DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01344/FUL	Mubeen Patel	10 February 2021

Address: Land On South East Side Of Great George Street Rochdale OL16 1QL

Proposal: Removal of existing cabin & container and erection of two commercial units to be used as a repair garage/MOT testing station (Sui Generis) and a self-storage unit including associated car parking - Resubmission of 19/01302/FUL

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

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

COMMENTS	**Planning Panel comments received?**	N/a
	Neighbour comments received?	N

EIA	**Screening opinion completed and saved to Onbase?**	N/a

CONDITIONS	**Pre-commencement conditions proposed?**	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: EH **DATE: 8 March 2021**

SITE

The application site is located on the eastern side of Great George Street and is mainly

flat, has a vehicular access and separate exit point along the Great George Street frontage. Parking bays are provided over most of the site with a hand car wash located to the far northern corner. To serve the car wash a canopy and two metal containers have been positioned to provide a valet area and office space. The site is bound by 2m high palisade fencing along the Great George Street and School Lane frontages, whilst a 3m (approx) high solid timer fence is located on the eastern boundary.

The site is located in an area which is both commercial and residential in nature. To the south of the site is the Grade II Listed Congregational Church, whilst the Rochdale Observer building (Building of Local Interest) is located to the north across School Street. The site is also located within the Town Centre Conservation Area. Located to the east of the site are storey residential dwellings whilst to the west are large commercial buildings.

PROPOSAL

The application proposes to remove the existing car wash at the site and erect two commercial units on the site. Unit A as shown on the plan would be used as an MOT Testing Station for class 4 and 7 vehicles, whilst units B and C would be let out for general storage use.

Unit A would be accessed via an existing entrance/access that would lead directly into the building, whilst a new access would be created between the two proposed units that would lead to a small parking area for five vehicles. The second existing access would provide the entrance to storage unit and to four car parking spaces.

The proposed design of the new buildings within the site are one and half and single storey brick constructed with slate roofs. The brick includes attractive detailing such as soldier courses, pilasters and blind window panels in recessed positions to give the elevations more dimension and interest.

The MOT building would measure 20m x 13m, and would be 5.2m to eaves level and 7.4m in height to the ridge of the roof.

The storage building would measure 26m x 10m and would be 3m to eaves level and 5m in height to the ridge of the roof.

AMENDMENTS

Amended plans have been received which show a lower height of the storage building after concerns were raised in relation to its impact on the residential properties to the rear of the site.

RELEVANT PLANNING POLICY

National Guidance

Planning Listed Building and Conservation Areas Act 1990 (As Amended)

Section 66 of the Act states that the Local Planning Authority “shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the Act states that in respect of conservation areas "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS) 2016:

The Rochdale Core Strategy was adopted on 19th October 2016. The following policies are relevant:

P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving Design of New Development
DM1	General Development Requirements
G9	Reducing the impact of pollution
G11	Managing waste
T2	Improving Accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

11/D54740 - Change Of Use From Car Park To Car Wash Including Installation Of Screens To Jet Wash Area, Siting Of Storage Cabin And Formation Of New Vehicle Access From Great George Street – Approved.

19/01302/FUL - Proposed change of use from car park (sui generis) to class 4 and class 7 mot testing station and car repair garage (sui generis) – Withdrawn.

CONSULTATION RESPONSES

Highways and Engineering

We have no objections to this proposal.

I do not envisage this proposal generating any problematic volume of traffic. This site is of adequate size to accommodate the volume of vehicles they would expect during a typical day.

I have no concerns regarding Road Safety at this location. The applicant has proposed changes to the sites access. Whilst I have no objections to this proposed access it must be constructed under a S278 Agreement to ensure the construction is completed to an appropriate standard.

We have no objections to this proposal.

Env Health - Noise/Odours

No objection in principle, given close proximity to existing residential recommend restricting hours to 08:00-18:00 Monday to Friday 09;00-14:00 Saturday and closed on Sundays and bank holidays

Environmental Control (Landfill Gas)

Preliminary Risk Assessment

Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority

Conservation and Design

To conclude, subject to the removal of the totem sign from the scheme and agreement to change the window frame materials this proposal will be supported for approval. At such a time it would be appropriate to include the following pre-commencement conditions:

- Windows – detailed specifications (including elevation and cross sectional drawings) to be provided and agreed
- Doors – detailed specifications (including elevation and cross sectional drawings) to be provided and agreed
- External wall brick – detailed product specifications and samples to be provided and agreed
- Roofing slate – detailed product specifications and samples to be provided and agreed
- Eaves, fascias and soffits – detailed product specifications and samples to be provided and agreed
- Signage – full detailed specifications for building signage

The proposal will likely have a neutral impact on the designated and non-designated heritage assets.

United Utilities

Summary - No objection subject to a condition in relation to a scheme for the sustainable discharge of surface water and foul sewage from the site

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice posted, no observations have been received.

ANALYSIS

Principle of development

The site lies within a mixed use area adjacent to but outside of Rochdale Town Centre. Policy E2 of the adopted Core Strategy states that 'We will ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation and retention of successful businesses and increase the number and quality of jobs to create a more prosperous lower carbon economy.

The proposed erection of two commercial units to be used as a repair garage/MOT testing station and a self-storage unit are not considered as a main town centre uses but are Sui Generis, and therefore in this instance a sequential and retail impact test would not be required. Furthermore, the proposed site is not protected by any policy designation.

The proposed uses would provide an MOT Station and separate storage/distribution unit which would provide jobs for local residents. The surrounding area is of mixed use with similar storage MOT businesses in the vicinity. As a result it is considered that the change of use of the site would support the creation of businesses and increase the number of jobs in the area.

Overall, the proposal is considered acceptable in accordance with Policy E2 of the Core Strategy and the NPPF. However, further material considerations, as outlined below, must be taken into account, including the impact of the scheme on the living conditions of neighbouring occupiers and the impact on the surrounding highway network and visual amenity.

Living conditions

Policy DM1 of the adopted Core Strategy states that all development proposals should be compatible with surrounding land uses and should not adversely affect the amenity of residents, in addition to requiring a number of other basic planning considerations.

Policy G9 of the Core Strategy requires that final development does not lead to an increase in noise pollution.

The nearest residential dwellings are located on Back Drake Street to the east and Moore Street to the south, these properties are semi-detached and two stories in height and have their rear elevations facing the proposed site. It is considered that the proposed uses would give rise to some impact on nearby residential occupiers in terms of noise from the comings and goings of staff, the sound from the distribution vehicles and from customers in the morning and when closing and from the fixing of cars.

However, consideration is given to the existing use of the site as a car wash facility which itself creates noise, from the use of sprays guns to employees talking and shouting. It should be noted that the nature of the surrounding area is to a large degree

industrial. As such the proposed uses are not considered to cause significant harm to the living conditions of nearby residents by reason of noise pollution and general nuisance in this location.

In addition, the frontages of the proposed buildings face Great George Street which is made up of industrial uses. No objections have been raised by the Public Protection officer, however it is considered that a suitably worded condition to restrict the hours of operation to 08:00-18:00 Monday to Friday, 09; 00-14:00 Saturday and closed on Sundays and bank holidays would mitigate any material harm during evening and night time hours where residents would expect to relax and sleep.

In terms of the amenity of neighbouring residential occupiers, the MOT Station would be positioned to the northern end of the site adjacent to an existing industrial unit (Digital Printing) on back of Drake Street and surrounded by mainly commercial buildings, as such the positioning of unit A is not considered to significantly harm the amenity of any neighbouring occupiers in terms of its height, size or overbearing impact.

The proposed storage unit would be lower in height than the MOT unit, this building would be positioned directly to the rear of the properties along Back Drake Street, at a distance of approximately 6m. It should be noted that there is a 3m high fence (approx.) positioned along this boundary. The amended plans submitted show the proposed unit would be similar in height of the fence up to eaves level and where the roof has been designed to taper away from the first floor windows of these neighbouring dwellings. Although there would be elements of gable roof that would be viewed from the rear windows of these properties, given the height of the exiting fence, design of the roof and the make-up of this inner urban area which consists of tight knit relationships between buildings, the proposed storage building is not considered to result in detrimental impact to these neighbouring occupiers by reason of its height, overlooking, overbearing impact or loss of light.

In light of the above, it is considered that the development would retain adequate living accommodation for neighbouring occupants and would not harm their amenity subject to the adherence of conditions. The application is therefore acceptable in this respect and would meet with the expectations of Policies DM1 and G9 of the Rochdale Core Strategy, along with the relevant requirements of the National Planning Policy Framework.

Visual amenity and Impact on Heritage Assets

Policy P2 of the adopted Core Strategy states that the Council will protect the Borough's heritage by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings. Saved UDP Policy BE/17 only permits development that preserves or enhances the character and appearance of the conservation area.

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities to pay special regard to the desirability of preserving the setting of a listed building. A similar requirement for the preservation and enhancement of character of a conservation area is found in Section 72 of the Act.

Paragraph 190 of the NPPF states that LPAs 'should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF at Paragraph 192 advises that when determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

The proposed development site is located within the Rochdale Town Centre Conservation Area along with it being in the setting of the Congregational Church (Grade II listed building) along Moore Street and the Rochdale Observer Printworks which is a building of Local Interest. At present it is considered that the site does not make a positive contribution to the conservation area due to the use of palisade fencing along the whole of its frontage and siting of a metal shipping container and a portacabin as offices. As such, there is therefore scope for improvement within the conservation area.

The neighbouring buildings use a variety of materials including red brick and stone for the walls with slate pitched roofs and mansard style roofs. It should be noted that the prevalent material is red brick and slate for the roofs. The proposed buildings in terms of their height and layout have used the full length of the site as well as trying to compliment the heights of existing buildings.

The brick includes attractive detailing such as soldier courses, pilasters and blind window panels in recessed positions to give the elevations more dimension and interest. The materials palette and building detailing have taken influence from the surrounding buildings, and the design of the buildings are considered to have a neutral impact on the mentioned designated and non-designated heritage assets, and are therefore acceptable. A condition would be attached to any approval for exact details of materials including eaves, fascia's and soffits are submitted and approved by the Council to ensure a quality finish to the buildings.

However, the information submitted shows that upvc windows frames would be used., Ideally, to ensure that the development does result in a neutral impact alternative materials would be used instead for both doors and windows, for example either timber

or aluminium to complement the character of the conservation area, or a simpler detailed PVC window of a muted colour.

A condition would also be added to ensure that the roller shutter doors are mounted on the internal of the building and finished in a matte recessive colour to avoid becoming dominant features.

The plans submitted also show small trees would be planted along the edges of the site which would soften the appearance of the building and is a welcome addition. A condition would be attached for a landscaping plan to be submitted which provides further details of planting size, species and numbers/densities.

Given the above, the proposal would make good use of a site within the conservation area close to the town centre and use good design and material for its exterior; the buildings would be positioned amongst heritage assets and this proposal would not harm the setting of the listed building and the character of the conservation area.

It is therefore considered that the proposal would have a neutral impact on the designated and non-designated heritage assets. The sympathetic design and the use of high quality materials would secure a viable use for the site going forward. The application therefore accords in this regard with policies DM1, P2 and P3 of the adopted Core Strategy and the NPPF.

Highway Safety

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 132 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 proposed development would provide 9 dedicated parking spaces. The positioning of the site is in a highly sustainable location adjacent to the town centre. Designated hatched parking is provided on surrounding streets such as Great George Street, School Lane and Moore Street. It is not considered that the MOT station would generate a great volume of traffic. MOTs are normally undertaken on an appointment basis so it is unlikely that parking would spill on the highway and monopolise on street parking places. In terms of the storage use, this is not considered an intensive use and would be used on an ad hoc basis.

The Councils highways officer has been consulted and commented that he does not envisage the proposal generating any problematic volume of traffic, he goes on to state that the site is of adequate size to accommodate the volume of vehicles they would expect during a typical day and has no concerns regarding road safety at this location.

An informative is added advising the applicant to contact the highways service to agree a suitable construction of the new access from the highway.

Therefore, given the sustainable location, the site is in a highly accessible location with considerable parking provided within the vicinity of the site. The highways officer has been consulted and does not raise objections. The application is as such acceptable

and would accord with policies T1 and DM1 of the Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan
- Site Survey Plan – 13 A1
- Self Storage Unit Front & Rear Elevations 10C
- Self Storage Unit Side Elevations 11C
- Street Elevation & Site Plan 12C
- Self Storage Units Roof Plan 09 A2
- Self Storage Units G Floor Plan 08 A2
- MOT Garage Ground Floor Plan 02 A2
- Proposed Side Elevations MoT Garage 05 A2
- Elevations - MoT Garage – 04 A2
- MOT Garage Roof Plan AR 07

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

3 Notwithstanding any description of materials in the application no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt natural slate shall be used for the roof coverings rather than roofing tile. The development shall be carried out in accordance with the approved details prior to the occupation of each dwelling.

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 requirements of the National Planning Policy Framework.

4 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of all windows and doors and shutter doors (including their materials, finishes, recesses and opening profile) have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the duly approved details before the dwellings hereby approved are first occupied and the approved detached garage is first brought into use. They shall thereafter be retained as such at all times.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity in

accordance with the requirements of Policies SO3, P3 and DM1 of the adopted Rochdale Core Strategy and Sections 12 and 15 of the National Planning Policy Framework.

5 No development shall take place until a foul and surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions and inclusive of how the scheme shall be managed after completion, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, foul and surface waters shall be drained on separate systems and the surface water drainage scheme shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance Core Strategy policy G8, saved UDP policies EM7 and EM/8 and the NPPF.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

6 No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.

Reason: In the interests of amenity and in compliance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 The MOT premises and storage units shall only be open for trade or business or to deliver or collect materials between the hours of 08:00-18:00 Monday to Friday, 09:00-14:00 Saturdays, and closed on Sundays and bank holidays.

Reason: In the interests of amenity and in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8 No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 09:00 hours and 14:00 hours on Saturdays.

Reason: In order to safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours in accordance with the requirements of Policy G9 of the adopted Core Strategy and the National Planning Policy Framework.

9 No development shall take place until a site investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The

assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:
i) a survey of the extent, scale and nature of contamination
ii) an assessment of the potential risks to:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o archaeological sites and ancient monuments;
iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to inform a remediation strategy for the site.

If the risk assessment includes a remediation strategy for the site, no dwelling shall be occupied until a verification report for that plot has been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: This condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

10 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of the siting, design and materials to be used in the construction of walls or fences for boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be erected before any one of the buildings is first occupied.

Reason: In the interests of amenity and biodiversity and in compliance with Policies P3, G7 and DM1 of the adopted Rochdale Core Strategy of the Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

11 Notwithstanding any details contained within the approved plans or in the application form, no above ground construction works shall take place until details and specifications of the eaves, fascia's and soffits are submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and methods of attachment. The development shall be carried out in accordance with the approved details.

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 requirements of the National Planning Policy Framework.

12 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:

(a) 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 in accordance with Core Strategy policy P3 and G7 and the National Planning Policy Framework.

Procedure Statement

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.

Notes for Applicant:

1) This planning application does not give consent to display advertisement at the site. A separate application for advertisement consent would need to be submitted and approved by the Council to display adverts.

2) The applicant is advised to enter into a legal agreement with the Council as Highway Authority (section 278 agreement) to make sure the proposed new access construction is completed to an appropriate standard.