APPLICATION NUMBER: 21/00353/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
21/00353/FUL	Mubeen Patel	16 June 2021

Address: Land Off Railway Approach, Rochdale, OL11 3EE

Proposal: Demolition of existing buildings and use of land as a car park.

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: 17 June 2021**

SITE

The application relates to a long standing vacant builders yard which lies adjacent to Castleton Station with the railway line and platform along its eastern boundary. Manchester Road is to the south at an elevated position over the railway bridge, with

commercial buildings to the west and north across the side roads of Railway Approach and Smalley Street.

The site lies within the defined urban area and the Castleton (South) Conservation Area, and has a small two-storey office building at 2 Railway Approach adjacent to its south western corner which is occupied by a taxi booking office. The site itself contains a number of buildings formed from metal corrugated cladding with its boundaries formed by metal palisade fencing, and a vehicular access point towards the north western corner off Railway Approach.

PROPOSAL

The application proposes to clear the site of the current poor quality buildings and utilise the land for a public car park in connection with the adjacent station and commercial area of Castleton which lies to the west.

The submitted layout plan indicates parking for a total of 32 spaces including three slightly larger bays immediately adjacent to the car park entrance for blue badge holders. The application states that the existing concrete hardstanding would be removed and replaced with block paving with bays marked out in different coloured blocks. The existing access arrangements would be retained. The applicant has stated that any replacement fencing would be birdsmouth knee rail or similar.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3	**Improving design, image and quality of place**
P1	Improving Image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	**Promoting a greener environment**
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
SO5	**Improving accessibility and delivering sustainable transport**
T2	Improving accessibility
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
BE/17	New Development Affecting Conservation Areas

RELEVANT SITE HISTORY

14/01482/FUL - Change of use from builders yard to public car park including demolition of existing buildings/structures within the site – Approved.

06/D48064 – 2 Railway Approach, Second Floor Extension To Existing Private Hire Booking Office – Refused.

CONSULTATION RESPONSES

Highways and Engineering

The addition of parking to Castleton Centre will be beneficial to road safety and function. Access to the site is adequate. The layout of the site is such that in can operate safely without conflict.

We have no objections to this proposal.

Conservation and Design

There are no comments or objections raised in response to the above application.

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Suggests suitable conditions.

Lead Local Flood Authority/Drainage

The permeable paving proposed is a sustainable solution – and accords with National Planning Policy Framework.

Network Rail

Network Rail and Northern are aware of the proposal and we have no comments.

Gtr Manchester Ecology Unit

- The survey was undertaken in November which is outside the bat activity season. However, structural assessments both internal and external can be conducted at any time of year.
- The Report appears to have used reasonable effort to assess the structures on site for the presence of bats and their suitability to support bats at other times.
- No evidence of bat roosting or nesting birds was observed and the structures were assessed as having negligible value for bats at other times.
- The site was assessed as having extremely low value to biodiversity.
- I concur with the assessment and would suggest that **informatives** be placed on any permission if granted: -
  - Draw attention to the protection afforded to all nesting birds (Wildlife & Countryside Act 181). If works are to be undertaken during the breeding season (March – August inclusive) care should be taken to ensure that there are no nesting birds present. If nesting is found or suspected works should cease until such time as the eggs have hatched nestlings have fledged.
  - Bats can be encountered in very unusual circumstances. Bats and their roosts are protected at all times (Conservation of Habitats & Species Regulations (Amendment) (EU Exit) 2019) – even when unoccupied. If bats are unexpectedly encountered or are suspected all work should cease until advice has been sought and implemented from a suitably qualified individual.

- In normal circumstances it would be advised that the survey be updated after a certain time period. In this case the suitability for bats is so low and is extremely unlikely to become more suitable. **No** resurvey is considered necessary at any time prior to demolition.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours along with a press notice and a site notice to advertise the application within the Conservation Area. No representations have been received.

ANALYSIS

Principle of development:

The development site is located within the urban boundary. The proposal includes the demolition of existing dilapidated structures within the site and the reuse of the land as a car park for the adjacent train station, and people shopping and using the local centre of Castleton. As such, the resurfacing and making good of an existing long standing vacant piece of land would be acceptable in principle at this location, subject to considerations in respect of layout, drainage and highways safety of the development.

Visual Appearance and Impact on the Conservation Area

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.

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 statement of no objection made by the Conservation Officer is noted and given that the development will serve to remove unsightly buildings and a potentially detrimental use, the proposal would serve to enhance the character and appearance of the conservation area.

In terms of the boundary facing Railway Approach, this consists of palisade fencing which is industrial in appearance and does not compliment the characteristics of the Conservation area. The applicant has indicated that any replacement fencing would be birdsmouth knee rail or similar. This is considered to be simple in design and its timber materials are acceptable in this location and a betterment to the existing fencing.

It is therefore considered that the proposal would create an enhancement to the designated heritage assets through the alterations and use of the land and site as a whole in this location. The sympathetic layout and the use of quality materials for the surface in replacement of the existing concrete would be welcome and 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.

Protected Species

Policy G7 (Increasing the value of biodiversity and geodiversity) states that the Council will ensure that features of biodiversity and geodiversity importance are given full and appropriate recognition and protection, and no development should result in a net loss of biodiversity or geodiversity interest.

An Ecological Appraisal has been submitted as part of this proposal and consultations have been undertaken with the Greater Manchester Ecology Unit (GMEU) who have commented. The ecological report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance. The report concludes that the site has negligible intrinsic ecological value, the buildings were considered to have negligible potential to support roosting bats, and there were no signs of current or past bird nesting activity on the site.

All birds, their nests and eggs are protected by law and it is thus an offence to intentionally kill, injure or take any wild bird. Although the survey has concluded that nesting birds are unlikely to be affected by the works it should be borne in mind that feral pigeons (the most common type of bird in the area) can nest at any time of year. If nesting birds are encountered during site development work then the nest should be left undisturbed and advice sought from a suitably qualified person about how best to proceed. An informative would be attached to any approval to protect birds.

Furthermore, if the trees forming the boundary between the site and the railway line need to be pruned or removed to facilitate the re-development of the site they should be removed outside of the optimum time of year for bird nesting (March to August inclusive).

The NPPF at para 170 states that ‘Planning policies and decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. As such, subject to the attachment of the suitable

condition for landscaping for new native tree and shrub planting, the proposal would ensure a net gain in biodiversity, in accordance with the requirements of Core Strategy Policy G7 and the requirements of The Framework.

Drainage and Flood Risk

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment. To that effect the Council will ensure that new development does not lead to any form of increased flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk, is itself well protected from flood risk and ensure prudent use of water resources. The NPPF also establishes that inappropriate development in areas at risk at flooding should be avoided and that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.

The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The site is therefore suitable for development in this respect, subject to appropriate surface water disposal to reduce the risks of flooding or aquatic pollution elsewhere.

Drainage Proposals have been submitted as part of this proposal. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the surface water should be drained in the most sustainable way.

The plans submitted show the existing concrete hardstanding slabs would be removed to expose a suitable sub base and replaced with permeable block paving where surface water would be able drain at source. The Councils Drainage Engineer has been consulted and advised that the permeable paving proposed is a sustainable solution.

Therefore, the drainage scheme submitted is acceptable and would meet the requirements of Policy G8 of the adopted Core Strategy and the requirements of the National Planning Policy Framework would have been met.

Highways

Policy T2 of the adopted Core Strategy is regarding improved accessibility and parking.

The Councils highways officers fully support the proposal to provide enhanced facilities for parking at Castleton Rail Station and the undoubted benefits to the local area and users of the rail network. The application will encourage sustainable travel in accordance with the NPPF and is considered to be an appropriate use for the site. There is also space within the layout to accommodate cycle parking. The existing entrance/exit at the site is appropriate for the proposed use.

Given the above, the proposed scheme would make good use of the site as a car park which would benefit the surrounding highway network in terms of improvement to pedestrian and highways safety. The Councils Highways officer has raised no objections. The proposal is therefore in accordance with policies T2 and DM1 of the Core Strategy and the National Planning Policy Framework.

Conclusion

It is concluded that the principle of the development at the site would be acceptable. The proposed scheme would make good use of existing derelict land as a car park. The development would improve the image of the area whilst providing an enhancement to the Conservation Area and encouraging sustainable travel. Overall, the proposed development would be of good quality design with an acceptable layout in accordance with local and national planning policy and guidance.

RECOMMENDATION

AC

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 This permission relates to the following plans:-

Location Plan 1:1250
Existing Site Plan
Drainage and Layout Details, Drawing No. A1/2003692/000/001

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 Rochdale Unitary Development Plan and the National Planning Policy Framework.

3 The drainage for the development hereby approved, shall be carried out in full accordance with the submitted plan 'Drainage Layout Details', Drawing No. 'A1/2003692/000/001'. The development shall be completed in accordance with the approved details. The duly approved scheme shall be completed and implemented prior to the first use of the car park hereby permitted and shall be retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of foul and surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

4 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs, including details of replacement tree planting. The duly approved landscaping scheme shall be carried out within 12 months of the car park first being used and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping and provision of adequate off-road parking facilities in accordance with the requirements of Policies DM1, T2, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 No development apart from demolition shall take place until a scheme for the provision of boundary treatments, to include details of the siting, design and materials to be used, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the boundary treatment should be of birdsmouth knee rail or similar. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall thereafter be retained at all times.

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.

6 The car park shall not be used until such a time as secure storage facilities for bicycles have been provided within the site, in accordance with details to have first been submitted and approved in writing by the Local Planning Authority. The duly approved bicycle storage facilities shall be retained and kept available for that use thereafter.

Reason: To ensure that adequate and satisfactory provision is made for bicycle parking and in order to encourage alternative modes of travel to the site apart from the motor car or other motorised vehicles, in accordance with Policies DM1, T2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 No development shall take place until a method statement for the demolition of existing buildings on site has been submitted to and approved in writing by the Local Planning Authority. Demolition shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of safety, due to the proximity of the site buildings to the adjacent station building and railway line in accordance with Policies G9 and DM1 of the adopted Rochdale Core Strategy of the Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: Demolition details will need to be agreed in advance to reduce the impact on the adjacent railway.

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:

- If works are to be undertaken during the breeding season (March – August inclusive) care should be taken to ensure that there are no nesting birds present. If nesting is found or suspected works should cease until such time as the eggs have hatched nestlings have fledged (Wildlife & Countryside Act 181).

- Bats can be encountered in very unusual circumstances. Bats and their roosts are protected at all times (Conservation of Habitats & Species Regulations (Amendment) (EU Exit) 2019) – even when unoccupied. If bats are unexpectedly encountered or are suspected all work should cease until advice has been sought and implemented from a suitably qualified individual.

- If the trees forming the boundary between the site and the railway line need to be pruned or removed to facilitate the re-development of the site they should be removed outside of the optimum time of year for bird nesting (March to August inclusive).

Report Author Mubeen Patel