

APPLICATION NUMBER: 22/00988/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/00988/FUL	Jake Powell	14/11/2022

Address: Land Off Britannia Street, Heywood

Proposal: Erection of 4 no. commercial units (Use Class B2) with office space at first floor level

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

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	Y
	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
	Neighbour comments received?	Y

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: AT

DATE: 23.11.2022

SITE

The application relates to a vacant parcel of land that sits to the west of Britannia Street, Heywood. From viewing historic aerial photographs and maps it doesn't appear that the site has previously been developed, apart from an area of hardstanding and minor alterations for storage of skips etc.

The area is in mixed use including veterinary clinic and printing shop on Bridge Street, as well as a car parts and vehicle repair garage located on George Street. Some residential properties are in the vicinity of the site.

PROPOSAL

The application proposes the erection of four industrial/commercial units on site. Access to the site would be off Britannia Street.

The proposed structure would measure approximately 25.5 metres in width, and approximately 9.6 metres in depth. The proposed structure would have a dual pitched roof and would measure approximately 6.3 metres in height to the ridge, and approximately 5.3 metres in height to the eaves.

The structure would be divided into 4 equal units, each with an open storage area and wash cabinet on the ground floor, and with an office and another wash cabinet on the first floor.

The remainder of the site will be hardstanding and five vehicular parking spaces will be provided as well as a bin store.

A 2.45 metre high palisade fencing will be installed around the perimeter of the site.

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
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
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RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATION RESPONSES

Lead Local Flood Authority

Concerns raised regarding paving and runoff.

Highways

There are a number of highway issues arising from this application.

Both Britannia Street and Leigh Street which are the main access points into the proposed development are unadopted highways with junctions onto George Street and Bridge Street which is the A58. These streets are poorly surfaced with no segregated footways and the bottom end of Britannia Street suffers from on street parking. The layout of these streets means that there are no turning facilities for larger vehicles and with the restricted width vehicles may have to reverse in or out of the proposed site out onto the adopted highway which is contrary to road safety.

The proposed B2 use would generate HGV movements into the site for deliveries or collection of goods and we would require adequate access and turning facilities which are able to accommodate vehicles at least the size of a standard refuse collection vehicle. It would appear that the developments internal arrangements as shown on the submitted plans cannot even accommodate the turning movements of an ordinary sized goods vehicle or larger van.

Parking provision for the size of the development is slightly below this Councils required standards which may restrict the available space in or outside the site further restricting the limited turning and access facilities.

At this stage we cannot support this application because of the substandard access and lack of adequate turning facilities for the vehicles expected to service the proposed development. In addition the lack of adequate turning facilities will have a detrimental impact on road safety on the surrounding highway network.

Environmental Health

Request preliminary risk assessment.

United Utilities

Requests further information is submitted regarding foul and surface water runoff.

Greater Manchester Fire and Rescue Service

Standard response. Strongly recommends inclusion of a sprinkler system in the proposed development.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and two objections were received. The concerns raised have been summarised below:

- ☐ Implications on highway safety and congestion on existing businesses within the area
- ☐ Insufficient parking
- ☐ Lack of space to facilitate the units.
- ☐ How will larger vehicles access the site?
- ☐ Inaccurate information included within supporting information
- ☐ Unsightly appearance of the proposed development
- ☐ Noise from the site
- ☐ Impact on privacy

The points raised in the representations received are material planning concerns which will be discussed in the analysis of this recommendation.

ANALYSIS

Principle of Development

The application site is located within the Defined Urban Area. It is unclear what the previous use of the land. The land is currently bordered by temporary construction fencing and consists of an area of hardstanding for the storage of skips etc.

A number of commercial and light industrial premises exist within the surrounding area, including a vehicle repair garage located at the neighbouring site Britannia Mill Industrial Estate. The immediate surrounding area is a mixed area, comprising of commercial, industrial and residential uses.

The application has been supported by a Design and Access statement which states that the units on site will be within the B2 Use Class, for light industry.

No indication has been given for the proposed uses of the units. However, given that the application site is located within a mixed use area which includes similar uses and the site is located within the Defined Urban Area, the use is considered to be acceptable in principle. Nonetheless, full consideration should be given to other material issues discussed below.

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 126 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 130 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 134 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 application proposes one steel clad building on site that would be typical in design and appearance of modern day industrial units. In respect of the design of the building and its impact on street scene, the development is considered acceptable in the context of the site. The site is not located within a prominent position set behind Bridge Street, and largely secluded from the public realm.

The application also details the proposed materials for the buildings. The structure would be completed in a smooth red facing brick and blue composite roof and wall cladding. An exact RAL colour has not been given however this detail could be provided via a condition at a later date. The proposed external appearance appears to mimic the design of neighbouring structures located at the Britannia Mill Industrial Estate.

No landscaping has been included to soften the appearance of the proposal, and whilst the proposed structure is considered acceptable within the context of the use of the site, the structure when viewed from the Britannia Street would appear stark. Nevertheless Officers do not consider this point to warrant refusal alone.

Other features proposed as part of the development are also considered to be acceptable in respect of visual amenity. The layout and amount of hardstanding for access, parking and turning is considered appropriate for the proposed use. Furthermore, the proposed 2.4 metre fencing around the site is considered acceptable in principle, however further details of this would be required by condition should permission be granted.

The site is currently surrounded by builders fencing and used to store skips, which is of no benefit to the appearance of the site and the surrounding area. Whilst it is not ideal that the proposal would not include any landscaping to soften the site, the proposed development would be an improvement on the current appearance.

As such, 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 185 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 130 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'.

Policies DM1 and G9 of the adopted Rochdale Core Strategy seek to ensure that new development is compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users, also requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

Although the application is located within an area of mixed use there are residential properties within the vicinity, with the application site sharing a boundary with a residential property at 102 Bridge Street.

It is noted that development of a light industrial building may have other residential amenity implications and if sited too close a building could appear oppressive and harm the existing living environment. However the proposed structure would be sited approximately 30 metres away from the closest residential property at No. 102 Bridge Street. This is considered to be a sufficient distance to ensure that the proposed development would not result in a loss of amenity to the occupiers of the closest neighbouring property.

The application form provided indicates that the site will be in use between the hours of 08:00 and 18:00 Monday to Saturday. Officers consider this to be appropriate hours of use which can be secured via a condition.

A Noise Impact Assessment has been submitted with the application. The assessment predicts the likely noise emissions from vehicle movements to and from

the site and determines a Low Impact. The Council's Environmental Protection team were consulted on the application, however provided no comments. Nevertheless Officers are satisfied that the proposed development would not result in an unacceptable level of harm to the amenity of neighbouring occupiers by reason of the creation of noise.

Further to the above the application would sufficiently protect the amenity of surrounding occupiers and the development would, in this regard, accord with policies G9 and DM1 of the adopted Core Strategy.

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 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'.

It is noted that objections were raised specifically in reference to access to the site and the practicality of the layout of the site in terms of parking and turning to adequately facilitate a B2 use of the site.

The application was reviewed by the Council's Highway Engineer who raised concerns regarding the proposed development.

Both Britannia Street and Leigh Street, which are the main access points into the proposed development, are un-adopted highways with junctions onto George Street and Bridge Street which is the A58.

These streets are poorly surfaced with no segregated footways and the bottom end of Britannia Street suffers from on street parking. The layout of these streets means that there are no turning facilities for larger vehicles and with the restricted width vehicles may have to reverse in or out of the proposed site, out onto the adopted highway which is contrary to road safety.

The proposed B2 use would generate HGV movements into the site for deliveries or collection of goods and would require adequate access and turning facilities which are able to accommodate vehicles at least the size of a standard refuse collection vehicle.

It would appear that the developments internal arrangements as shown on the submitted plans cannot even accommodate the turning movements of an ordinary sized goods vehicle or larger van.

Finally the parking provision for the size of the development is slightly below the Councils required standards, which may restrict the available space in or outside the site further restricting the limited turning and access facilities.

As such, due to the substandard access and lack of adequate turning facilities in conjunction with insufficient parking provision, the proposed development would have a detrimental impact on road safety on the surrounding highway network, in conflict 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.

The applicant has provided a proposal to install impermeable paved area, and to send all rainfall run off to public sewers without any attenuation. The proposed development would therefore not include drainage which is appropriate for the site, and sustainable urban drainage solutions have not been included.

The proposed development would therefore not comply with Policy G8 of the adopted Rochdale Core Strategy.

Contamination

Policy G9 requires that any risks arising from contaminated land are identified and that any appropriate actions are taken. The application has been reviewed by a Council Environmental Health Officer, who raised no objections to the proposed development on the grounds that a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. This information can be provided by way of a pre-commencement condition in the event of an approval.

RECOMMENDATION

REFUSE for the following reason(s):

1. By reason of the proposed substandard access and lack of adequate turning facilities, in conjunction with insufficient parking provision, the proposed development would have a detrimental impact on road safety on the surrounding highway network, in conflict with policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
2. By reason of the proposed impermeable hardstanding, in conjunction with the proposal to send all rainfall run off to public sewers without any attenuation, the proposed development would not include drainage which is appropriate for the site, and sustainable urban drainage solutions have not been included, in conflict with policy G8 of the adopted Rochdale Core Strategy.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Notes for Applicant:

Report Author Jake Powell