APPLICATION NUMBER: 19/00509/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00509/FUL	Mubeen Patel	15 July 2019

Address: Wuerdle Packaging Ltd Calf Hey South Rochdale OL11 2JS

Proposal: Proposed change of use from B2 General Industrial to D2 Assembly and Leisure (Dance Academy).

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?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N/a
	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?	N

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

CONDITIONS	**Pre-commencement conditions proposed?**	N
	Pre-commencement conditions agreed (or notification period expired)?	N/a

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: AT **DATE: 17/07/2019**

SITE

The application site relates to a currently vacant detached industrial warehouse unit off Calf Hey South. The site is gated with parking provided for vehicles in the yard

area. The unit is part single, part two storey and also provides office space. The surrounding area is of mixed use with the Bridge Inn Public House to the east, residential properties to the south and large industrial units including roller city to the north and west.

PROPOSAL

This application seeks permission for the change of use of the building from general industrial use (B2) to a dance academy (Assembly and Leisure, D2). The use would provide a specialist cheerleading and dance-based gym. Internally two large open space rooms would be provided with a small parents waiting area, store rooms and WC positioned central. Small offices, kitchen area and WC would be provided on the first floor.
Parking for seven vehicles would be provided in the yard area. The information submitted states that the classes would last for 1 hour, with the number of students at each class ranging from 5-20 with 2-4 coaches present.

The proposed hours of opening are 09:00-21:00 Monday to Sunday including Bank Holidays.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Rochdale Core Strategy (CS) Adopted October 2016:

DM1	General Development Requirements
P3	Improving design of new development
E1	Establishing thriving town, district and local centres
G9	Reducing the impact of pollution
T2	Improving Accessibility

Saved Unitary Development Plan (UDP) Policies:

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

07/D49528 - Erection of Detached Garage – Approved

97/D33985 - Single Storey Side Extension to Existing Warehouse – Approved

12/56180/FUL - Siting of a storage container to rear of premises – Approved

13/00396/DOC - Submission of details to comply with condition 5 and 6 on planning permission 12/56180/FUL – Request completed

CONSULTATION RESPONSES

Env Health - Noise/Odours –

Further to our discussion and a holistic review of all submitted documents and additional supporting information I can give the following updated consultation response:

This section has no objection to the proposal in principal. We would recommend conditioning the hours of use to:

Monday to Saturday 09:00-21:00
Sundays and Bank Holidays 09:00-19:00

I would also recommend conditioning they submit a noise management plan (I am happy to provide assistance with this)

Highways and Engineering –

The proposed usage is unlikely to generate any great volume of traffic particularly during the peak period.

The site has a limited amount of parking space but I do not expect it to be in operation during peak periods. The surrounding highways are quiet and I expect will not experience problems as a result of the proposed usage.

The proposals will not impact upon the surrounding highways layout.

We have no objection to this change of use.

Strategic Planning –

I am satisfied with the sequential assessment provided that there are no suitable sites within the local centres on Oldham road. In addition to the sequential test, it also satisfies the remaining criteria set out in policy E1, specifically that the proposed site is well connected to the Oldham Road Local Centre and it would not cause any significant overall impact on the existing centres vitality and viability.

Therefore, the proposed use is acceptable and I recommend approval.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice displayed adjacent to the site. A letter of objection has been received which raises the following concerns;

- The dance academy would attract too many cars leading to parking problems and access.

ANALYSIS

Principle of development

The application site is located within the 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.

The retail unit proposed would be located outside of a Local Centre. Policy E1 of the Councils Core Strategy is relevant and which states;

We will support the provision of small scale shops and services to meet local needs outside centres, 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. iii. They will be accessible to local residents / workers on foot

The applicant has submitted a Sequential Test Assessment as part of this application which highlights the lack of appropriate sites within Oldham Road Local centres. It concludes that none of the sites identified within the Sequential Assessment are suitable and viable and are therefore not sequentially preferable to the application site.

As stated above Policy E1 permits development outside existing centres where there are no suitable sites or centres to accommodate the development. In this instance, the proposed would be a dance academy that would be reasonable and appropriate.

In terms of the impact of the proposed development on the vitality and viability of the neighbouring local centres, the Sequential Assessment submitted indicates that the proposed development would not harm these centres have low vacancy rates and anchored by other retail chains, in addition the proposal would benefit the local community and meet the local need only. The Council Strategic planning team have been consulted and state that the proposed site is well connected to the Oldham Road Local Centre and that it would not cause any significant overall impact on the existing centres vitality and viability.

In light of the above it is considered that the principle of providing a dance academy is acceptable at the application site. However, consideration is still required into other material matters; these include amenity, highway safety and the environment.

Visual amenity

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.

The plans submitted show that there would be no external alterations to the building. In light of the above, the proposal would result in no undue harm to visual amenity and the overall character and appearance of the area. The application would therefore accord in this regard with policies DM1 and P3 of the adopted Core Strategy and the NPPF.

Residential amenity

Policy DM1 of the Core Strategy sets out a number of basic planning considerations that apply to all development. Further to this, 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.

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.

The surrounding area is in mixed use characterised by large industrial buildings, residential dwellings and a public house adjacent. However, given the residential properties to the east which would be in close proximity to the application site, it is important to ensure that the proposal would not impact unduly on matters such as noise, with regards given to the impact of the development upon existing surrounding properties.

Compared to the authorised industrial use of the building it is considered that the proposed use will not be unacceptable in terms of noise generation. It should be noted that at the dance classes music would be played through a portable speaker (small domestic sized) and not an amplifier, the applicant has also stated that the volume of the music would never be too loud either as the teacher needs to speak over it most of the time which would only be used a couple of times a lesson.

To assess the above, consultations have been undertaken with the Council's Environmental Health Officers who state they have no objection to the proposal in principal, however would recommend conditioning the hours of use to: Monday to Saturday to 09:00-21:00 and Sundays and Bank Holidays to 09:00-19:00 in order to retain a suitable habitable environment for neighbouring occupiers.

Therefore subject to the conditioning the hours of operation the application is 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.

Highway Safety

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.

The site is located outside of a local centre however it would provide parking for seven vehicles within the site. It is noted that an objection letter has been received relating to lack of parking and access to the existing dwellings within the cul de sac when a class is taking place. The Councils highways department has been consulted who state that 'the proposed usage is unlikely to generate any great volume of traffic particularly during the peak period'. The site has a limited amount of parking space but the highways officer 'does not expect it to be in operation during peak periods'. The surrounding highways are quiet and the proposed development would not result in problems as a result of the proposed usage or the surrounding highways layout. As such no objections have been raised by the highways officer.

Given the details, it is considered the proposed development can safely be provided without resulting in harm to pedestrian and highway safety. The application is as such acceptable and would accord with policies T2 and DM1 of the Core Strategy and the NPPF.

RECOMMENDATION – Approve subject to condition

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:-

- Location and site plan 1:1250 Drawing No: 2150/PO2
- Existing plans and elevations Drawing No: 2150/EO1
- Proposed plans and elevations Drawing No: 2150/PO1

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 Unitary Development Plan and the National Planning Policy Framework.

3 The use hereby permitted shall not be open to customers outside the following times: 09:00 hours to 21:00 hours Monday to Saturday and 09:00 hours to 19:00 hours on Sundays and Bank Holidays.

Reason: In the interests of residential amenity and in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy 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.

Notes for Applicant:

Report Author Mubeen Patel