

APPLICATION NUMBER: 23/00328/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00328/FUL	Aimee Bovaird	7 June 2023

Address: Rafters Catering Cabin Stakehill Industrial Estate Touchet Hall Road
Middleton M24 2RW

Proposal: Proposed use of land for the siting of a semi-permanent container to be used as a Cafe/Hot Food Takeaway including associated works

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?	Y	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
	Neighbour comments received?	N

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

RECOMMENDATION	GRANT WITH CONDITIONS
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CHECKED AND SIGNED OFF BY: LA

DATE: 22.06.23

SITE

This application relates to a site in Stakehill Industrial Estate and is widely accessible from adjacent roads and the A627 (M). This is in the Defined Urban Area and a Primary Employment Zone.

This area consists of offices, storage and industrial warehouses. The site is mainly hardstanding with a small grassed area, the site is also used for car parking spaces.

There is an existing cafe on the site, this is made up of white timber clad and direct access to this site is off Touchet Hall Road.

PROPOSAL

The application proposes the use of land for the siting of a semi-permanent container to be used as a Cafe/Hot Food Takeaway including associated works.

The semi-permanent container will be 30sqm and is proposed in the North West corner of the site with a paved area and seating in front of the cafe. The shipping container will be clad in cedar timber cladding with UPVC windows.

The container will be 9.7m long, 3.05m wide and have a flat roof. The container will consist of a food preparation area and office.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Core Strategy (CS):

- SO1 To deliver a more prosperous economy
- SO3 To improve design, image and quality of place
- E2 Increasing jobs and prosperity
- E3 Focusing on economic growth corridors and areas
- SD1 Delivering sustainable development
- P3 Improving design of new development
- T2 Improving accessibility
- DM1 General development requirements
- G9 Reducing the impact of pollution, contamination and land instability

Saved Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

EC/2 Primary Employment Zones

RELEVANT SITE HISTORY

16/00296/ADV - One internally illuminated Directory sign and two externally illuminated Totem signs – Approved.

19/00640/FUL - Removal of existing modular cafe building and erection of replacement modular building for mix use (Use Class A1/A3/A5) with associated ramp, steps and fencing. – Approved (This permission lapsed).

CONSULTATION RESPONSES

Highways And Engineering

The following comments were received,

'The cafe/takeaway is long established on this site and offers a local facility within an industrial estate which would seem to have little impact on the surrounding highway network.'

The relocation of the cabin within the site would create an additional 3 parking spaces within the site which should accommodate any additional parking demand generated.

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

Highways raise no objection to this application and request no specific planning conditions.'

Env Health - Noise/Odours

This section has no objections to the proposals.

Drainage Officer

This section has no objections to the proposals.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and no comments have been received.

ANALYSIS

The site lies within a Primary Employment Zone (as allocated under the provisions of the Unitary Development Plan). Policy E2 of the adopted Core Strategy is therefore relevant. Policy E2 states that we will ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation of successful businesses and increase the number and quality of jobs to create a more prosperous lower carbon economy.

Saved Policy EC/2 of the adopted Unitary Development Plan is also relevant, which categorised the site as lying within a Primary Employment Zone. This policy states that within Primary Employment Zones development and change of use, for industrial, business and warehouse uses (Use Classes B1, B2 and B8) will be permitted where proposals:

- a) Are of an appropriate scale and character to the area;
- b) Will cause no unacceptable environmental or amenity problems in the employment area or adjoining areas; and
- c) Will cause no unacceptable traffic problems and have adequate on-site provision for parking, servicing and manouvering.

Policy EC/2 goes onto to state that 'Other uses will not be permitted unless it can be shown that they are ancillary and complementary (both in terms of size and function) to the industrial and business nature of the employment area'.

The above shows that the policy is flexible enough to allow the provision of appropriate ancillary and complementary uses such as small-scale shops, cafes, banks and nurseries to serve the needs of the local workforce. The current cafi has been in situ for at least 15 years and is established in this industrial estate and provides food and drinks for the people working in the surrounding area.

As such the proposed use and building would be appropriate within a Primary Employment Zone and the principle of development is therefore considered acceptable. The application accords with Policy E2 of the CS, EC/2 of the UDP and the NPPF.

Amenity

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that good design will improve the image and attractiveness of the borough as a place to live, work and visit, and can also improve health, safety and the environment and reduce long-term costs. Furthermore, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

The cladding is considered acceptable as it will fit in with the surrounding industrial uses of the area.

The proposed paved patio and seating area is considered acceptable as its will not negatively affects the surrounding area. A small area of grass is being lost to provide the patio area. The Drainage officer has been consulted and raised no objections.

The proposal would therefore accord in this regard with policies DM1 and P3 of the adopted Core Strategy and the NPPF.

Noise and Odour

Policy G9 (b) (Reducing the impact of pollution, contamination and land instability) requires that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

The proposal includes the replacement of an existing cafi. The cafi building would be positioned in an industrial location amongst noise generating uses. In addition, there are no residential dwellings in the vicinity. Therefore, given the details the proposal would be in accordance with Policy G9 of the Core Strategy and would not increase noise or odour pollution where they would have a significant detrimental impact.

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, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 111 of the National Planning Policy Framework 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.

Highways have not raised any objections to the proposal, the relocation of the cafi will provide an additional 3 parking spaces.

The proposed cafi is unlikely to generate extra traffic or have any negative impacts on road safety.

As such it is considered that the proposal would not adversely impact on public and highway safety and the application would accord with the requirements of Policy DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

Approve with 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:

Location Plan 130 – P01 RevE

Existing Site Photos 130-P02 RevD

Existing and proposed Site Plan 130-P03 RevE

Proposed Floor Plan 130-P04 RevD

Proposed Elevations 130-P05 RevD

Proposed Ariel View 130-P06 RevD

Proposed Ariel View 130-P07 RevD

Proposed Ariel View 130-P08 RevD

and the development shall be carried out in 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 existing cafi building as shown on plan 'Existing and proposed Site Plan 130-P03 RevE' shall cease operation upon the first day of the first use of the building hereby approved, and shall be completely removed from the site and the land restored to its original form within 2 months of ceasing operation.

Reason: 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 provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a Cafi / takeaway and for the sale of cold food and for no other purposes.

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.

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.

Report Author Aimee Bovaird