

Planning Statement

Unit 301

Cutgate Shopping Precinct

Edenfield Road

Rochdale

OL11 5AQ

Proposed Change of Use from a Bakery (Class E) to a Hot Food Takeaways (Sui Generis) including Erection of Flue to Rear.

June 2022



Norden **Quantity Surveying** and **Construction Services** LTD

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1.0 INTRODUCTION

- 1.1 This Planning Statement is submitted by Norden Quantity Surveying and Construction Services on behalf of the applicant who is in the process of managing the existing retail unit (301) at Cutgate Shopping Precinct off Edenfield Road in Rochdale. The property is currently empty and has previously been used as a Bakery (Sayers).
- 1.2 The property is positioned within a retail centre with approximately 13 other units.
- 1.4 In terms of retail, a key objective of national planning guidance is to deliver economic growth and prosperity through sustainable development. To achieve this in the borough it is important that we ensure sufficient land is available of the right type, quality and in the right places.
- 1.5 Further to the above, the NPPF states that Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation
- 1.6 The applicant would like to work with the Council in order to secure approval for the proposed use.

2.0 SITE AND SURROUNDINGS

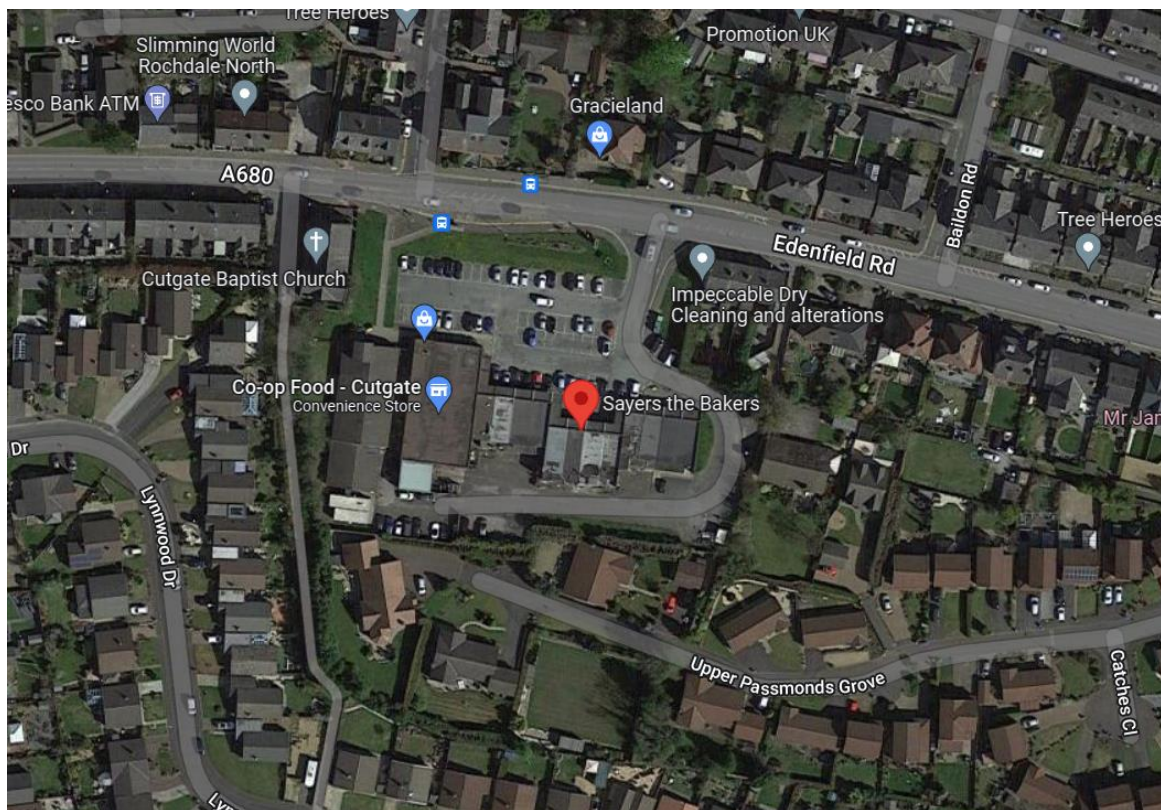
- 2.1 The application relates to a mid-terrace building within Curgate shopping Precinct fronting the car parking area. Access is taken off Edenfield Road to the north which is one of the main arteria routes into and out of Rochdale town centre. The property is small and flat roofed with vehicular access provided to the servicing area to the rear.
- 2.2 The terrace and larger units are occupied by a variety of shop/commercial properties which serve the nearby residential areas. Residential properties surround the precinct to all directions. The proposed building has flat roof canopy feature to the front, however the building itself has no architectural merit.
- 2.5 The property is finished in brick to the front with a large window and door shop front. The rear is also finished in brick. The site is located in a close-knit urban area.



Image above taken from UDP Proposals Map; Blue outline indicates shopping area. Site indicated by red in red circle.

3.0 PROPOSED DEVELOPMENT

- 3.1 The applicant is applying for planning permission to change the use of the of the property from a retail unit (E) to a hot food takeaway (Sui Generis). The takeaway would also require a flue to be erected from the kitchen area internally and extend above the eaves externally to disperse odour and smells, this would be to the rear.
- 3.2 Most of the building internally would be predominantly left as existing, as the layout of the bakery would suit the proposed takeaway function, and where partitions need to be created, these would be done with high quality materials.
- 3.3 The main access into the building would remain to be provided from the front. The shopfront would remain unchanged as approved. Internally both the will provide a staff toilet to the back of the building with food preparation areas and a counter. The units will also have seating areas for customers to eat at the premises. The property has a dedicated area to the rear which provides for bin storage for the property.
- 3.5 The property has dedicated parking to the front of the building as part of the wider retail precinct.



Above plan shows the mid terrace property with parking to the front as part of the wider precinct.



Above image shows the front of the retail unit amongst neighbouring units



Above image shows the rear of the retail unit, a new flue would be erected

4.0. INVOLVEMENT

- 4.1 No formal pre-application advice in this instance has been sought from the Council. Hopefully the scheme put forward is an acceptable proposal proving quality development in this area.
- 4.2 This planning Statement has been submitted as part of this planning proposal to provide a reasoned justification of the proposal using local and national planning policy and guidance.
- 4.3 The issues of Highways safety, amenity of the surrounding area, design and the principle of the development are taken into consideration in the assessment below.

5.0 HISTORY

5.1 A history check has been undertaken which has revealed no planning history.

6.0 RELEVANT PLANNING POLICY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 Rochdale's Core Strategy was adopted in July 2016 and is the key Development Plan Document. It replaces significant elements of the existing Unitary Development Plan as the document that sets out the long-term strategic policies for Rochdale's future development and will form the framework that planning applications will be assessed against.
- 6.3 The Core Strategy seeks to deliver sustainable development and growth in accordance with the objectives of the National Planning Policy Framework (NPPF). It aims to increase investment in the borough and to make it a more prosperous place by 2028. The Core Strategy will have a major role in guiding the regeneration of the borough, building on the investment that has already taken place in some areas and identifying where to focus on next.
- 6.4 It looks to build on the borough's assets, heritage and identity and on its connections and relationships with neighbouring towns. In particular, the borough needs.
- 6.5 The following Local Plan policies have relevance to the proposal:

DM1	GENERAL DEVELOPMENT REQUIREMENTS
P3	IMPROVING DESIGN OF NEW DEVELOPMENT
E1	ESTABLISHING THRIVING TOWN, DISTRICT AND LOCAL CENTRES
C3	DELIVERING THE RIGHT TYPE OF HOUSING
G9	REDUCING THE IMPACT OF POLLUTION
T2	IMPROVING ACCESSIBILITY

Saved Unitary Development Plan (UDP) Policies:

S/6	LOCAL CENTRES AND LINEAR COMMERCIAL AREAS
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SPD

GUIDELINES & STANDARDS FOR HOT FOOD TAKEAWAY USES SUPPLEMENTARY PLANNING DOCUMENT

NPPF (2021)

- 6.6 The NPPF clearly states 'that the purpose of the planning system is to contribute to the achievement of sustainable development' (paragraph 7). Paragraph 10 confirms that 'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development'. Paragraph 11 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that 'for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 130 of the NPPF, advises that Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 111 of the NPPF states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The general perspective of the NPPF is that planning should proactively drive growth and support sustainable economic development. It also states that planning should make effective use of land by reusing land that has been previously developed and sets out a presumption in favour of sustainable development. The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

In terms of retail uses the NPPF states at Paragraph 123;

“Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.

6.7 National Planning Practice Guidance (NPPG)

The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

7.0 ASSESSMENT

7.1 **Policy E1 of the Council Core Strategy is therefore relevant and which states ‘We will focus retail leisure, cultural, office, residential and other development to promote the viability and vitality of the boroughs town centres. To do this we will:**

- **Support meeting local shopping needs in existing local centres where there is an opportunity for appropriate development.**

The takeaway unit proposed would be located in the Cutgate Precinct Local Centre. The application site is Defined Urban Area as allocated under the Rochdale Unitary Development Plan. As such policy G/D/1 is relevant to any applications on the site and this establishes that development should be located in the urban area so as to support urban regeneration and protect the countryside.

7.2 The proposed change of use of the building would reuse a site which in this current climate is empty for business due to the effects of the pandemic, and the site would appear unsightly in this prominent location. The property is in need of investment to bring the building back to a suitable functional use and where it would not have a negative impact on the surrounding area.

7.3 The site is well located in relation to typical family housing accommodation where the proposed use would complement the existing make-up of the area by providing a choice of food retail in the area.

7.4 The effect on residential amenity by reason of noise or other nuisance would be minor given its location amongst other similar uses and by virtue of its location in the local centre. The development in this local centre location amongst other noise generating uses would be acceptable and not significantly impact on residential amenity.

7.5 It is also considered that the proposal would not have a detrimental effect on the safe and efficient operation of the existing transport and road infrastructure. Highways safety is further discussed in the relevant section below.

7.6 The Cutgate Precinct Local Centre is characterised by a number of smaller units with a small proportion of food and drink outlets. The types of uses within the centre, along with its proximity to high density residential areas, create a small but vibrant local centre with few vacant premises. It is considered that the introduction of one hot food takeaway unit in this location would add to the vibrancy of the Local Centre and would be an appropriate use at this site.

7.7 In respect of part of the above policies, the area is predominantly mixed-use retail and residential and therefore the hot food takeaway is considered as a complimentary use to the existing character of the area and is located in a sustainable area with good access and facilities and which makes efficient use of the land whilst delivering an appropriate use for the site.

7.8 The SPD talks about the ‘Appropriate concentrations of hot food takeaways and clustering’ where the proposal should not result in;

- i. More than 5% of the total ground floor units within a defined Primary Shopping Area being hot food takeaways; - **Not in Primary Shopping Area.**

ii. More than 10% of the total ground floor units within a defined Secondary or Central Shopping Area being hot food takeaways; **Not in defined Secondary or Central Shopping Area.**

iii. More than 20% of the total ground floor units within an area of a defined centre, outside the above areas, being hot food takeaways; **The proposal would not result in more than 20% of the units being takeaways, this would be the second takeaway se in the centre with 14 other units.**

iv. More than two hot food takeaways being located adjacent to each other; - **There would only be two hot food takeaways adjacent to each other.**

v. Any fewer than two non-A5 units between hot food takeaways – **The application would not result in this**

7.9 In light of the above it is considered that the principle of providing takeaways at the application site is acceptable.

7.10 **Policy DM1 of the Core Strategy sets out a number of basic planning considerations that apply to all development. Further to this, paragraph 17 of the NPPF, containing the ‘core planning principles’, advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.**

Policy G9 of the Core Strategy sets out that the Council will seek to reduce all forms of pollution by requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

7.11 It has already been established above that the principle of providing retail use at the site is considered acceptable. The area is established as mixed use, and the proposal would therefore be in keeping with existing land uses around the area. It is however important to ensure that the proposal would not impact unduly on matters such as noise and other pollution effects, as well as the impact of the development upon existing surrounding properties.

7.12 In relation to noise, it should be acknowledged that there would be some noise from neighbouring commercial land uses as well as from road noise from the busy Edenfield Road. Because of its previous use and location, the noise from neighbouring uses is not considered to have a significant impact on the amenity of future occupiers or from external noises.

7.13 In terms of noise from the takeaway proposed, give its location, neighbouring residents of surrounding properties would still enjoy peace and quiet during the evening and night where they can relax and sleep in a quiet environment with little disturbance. The front of the property would face the large car park and not residential dwellings directly.

7.14 In relation to the flue, this is a necessary element required by takeaway businesses. This element can appear unsightly and can have a negative impact in terms of its appearance on the character of the area. The flue has been purposely located to the back of the property so that it cannot be seen easily. There are other larger flues and paraphernalia to the back of the terrace relating to other businesses. The proposed flue would not appear out of character. The public benefits of the change of use and continued occupation of the site for the future would outweigh the small harm by reason of the flue and therefore should be supported.

- 7.15 There are residential properties located to the south of the site, however these are behind a 2-metre-high solid brick wall with tall trees rising above. Given existing flues and boundary treatment at the site, the proposed flue would not detrimentally impact on the amenity of the neighbouring properties to the south along Upper Passmowds Grove.
- 7.16 A bin storage area would be provided to the back of the site away from the main public vantage points similar to the existing situation. It is considered the proposed bin area would provide secure storage of bins for the proposed takeaway.
- 7.17 In light of the above, it is considered that the development would provide a good level of amenity to protect neighbouring residents from any excessive levels of overshadowing and/or loss of privacy and a good standard of living accommodation. The application is therefore acceptable in this respect and would meet with the expectations of Policies along with the relevant requirements of the National Planning Policy Framework.
- 7.18 **Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high-quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.**
- 7.19 **Paragraph 130 of the revised National Planning Policy Framework states that ‘decisions should ensure that developments will function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’. Policies P2 and P3 of the Core Strategy set out a requirement for good design, improved image and protection and enhancement of character, landscape and heritage.**
- 7.20 The property externally would retain almost all of its features, there would be minimal changes to its external appearance as part of this application except for the flue to the rear of the building. The flue would be positioned away from the highway where it would be less prominent. There are other larger flues and external paraphernalia to the back of the terrace relating to other businesses. The proposed flue would not appear out of character.
- 7.21 In light of the above, the proposal would result in no undue harm to visual amenity and would improve the overall character and appearance of the area and the street scene. The application would therefore accord in this regard with policies, the NPPF and SPD.
- 7.22 **Policy T2 of the adopted Core Strategy relates to accessibility and Policy DM1 requires all development to provide satisfactory vehicular access with adequate parking and manoeuvring arrangements provided.**
- 7.23 The proposed development would be quite intensive by comparison, also during the evening hours. The site is located in the local centre and therefore in a highly accessible location. Car parking is provided along the parking bays to the front of the property where users of the takeaway can park if required., including staff.
- 7.24 Given its location off a main road, with excellent bus links and parking available outside then site, this would be sufficient provision for a development of this size in a location as sustainable as this (in the local centre and on a major bus route); as such the car parking is sufficient.

- 7.25 It is not expected that this proposal would impact negatively upon the surrounding highway network.
- 7.26 Bin storage would be provided in the rear storage area where refuse would also be collected from.
- 7.27 Therefore, it is considered the proposed development can safely be provided without resulting in harm to pedestrian and highway safety. The proposed development as demonstrated would be in accordance with Policies T1 and T2 of the Councils Local Plan and the NPPF where the proposal would not have a severe cumulative impact to warrant refusal of the application.

8.0 CONCLUSION

- 8.1 It has been demonstrated that the proposed development can be carried out in full compliance with the Council's policies in the Local Plan and the National Planning Policy Framework. The development would provide good quality retail development that would provide a service to the local community and bring a positive contribution into the local area of Rochdale without creating a significant detrimental impact on the amenity of the local occupiers and residents by way of noise, odour, and opening hours and should be approved.

APPENDIX

Below photos show other retail units in the local centre.



