration and to protect the countryside.

Chapter 8 of the NPPF aims to promote the long-term vitality and viability of town centres by prioritising them as locations for main town centre uses and allowing them to adapt to changing community and business needs, in a way which reflects their locally distinctive roles and opportunities. NPPF Policy TC3 enforces this by requiring the submission of a sequential test alongside any planning application.

Policy E1 seeks to provide a hierarchy of accessible district and local centres and shops that meets people's daily shopping needs through taking a sequential approach to the provision of commercial development, where relevant development should be located at sites within a designated centre, then those at the edge, or well connected to before considering out of centre development.

The application is supported by a Planning Statement dated May 2024. There is no assessment of existing vacant sites within the Milkstone Road Local Centre. Upon a site visit to the area, it is clear there are available units of a comparable size and use to that proposed which have not been assessed adequately in line with local and National Policy. As such, in the absence of an assessment to demonstrate otherwise, the application would fail the sequential assessment and the development would be harmful to the vitality and viability of the adjacent Milkstone Road Local Centre contrary to the policy requirements stated within E1 of the Core Strategy and Policy TC3 of the NPPF.

Furthermore, on 18th October 2023, Rochdale Council has declared a housing emergency and the sequential test fails to address the loss of housing stock as a result of the proposed hot food takeaway use. While this does not carry planning weight as such, this fact illustrates that the loss of a single dwellinghouse in a highly sustainable, edge of centre location, would be harmful to the supply of housing in the borough. It is acknowledged the loss of one house would hold very limited weight against the granting of planning permission.

Officer's review of street-view imagery along Tweedale Street and within the Milkstone Road Local Centre clearly demonstrates a number of vacant units of a similar size and that the vast majority of former residential terraces have the ground floor of the properties converted to commercial uses. It is evident this has spilled out of the local centre to the adjacent housing stock. While there is no policy protection from the loss of residential dwellinghouses in this location, there is no evidence before us to demonstrate why existing vacant commercial properties within the adjacent local centre are not suitable, nor why the proposal could not be located closer to the centre or within an alternative centre.

No reason has been provided as to why the existing property cannot be used as a dwellinghouse and no substantiated arguments are brought forward in this respect. It is not unreasonable given the current housing crisis that the property could be sold onto an alternative owner and brought into a functional residential use. This further compounds the view that a takeaway is not the only viable or suitable use of the property.

Public Health

Policy HC5 of the NPPF requires development proposals for hot food takeaways to be refused where they are within reasonable walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour. More generally, CS Policy C6 seeks to improve people's health and wellbeing and reduce health inequalities through a number of measures which include preventing over-concentrations of takeaway food premises where they may encourage unhealthy eating habits. The NPPF states that 'walking distance', for the purpose of assessing Policy HC5 should be set at 400m, which would be consistent with that set out within the adopted Hot Food Takeaway SPD. The proposal is within a 5 minute walk of St John's RC Primary School and 6 minutes of Beech House School. Beech House School is an independent school, and the location on the Manchester Road site is for Senior and Upper Preparatory Departments, which caters for pupils age 7 and above. St John's RC Primary is sited on the opposite side of the Milkstone Road Local Centre, and which may disincentivise journeys to the proposed Takeaway, where similar uses are more convenient, however the proposals would add to existing concentration of such uses and would not assist in improving health outcomes locally.

The Council's Public Health team have been consulted on the proposals, as research shows access to, and the food environment around a child can significantly influence their eating habits; including the increased availability of food which is high in fat, salt and sugar can exacerbate existing overweight and obesity. Data shows that in the Milkstone and Deeplish ward, 39.7% of Year 6 children (10-11 year olds) are overweight or obese, higher than the Rochdale average. Boroughwide, Rochdale Council also has the highest obesity rates of Reception age children (4-5 year olds) than any other Greater Manchester Borough. These are significantly higher than the national average for both age groups. These high percentages are significant as overweight and obesity increases the risk of health conditions including diabetes, cardiovascular disease and some cancers. What children eat is a huge influence on risk of preventable disease and illness in children. It is also important to consider the close proximity of the development to neighbouring wards such as Central Rochdale and Balderstone and Kirkholt, which also have high rates of overweight and obesity in children. Specific to Milkstone and Deeplish, there already an oversaturation of fast food outlets in this ward (49 total), with 29 of these outlets within a 400m walk of the proposed site. Rochdale has the 19th highest concentration of fast-food outlets per 100,000 population in England.

The NPPF is clear that such forms of development in such close proximity should be refused. This circumstance has not changed since the most recent decision in April 2025, and no justification has been provided by the applicant to show why the policy should not be applied in this case. In the absence of evidence that clearly discounts that health outcomes in both children and adults both locally and across the borough would not be worsened as a result of the development, the application is contrary to the requirements of The Guidelines and Standards for Hot Food Takeaway Uses Supplementary Planning Document, Policy C6 and DM1 of the adopted Rochdale Core Strategy, PolicyJP-P6 of the adopted Places for Everyone Joint Development Plan and the NPPF. Furthermore, the application would also place a fast-food outlet within walking distance of schools, contrary to the requirements of policy HC5 of the NPPF

Visual amenity

Rochdale CS Policy P3 requires all new developments to adhere to high standards of design, ensuring it enhances the borough's identity and sense of place, by respecting context where it is positive. The Council's 'Shopfronts and Security Shutters' SPD provides detailed guidance as to respecting building frontages and the streetscene. NPPF Policy DP3 states development proposals should respond to their context, including the history, character and features of the site and their setting, so they integrate well with and enhance their surroundings. The policy continues that development should be refused if they conflict with it is contrary to the aforementioned principle. The proposal would introduce an aluminium framed shopfront at ground floor level, with glazing to the front elevation at ground floor. The shopfront would be flush with the front elevation of the building. The submitted proposed elevation drawings show a basic aluminium shopfront. While the area does not benefit from any forms of protection, the existing building appears of reasonable architectural merit including the existing English Garden Wall brickwork, stone headers and cills and the original moulded archway to the door. The proposed shopfront would not retain or enhance these features or present the appearance of a traditional shopfront that may be more compatible with the character and appearance of the area.. The proposed shopfront instead proposes an aluminium framed design with vast areas of glazing and no articulation. The overall design would appear unresolved and highly discordant in context and would be harmful to the character and appearance of the application property as a result.

Further to this, regard has been had to HE7 of the NPPF as the Castlemere Community Centre which is sited opposite the application property is considered to comprise a NDHA by virtue of its architectural interest and historic interest through its use as a boarding school; as a consequence of its close proximity and harmful design, the proposed shopfront would have a negative impact on the significance of the NDHA. The application is not supported by a Heritage Statement. The submitted Planning Statement does not draw any reference to the adjacent NDHA or impact on heritage. In line with HE7 of the NPPF, it is not considered that the design is suitably justified, any harm mitigated or outweighed by public benefit and the proposals are therefore contrary to CS Policy P2, PFE Policy JP-P2 and the NPPF.

The only other physical changes to the building include the flue proposed is located adjacent the boundary with the parcel of land to the west. The flue is sited 1000mm above eaves level. While the flue is not a desirable feature in the streetscene, given the proximity to the local centre, it is not considered the flue is unacceptable in this setting. The flue would measure a width (diameter) of 300mm and would measure 4.6m in height. No details are provided of the materials of the flue; in the instance of approval further clarification would be required to assess the visual impact.

It is noted no details other than the location of the bin stores are provided within this submission. In the instance of an approval, a condition would be secured for elevations and details of bin stores to be provided to the LPA for approval prior to first operation.

Impact of noise, odour and disturbance on neighbouring properties

Policy DM1 of the Core Strategy requires that proposals do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Impacts including noise, air, dust, light and odour pollution are required to be mitigated where necessary which is consistent with NPPF Policy P3.

The application is supported by a Noise Impact Assessment, prepared in April 2024. The submitted report is identical from previously withdrawn application PL/2026/0129 where the Environmental Health Officer was consulted and provided comment, prior to the application being withdrawn. As there has been no response to this planning application; these comments have been carried over and remain unchanged. The Environmental Health Officer concluded 'due to the close proximity of residential properties, an updated noise and odour assessment is required taking account of current site conditions and potential impacts on sensitive receptors'. As such, there is insufficient information to conclude on the impact of Noise and Odour on the adjacent residential properties.

Notwithstanding the comments of the EHO and outstanding information required, the proposals would site a use which would experience activity well into the evening adjacent to residential uses, and the comings and goings and potential loitering from delivery drivers would nonetheless create a permanent and noticeable level of activity outside of the front window and door of the eastern-most unit approved under planning permission ref. 24/00031/FUL. Whilst Tweedale Street is well used by vehicular traffic and pedestrians, the character of the use of a takeaway as set out above would be noticeably different and would amount to an unacceptable level of disturbance, contrary to the requirements of CS Policy DM1, PfE Policy JP-P1 and the NPPF.

Highways and Sustainability of the Site's Location

Policy DM1 sets out the general development requirements and establishes that proposals should demonstrate they 'mitigate against any impacts due to noise, air, dust, light and odour pollution, traffic generation or inadequate access, where such mitigation is identified as being necessary' and 'provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location'.

In April 2015, the Council adopted a Hot Food Takeaway SPD and in particular, the document states Core Strategy Policy DM1 is relevant to takeaways in this instance, including DM1 'all development proposals ...will be expected to demonstrate that they ... Provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location'.

As part of the application the Council's highways officers were consulted. It was noted no dedicated parking was provided, however given the proximity of the site to the Local Centre, and existing Traffic Regulation Orders, in the form of 'No Waiting at Any Time' restrictions on Tweedale Street and at junctions of side roads in close proximity, as well as public car parks. Given the size of the unit proposed, Highway's Officers conclude it is considered the proposal would not result in significant impact on highway capacity.

No concerns are raised in relation to refuse collection or drainage. In the instance of an approval, a grease trap would be required by condition as per the Hot Food Takeaway SPD. As such, it is considered the proposal is in compliance with policies T2 and DM1 of the Rochdale CS, and the NPPF.

Other matters

Some neighbour representations queried impacts of anti-social behaviour. Greater Manchester Police are not a statutory consultee on this type of planning application and have not been consulted. It is not considered that the proposed use is of a scale or character such that it would result in any additional ASB impacts that should be controlled by planning legislation. If any issues were to occur then it would be the responsibility of other regimes to manage this matter.

PLANNING BALANCE AND CONCLUSIONS

Policy S4 of the Framework requires development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. The circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include the failure to comply with one of the national decision-making policies which state that development proposals should be refused. Harm has been identified to public health and clear policy conflicts arise as the proposed use is located within walking distance of three schools, as well as being outside of an identified local centre with no sufficient evidence provided to demonstrate that the site proposed is sequentially preferable. The Council's Environmental Health service have also identified shortcomings in the supplied Noise Impact Assessment that means there is insufficient information to demonstrate compliance with relevant planning policies. Finally, the development would not be well designed and would result in harm to the character and appearance of the host property and to the area more generally. The visual qualities of the development would further result in harm to the significance of Castlemere Community Centre, a non-designated heritage asset.

Policies HC5 and DP3 set out tests in which development should be refused which it is considered that the development proposals meet and thus the presumption in favour of development set out within Policy S4 falls away. Further harms have also been identified and there are no material circumstances which indicate that the decision should be taken otherwise than in accordance with the provisions of the Framework and the Development Plan. Accordingly, the application is to be refused.

Recommendation: Refuse

Refusal(s) (4)

- 1 The proposed Hot Food Takeaway would be inappropriate for this location as it would be within walking distance of St Johns RC Primary School and Beech

House School,. Furthermore the application is not supported by sufficient evidence that clearly discounts an adverse impact upon the health outcomes in both children and adults both locally and across the borough given that it would place an additional hot food takeaway use within an area identified as having one of the highest concentrations of such uses nationally, and where dire and declining health outcomes in children and adults that include preventable illnesses which can in part be attributed to poor dietary choices have been identified. The proposals would therefore be contrary to Policy HC4 of the National Planning Policy Framework, as well as the aims and requirements of the Guidelines and Standards for Hot Food Takeaways SPD, Policy C6 of the adopted Rochdale Core Strategy, and Policy JP-P6 of the Places for Everyone Joint Development Plan.

- 2 The proposed Hot Food Takeaway would represent a main town centre use as defined within Annex B of the NPPF (2026), that would sit outside of the boundary of any defined local centre. The application is not supported by sufficient evidence to demonstrate that the site is sequentially preferable and in the absence of such information an adverse impact upon the vitality and viability of the adjacent Milkstone Road Local Centre cannot be discounted. The proposals are therefore contrary to the aims and expectations of Policy TC3 of the National Planning Policy Framework, or Policy E1 of the Rochdale Core Strategy. Accordingly, insufficient information has been provided and the proposal is contrary to the above policies.
- 3 The proposed shopfront would, by reason of its design and materiality, would comprise an incongruous and wholly unsympathetic addition which would fail to comply with the guidance provided within the 'Shop Fronts and Security Shutters' adopted September 2012, updated February 2017, and would give rise to an unacceptable impact on the character and appearance of the host building and on the surrounding street scene. Given the proximity of the site to the Castlemere Community Centre, which is regarded as a Non-Designated Heritage Asset, the proposals would give rise to harm to the significance of this building through the development of an intrusive and inappropriate form of development within its setting. This harm is not justified, mitigated or outweighed by public benefit and therefore, the application is contrary to Policies P2 and P3 of Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan, as well as Policy HE7 of the National Planning Policy Framework.
- 4 Insufficient information has been provided to demonstrate that the proposed development will not harm the living conditions of neighbouring occupiers from increased noise, disturbance and odour. Accordingly, the proposal is contrary to Policy DM1 and G9 of the Rochdale Core Strategy, Policy JP-P1 of Places for Everyone and Policy P3 of the National Planning Policy Framework.
- 1 The proposal would not improve the economic, social and environmental conditions the area nor does it comply with the development plan and therefore does not comply sustainable development. There were no amendments to the scheme, or conditions

which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

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For the avoidance of doubt, this decision notice relates to the following plans and documents:

- Noise and Osour Assessment 2700-1 (2) received 29th July 2026
- 2089/1 - Existing floor plan, elevation & site plan received 29th July 2026
- 2089/2 - Proposed floor plan, elevations& site plan received 29th July 2026
- Planning statement received 29th July 2026
- Location Plan received 29th July 2026
- Technical Data received 29th July 2026