Planning Statement

Ann Street

Rochdale

OL11 1HP

Proposed Change of Use from Car Sales Pitch to Use of Land for the Siting of a Double Decker Bus as a Café and Removal of Existing Portakabin.

September 2020

Building Design Services (BDS)

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1.0 INTRODUCTION

1.1 This planning statement is submitted by Building Design Services on behalf of the applicant Mr Muhammed Amir who has recently acquired a Double Decker London Bus which is no longer in use. The idea behind the Bus is to convert it into a small café. The Bus would include a kitchen and seating whilst proving a different dining experience to local residents in the area.

1.2 In terms of retail, a key objective of national planning guidance is to deliver economic growth and prosperity through sustainable development. In order 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.

1.3 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.

1.4 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 site relates to a vacant piece of land located within the defined urban area but close to both Drake Street and Milkstone Road Local Centres as allocated by the Council's saved Unitary Development Plan Proposal Map. The land has previously been used a car sales pitch with a portacabin use as an office. The land is located in a mixed-use area with shops offices, storage, warehouses, residential properties and flats provided in close proximity. The land has recently been cleared to make way for this new and individual enterprise.

2.2 The immediate area consists of a couple outdoor football pitches to the east and west with commercial properties on the other side of Ann Street. Residential properties are at some distance from the site and are mainly at first floor level above shops on both Milkstone road and Drake Street.

2.3 The land is mainly flat located in a close-knit area and in close distance to Rochdale town centre. Parking is provided in close proximity to the site in Council car parks and on street.

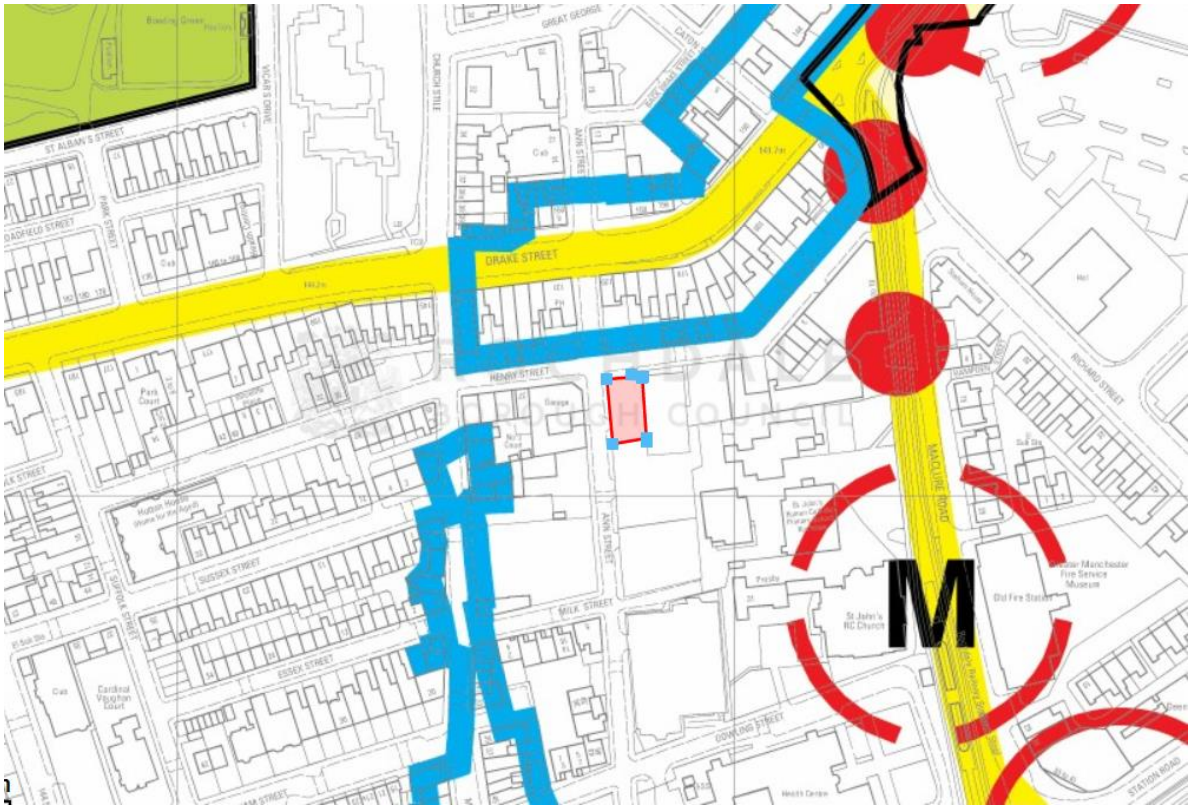

Image taken from UDP Proposals Map, blue line indicates the shopping areas of Drake Street and Milkstone Road, the site is outlined in red in close proximity to these centres.

3.0 PROPOSED DEVELOPMENT

3.1 The applicant is applying for planning permission to change the use of the land from a car sales pitch to the use of the land for the siting of a double decker bus and its function as a Café. The existing Portakabin at the site that was being used as an office for car sales would be removed. The café would be a small operation that would provide mainly sandwiches and some hot food to the local workforce at lunch times and after work. The concept is taken from a number of similar successful business ideas where an alternative experience is provided separate to that of traditional cafes as would be normally be seen.

3.2 The bus exterior would be left intact and it will be the interior that would be changed to reflect the use. The ground floor would provide the access as normal through the double bus doors, the ground floor would be used for the kitchen area with an existing window used for takeout's when required. The internal stairs would remain intact with seating for customers who wish to have the dining experience provided on the upper deck.

3.3 Access for vehicles into the site would be from Ann Street, this access already exists, a separate access is also provided from Henry street. The existing fencing would be removed to reinstate access. The site will also provide parking for at least 5 vehicles with turning areas provided inside the site.



Above photo shows the sales pitch with portacabin at the far end of the site. Previous access into the site is also visible from Ann Street



Above Photo shows the entrance from Henry Street. The area is mixed use with commercial uses surrounding the site.

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 for the site.

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
P2	PROTECTING AND ENHANCING CHARACTER, LANDSCAPE AND HERITAGE
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:

G/D/1	DEFINED URBAN AREA

NPPF (2019)

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 127 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 109 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 121;

"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 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.

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:

- Only consider out of centre development when there are no suitable sites in, or on the edge, or well connected to, the town centre, district centres or local centres and the proposal would cause no significant overall impact on the existing centres vitality and viability;

In considering proposals for main town centre uses we will:

- **f. Support the provision of small-scale shops and services to meet local needs outside centres, including in Employment Zones, where:**
  - **i. They are in a location that is not, or will not be, reasonably served by an existing or proposed centre or local shop;**
  - **ii. There are no suitable vacant shops nearby; and**
  - **iii. They will be accessible to local residents / workers on foot.**

7.2 The proposed change of use of the site would reuse a site which is currently empty, and the site is becoming to appear unsightly in this location, and in need of investment to bring the land 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 as well as apartments and flats 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 close proximity to two local centres and Rochdale Town Centre. A such uses such as this would be acceptable and not significantly impact on residential amenity in this particular area.

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 Milkstone Road and Drake Street Local Centres are characterised by a number of smaller units with a good proportion of food and drink outlets. The types of uses within the centre, along with its proximity to high density residential areas, create a vibrant local centre with few vacant premises. It is considered that the introduction of one additional cafe unit which is very niche in its concept and where there no vacant plots in there local centres would add to the vibrancy of these local centres and would be an appropriate use at this site. Also, the site will be accessible to local residents / workers on foot**.**

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

7.9 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.

7.10 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.

7.11 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 Milkstone Road and Drake Street. 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.

7.12 In terms of noise from the café use proposed, give its location away from residential properties and in very close proximity to the local centres, 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.

7.13 Bins would be provided to the back of the site away from the main public vantage points of Ann Street and Henry Street. It is considered the proposed bin store area would provide secure and separate storage of bins for the cafe.

7.14 In light of the above, it is considered that the development would provide good quality development, so as to protect future residents from any excessive levels of noise, nuisance or loss of privacy and retain 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.

7.15 **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.**

Paragraph 127 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.

7.16 The red double decker London bus externally would retain almost all of its features, there would be minimal changes to its external appearance. The bus will be positioned on existing industrial land with neighbouring properties also in industrial use. Given the minimal changes apart from the siting of a bus there would be no detrimental impact on the character of the surrounding area.

7.17 The planning department should consider the previous use of the site as a car sales pitch which had at least 10-15 cars parked on the site and would result in a greater impact on the monotony of vehicles at the site. The Bus would provide variance and character to this area.

7.18 Apart from the bus itself the land would provide outdoor parking space that is well located and accessible, safe and sufficient. I summer the space in front of the bus would provide customers to sit out and dine, this would be a much different and sought-after experience and much needed facility and convenience.

7.19 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.

7.20 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.

7.21 The current site has been vacant for a number of months; as such the proposed development would be quite intensive by comparison, also during the evening hours. The site is located within walking distance of the local centre and town centre of Rochdale and therefore in a highly accessible location. The plans submitted show at least 5 car parking spaces would be provided, also a number of car parking spaces can be found along the parking bays to the front of the site where users of the cafe can park if required.

Given its location close to a main road into the main town centre, with excellent bus links and parking available on side streets and in the vicinity, it would be sufficient provision for a development of this size in a location as sustainable as this (close to the main town centre and on a major bus route) to be justifiable.

7.22 It is not expected that this proposal would impact negatively upon the surrounding highway network.

7.23 Bin storage would be provided to the rear of the site and wheeled out on collection days; refuse could also be collected from there If required.

7.24 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 polices in the Local Plan and the National Planning Policy Framework. The development would provide good quality retail development which 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



Similar café use with outdoor removable seating



A further example of a London Bus Café.