

Officer Report

Case Reference: 25/01075/FUL
Location: Bird lth Hand 239 Bury And Rochdale Old Road, Heywood, OL10 4BQ
Proposal: Change of use from restaurant to a children's day nursery and education centre, including the creation of outdoor play areas and changes to the parking arrangements
Recommendation: Approve with Conditions
Officer: Aimee Bovaird

The site is located at Bird lth Hand, 238 Bury and Rochdale Old Road, this is two storey detached brick building, there is an associated car park.

The application seeks permission for the change of use from restaurant to a children's day nursery and education centre, including the creation of outdoor play areas and changes to the parking arrangements. No external alterations are proposed to the building. The children's play area is proposed at the rear of the building along with 15 proposed car parking spaces. Boundary treatments are also proposed at the front of the site.

RELEVANT PLANNING POLICY

National

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Regional

Places for Everyone Joint Development Plan (PfE)

JP-P1 Sustainable places

JP-H3 Type, Size and Design of New Housing

JP-H4 Density of New Housing

Sub regional

Adopted Rochdale Core Strategy (CS):

E1 Establishing thriving town, district and local centre

DM1 General development requirements

C1 Delivering the right type of housing in the right places

C3 Delivering the right type of housing

Unitary Development Plan (UDP)

RELEVANT SITE HISTORY

15/00158/FUL - Alterations to and refurbishment of existing pub including demolition of existing side and rear single storey extensions with erection of new part single storey and part two storey side extension and two storey rear extension to form new bar / restaurant. Approved

CONSULTATION RESPONSES

Highways

No objections subject to a condition ensuring the reinstatement of the footway fronting the premises.

REPRESENTATIONS

Letters of notification have been sent out to surrounding occupiers, one comment has been raised concerns with parking on the pavement in front of residential dwellings.

ANALYSIS

Principle of Development

The site falls within Green Belt Land Paragraph 142 of the National Planning Policy Framework states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence. As such, the principle for development lies in demonstrating compliance with national Green Belt policy.

Places for Everyone Policy JP-G9 provides the most up-to-date policy in respect of the green belt, and provides strategic aims for its use, and continued protection, however in determining applications for planning permission, it is the Framework which sets out the relevant test.

Paragraph 153 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 that continues in stating that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF establishes that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are however listed exceptions to this which are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; [officer's emphasis]
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are: i. mineral extraction; ii. engineering operations; iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location; iv. the re-use of buildings provided that the buildings are of permanent and substantial construction; v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposed development meets exception b) and is not considered inappropriate development within the Green Belt. Very Special Circumstances do not apply.

The NPPF sets out in paragraph 153 that substantial weight must be given to any harm to the Green Belt, including harm to its openness. The proposed development will not introduce new built form, the existing building is not changing. There is no new structures that will reduce the openness spatially or visually. There is already hardstanding, the introduction of carparking spaces will not change the character of the area. The openness will be preserved.

The proposed development will not conflict with any other purpose of the Green Belt as it is small in scale and will not erode the character of the area and maintain openness.

Design

When read collectively, the NPPF, policies P3 and DM1 of the Core Strategy, and policy JP-P1 of Places for Everyone seek to achieve development of high quality design, by respecting

context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

No external changes are proposed to the building, the proposed car parking spaces are mainly to the rear and side of the building, there will be a limited view from the highway. The sand and wet play areas will be to the rear of the building and not be seen at all from the highway. This will not have a negative impact on the immediate character of the area.

The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity

Policies JP-P1 and DM1 aim to ensure that development is compatible with surrounding land uses and has a neutral or positive impact on the amenities of future and existing residents, particularly in terms of noise.

The proposed change of use will have some level of disturbance during pick up and drop off times, this is not thought to lead to an unacceptable impact on amenity and is not much different than people arriving and leave the building when it was a restaurant.

Overall, the proposed development would be in accordance with National Planning Policy Framework, Policy JP-P1 of the Places for Everyone Joint Development Plan, Policy DM1 of Rochdale Council's Core Strategy, and the Council's Guideline and Standards for residential Development SPD.

Highways

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and, in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking.

As part of the application process the Council's Highway Officer has been consulted, through amends to the proposed layout of the parking spaces no objections have been raised. They have requested the previous footpath is reinstated, this is a safety measure. This may also deter parking on the pavement.

The proposal accords with the requirements of Policies T2 and DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Conclusion

In conclusion the proposed development will not result in harm to the Green Belt caused by inappropriateness, no harm to openness or the function of the Green Belt and no other harm has been identified. The development proposals comply with relevant planning policies.

Recommendation: Approve with Conditions

Condition(s) (3)

- 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 This permission relates to the following plans and documents :-

- Location Plan
- Proposed Site Plan 25-057-310 Rev B
- Proposed Floor Plan 25-057-311
- Proposed Elevations 25-057-302 Rev A

And the development shall be carried out in complete accordance with these drawings hereby approved.

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 and the National Planning Policy Framework.

- 3 The use hereby permitted shall not commence until the parking spaces and vehicle turning areas have been fully provided in accordance with the details shown on drawing no.25-057 310 Rev.B - Proposed Site Plan. The parking spaces and vehicle turning areas shall be made available for the use of the staff and customers of the day school only at all times thereafter.

Reason: In the interests of highway safety and to accord with policies T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-C8 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.

