

APPLICATION NUMBER: 23/01056/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01056/FUL	Aimee Bovaird	29 November 2023

Address: Southgate Industrial Estate, Unit 9 Green Lane Heywood Rochdale OL10 1ND

Proposal: Erection of one Industrial Unit with mezzanine floor and first floor access together with the erection of a new retaining wall including associated landscaping and parking spaces

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	Y	Contrary to national policy?	Y
	Applicant a Council Member or officer?	Y	Contrary to previous decision?	Y
	Major with 10 or more objections and recommending approval?	Y	Called in or Planning Panel objection?	Y

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: LA

DATE: 28.02.24

SITE

The site is located at Southgate Industrial Estate, Unit 9 Green Lane Heywood. The site contains an existing industrial building and four Ash trees. North of the site is an area of green space and residential properties. South of the site is industrial buildings and residential houses.

This is an area of within the Defined Urban Area and a Mixed Employment Zone. South of the site is Heywood Station Conservation Area.

PROPOSAL

The application proposes the erection of one industrial unit with mezzanine floor, first floor access together with the erection of a new retaining wall including associated landscaping and parking spaces

The proposed structure will have a dual pitch roof and be 7.8m in height, 6m in height to the eaves and 8.1m wide.

The materials will be metal cladding on the elevations and brickwork along the bottom of the proposed unit. Two roller shutter doors are proposed on the south elevation.

One bathroom is proposed and a mezzanine floor that will link with Unit 9.

Four Ash Trees are proposed to be removed, they are not protected.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

P1	Improving Image
P3	Improving Design of New Development
DM1	General Development Requirements
G8	Managing water and flood risk
G6	Enhancing Green Infrastructure
G9	Reducing the impact of pollution, contamination and land instability
E1	Establishing Thriving Town, District and Local Centres
T2	Improving Accessibility

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
EC/3	Mixed Employment Zone
NE/8	Development Affecting Trees, Woodlands and Hedgerows

RELEVANT SITE HISTORY

No relevant site history.

CONSULTATION RESPONSES

United Utilities

No objections

Highways And Engineering

The following comments were received,

'The application site is within an established industrial estate which would appear to have adequate internal access for the expected size of service vehicle.'

Parking provision as shown on the submitted plans would appear to meet Council standards for the size and type of development. We would ask that the parking spaces identified on those plans are retained for their intended use and must not be used for the storage of materials, goods or bins etc.

We would not expect that the development would have any impact on road safety or highway capacity on the wider highway network.

Highways would not raise any objection to this application subject to the requested planning condition.'

Conservation And Design

No objections

Tree Officer

The following comments were received,

'While I would not consider that the trees scheduled for removal meet a threshold for special protection, nevertheless compensation should be sought for the loss of at least one the trees, the higher quality Ash. The proposed site plan seems to show a small amount of space for new planting, but this would be insufficient to accommodate new large standard trees – there would not be sufficient space for future growth. I would therefore advise that planting is sought elsewhere on the site or nearby. Space within the industrial park is very limited, but there is an area of POS on the other side of Cross Street which could accommodate replacement planting.'

If this is not possible then new planting within the site should involve smaller trees or shrubs e.g. Birch. Ash should not be planted as a replacement because Ash die-back disease is endemic in the area. I'd advise conditioning the provision of a simple Landscape plan.'

I would not advise the installation of bat boxes on this site as described in the application. In this location bat boxes are unlikely to be used.'

Greater Manchester Ecology Unit

The following comments were received,

No removal of or works to any trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that

there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

It seems unlikely that the tree would be used by roosting bats but as a precaution I would advise that the following informative be attached to any permission:

Whilst the tree to be felled has been assessed as low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

REPRESENTATIONS

Letters of notification have been sent out to surrounding properties and a site notice was displayed in the vicinity.

ANALYSIS

Principle of Development.

The site comprises of light industrial uses and surrounding residential properties. The unit will be used in conjunction with the existing Unit 9.

The application is in an employment area and the development will be ancillary to the nature of the business therefore the principle of development is considered acceptable.

Visual Amenity

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, 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.

In addition, paragraphs 131 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Finally, paragraph 139 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The development proposed metal cladding with brickwork along the bottom of the development. This is typical of a modern day industrial unit and will not have a negative effect on the character of the area. The structure will not be a prominent feature within the street scene as it is located behind Unit 9.

The proposed colour has not been specified, the proposed colour of the metal cladding should match the existing colour of Unit 9. This can be addressed via condition.

The application would therefore have an acceptable impact on the character and appearance of the surrounding street scene and would accord with policies DM1 and P3 of the Core Strategy and policy in the NPPF.

Residential Amenity

Paragraph 191 of the NPPF also states that Planning policies and decisions should ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Paragraph 135 states 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

The site is an existing industrial park. Any surrounding residential dwellings are considered an acceptable distance from the development and will not be affected.

Trees

Policy G6 of Rochdale's Core Strategy aims to enhance green infrastructure and support tree planting. Trees that are to be removed should be replaced at a ratio of 2:1. Rochdale's Unitary Development Plan sets out new developments should not have a negative effect on trees.

The Council's Tree Officer has been consulted on the application and has not raised an objection, however they have advised planting be sought to compensate the loss of the higher quality Ash tree. This should be sought elsewhere on the site or nearby. If the application is to be approved a condition should be attached to ensure a landscaping plan is submitted.

Greater Manchester Ecology Unit have been consulted and raised no objections, they have advised a planning condition be attached to ensure no wildlife is harmed in the removal of trees, in addition to an informative.

Highways

With any application for new development it is important to assess the impact on highway safety and under policy T2 of the adopted Core Strategy it is established that 'In all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through'. Whilst Paragraph 115 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 Council's Highways Department have been consulted on the application and raised no objections – they note that parking provision as shown on the submitted plans (3 spaces) would appear to meet Council standards for the size and type of development. They request a condition that secures the parking spaces identified on those plans are retained for their intended use and must not be used for the storage of materials, goods or bins etc. Subject to conditions the development would accord

with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Flooding and Drainage

Policy G8 requires that new development does not lead to any form of increased flooding or impeded natural water and flood risk management. In this regard it is important that development includes drainage that is appropriate for the site and that utilised sustainable urban drainage solutions where ever possible.

United Utilities have been consulted and raised no objections.

RECOMMENDATION

GRANT subject to conditions,

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:-

Proposed Site Plan 02
Proposed Elevations and Floor Plans 03

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

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. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of any tree loss and replacement planting to compensate, in addition to the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

4. The car parking spaces shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose and not for the storage of goods or bins.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The materials used in the construction of the exterior of the development hereby permitted shall match the colour, form and texture used in the exterior of Unit 9.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. No removal of or works to any trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure the protection of wildlife and comply with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Informative

Whilst the tree to be felled has been assessed as low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Report Author Aimee Bovaird