

APPLICATION NUMBER: 22/01123/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01123/FUL	Ryan Killeen	11 November 2022

Address: Land At Dexine Rubber Co Ltd Site, Spotland Road, Rochdale, OL12 0AU

Proposal: Two storey mixed-use building comprising industrial unit (Use Class B2) at ground floor with offices at first floor (Use Class E), including associated landscaping and parking

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
	Neighbour comments received?	Y

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

RECOMMENDATION	Grant Subject to Conditions
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CHECKED AND SIGNED OFF BY: AT

DATE: 18.11.2022

SITE

The application relates to a circa 450m² plot of land to the south of Spotland Road, set just north of the Coldwall industrial estate and immediately west of no.209 Spotland Road, an end-of-terrace dwelling. To the west of the site is Spotland Bridge Funeral Directors, a two-storey early C20 red brick and sandstone building with slate roof which is recognised as Non-Designated Heritage Asset. The site falls within the Spotland Bridge Conservation Area, an extensive area set around an industrial townscape comprising the Grade II listed Spotland Mill, 150m northwest of the site.

PROPOSAL

Planning permission is sought for the erection of a two-storey mixed use building comprising general industrial use at ground floor (Use Class B2) with offices above (Use Class E).

The building has a rectangular floor plate with a cross gable roof form, which produces a feature corner to the northwest of the building, with curtain wall glazing and brick detailing.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

- E2 Increasing jobs and prosperity
- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development
- T2 Improving accessibility
- DM1 General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
E/C/3 Mixed Employment Zones

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

20/01193/FUL	Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 10 industrial units (E and B2 Use Classes), together with the creation of a service yard, car parking and substation; the erection of 2 dwellings (4 bedroom semi-detached units), together with the creation of parking areas for existing units and parking for proposed units and the alteration of the existing access -Resubmission of 19/00804/FUL – Approved Feb 2021
19/00804/FUL	Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 12 industrial units (B1 and B2 Use Classes), the refurbishment and minor alteration of existing industrial buildings together with the creation of a service yard and car parking; the erection of 4 dwellings (2no 4 bedroom semi-detached units), together with the creation of parking areas for existing units (39 spaces) and parking for proposed units (74 spaces, including 2 disabled units) and the alteration of the existing access – Approved Nov 2019.
18/00727/HYBR	Hybrid planning application (part outline and full): Outline application (including access) for the demolition of the former mill buildings, the erection of up to 47 dwellings and vehicular access; Full application for demolition of the former mill buildings and the refurbishment of the existing steel framed industrial building including vehicular access and service yard - Finally disposed of Sept 2020.

CONSULTATION RESPONSES

GM Fire Service

No comments received to date

Highways And Engineering

The access to the site is adequate for a development of this scale and the volumes and types of traffic it might attract.

The car parking for the proposal is limited. We do however accept that the site could make use of the adjacent associated site. We also accept that the location is highly sustainable only a short walk from a busy bus route and a local centre. There is also a significant residential area in close proximity which could provide many staff homes in walking distance from the development. No sustainable objection could be made regarding this aspect of the application.

The road layout is suitable for this proposal.

Servicing from the development is expected to be infrequent and done so in small commercial vehicles. The expectation is they will make informal use of the parking area for short periods when loading and unloading.

We have no concerns regarding the road layout at this location.

We have no road safety concerns at this location.

We have no sustainable objections to these proposals.

Env Health - Noise/Odours

The submitted noise impact assessment, demonstrates that the required noise conditions will be met with door open or closed. I take your point regarding impulse noise, I would say that the noise climate of the area is that of industry and the report shows that it will be controlled to the conditioned levels, however given there close proximity the residents will hear it but not a level that is likely to give rise to complaints.

Conservation Officer

Initial Response:

It's in the Spotland Bridge Conservation Area, so we need to consider the impact on this and adjacent non-designated heritage assets.

Historically, there were buildings on the site, so in principle I have no issues with built form being reinstated. That being said, I have a number of concerns with the current scheme. In its current form it neither preserves nor enhances the character and appearance of the Conservation Area:

- The proposed scale and massing of the building has resulted in a cramped form of development
- The proposed height fails to take into account the slope of the site down the hill.
- The design is of concern, and it is not clear how it relates to the surrounding area. In particular I have concerns with the blocked up ground floor windows
- The building does not really successfully turn the corner

There is an opportunity here to create a landmark feature, which screens the industrial units beyond and reinstates the historic built form. The current scheme does not do this. I would advise that the massing is broken down and include a variety of heights, so that the building better reflects the scale and massing of neighbouring properties, responds to the topography of the area and provides a more effective entrance into the new estate. Additionally it is important that the windows are included at ground floor level facing onto Spotland Road, to ensure visual interest is maintained.

(Updated comments provided following amendment of the scheme)

Summary: I would request that the gable is widened to Spotland Road, but overall the scheme is much better looking. Please condition samples and window and glazing details (deeper recesses would work well, metal rainwater goods, eaves and verge details.

United Utilities

Summary: Recommend Standard Drainage conditions

Lead Local Flood Authority/Drainage

Summary: Advice provided, recommend standard drainage condition similar to UU

Environmental Control (Landfill Gas)

No comment.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties, a notice was posted in the vicinity of the site and an advert was issued in the local press. No responses were received.

ANALYSIS

Principle of Development

The application site falls within a mixed employment zone as set out under saved UDP Policy EC/3. Appendix 3 of the adopted Rochdale Core Strategy states that Saved UDP Policy EC/3 should be read in conjunction with Policy E2 and E3 of the Core Strategy.

Policy E2 seeks to 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 economy. In respect of sites in the north of the borough (such as the application site), Policy E2 seeks to Protect existing employment zones, and employment (B1 – B8) sites and premises (over 0.2ha) and support their retention and redevelopment for employment uses.

The application proposes a two-storey mixed use building comprising office and general industrial space. Given that both uses proposed are complementary of employment generating uses, subject to an assessment of other development management requires, the principle of development of the proposed development is

acceptable and in accordance with Policy E2 of the adopted Core Strategy and the National Planning Policy Framework.

Design, Character and Heritage

In considering whether to grant planning permission for a development which affects a Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Paragraph 195 of the National Planning Policy Framework states that Local planning authorities 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. Paragraph 197 goes on to state that in determining applications, local planning authorities should take account of (inter alia) the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

Where a development would lead to less than substantial harm to a designated heritage asset, paragraph 202 of the NPPF requires Local Planning Authorities to consider this harm against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. This is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The revisions to the NPPF in July 2021 establishes very clearly that development which is not well designed should be refused, and conversely, significant weight should be given to development which reflects local design policies and government guidance on design. In support of this, the Government have produced a suite of guidance documents including Building for a Healthy Life (BHL) , the National Model Design Code (NMDC) and the National Design Guide (NDG) which form a material consideration in the assessment of the design of development proposals, and aid Local Authorities and developers alike in understanding if development proposals are well-designed.

The NPPF seeks to encourage well-designed, beautiful places, which are a key component of sustainable development. Building on this, the NDG advises that the scale, appearance materiality and detailing of buildings as key components for well-designed places, and states the importance of using a sound understanding of the features of the site and surrounding context to inform well-designed development proposals, which should also be influenced positively by the history and heritage of the site and its surroundings.

The proposed building has gone through several revisions in order to better reflect the positive qualities of the Conservation Area. The simple form is broken up through a cross-gable roof form and projecting feature gable; common features across the local area, which includes curtain wall glazing and brickwork detailing to distinguish the development as a modern addition. The overall scale and design of the contemporary building can be considered acceptable given its siting on Spotland Road at the entrance to Coldwall industrial estate, as it would form a landmark which would assist legibility and enhance the overall quality of the character and appearance of the area generally.

The overall quality of the design is reliant on the materials and details being to a suitable standard. Subject to conditions requiring details of materials and glazing, the development would be in accordance with Policies P2, P3 and DM1 and the National Planning Policy Framework.

Impact on Surrounding Land Uses

Policy DM1 of the adopted Core Strategy requires all new developments to demonstrate that they are 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. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that new 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. The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development*' (2016) contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

The adjacent end-of-terrace, no.209 Spotland Road is a residential dwellinghouse, to which the requirements of the SPD apply. The proposed development would include a deeper floor plate than the adjacent terrace. However in assessing the impact of the proposed building, it is noted that the rearwards projection relative to the dwelling would comply with the standards set out in section 5.9 of the SPD, and would have an acceptable impact on the occupiers of no.209 in this regard. Furthermore, it is noted that the rear yard of no.209 is particularly constrained in respect of its recreational and functional value, due to its size and the area occupied by the existing rear extension. It is also noted that rear facing principal windows to habitable rooms are set to the eastern side of the rear elevation, further mitigating any impact.

The application is also supported by a Noise Impact Assessment, which includes a baseline study of the site, and software based acoustic modelling to assess the impact which a general industrial use may have on any surrounding residential occupiers.

Noise within the units is assumed to be 85dB L_{Aeq} , which would be the limit beyond which would require action to reduce operator exposure. Modelling also takes account for the rear roller shutter being both opened and closed, where it would not

be possible to control this feature via planning. The report suggests that noise impacts of 40 dB L_{Aeq} daytime and 35 dB L_{Aeq} night time would have a negligible impact.

The modelling sets out expected noise levels at points along the external elevations of nearby buildings reaching as high as 38 dB L_{Aeq} when the roller shutter is down, and 44 dB L_{Aeq} when it is retracted. The report concludes that no specific mitigation measures would be required as the assumptions in the modelling are based on a worst case scenario and only marginally exceed the negligible impact figures.

The report does not take account of the possibilities of impulsive noises associated with general industrial noises such as hammering, sawing etc. which due to their sound profile typically appear audible above the acoustic background. The Council's Environmental Health Officer does not consider such matters to be of concern given the noise climate of the area, which to the south is already dominated by industrial activity, and to the north, Spotland Road.

It is noted that the office space would benefit from permitted development rights to change to residential under Class MA, Part 3 of Schedule 2 of the GPDO, however, one of the prior approval matters is to consider the impact of noise from adjacent commercial premises, and it would therefore be unreasonable to revoke permitted development rights.

Therefore, in light of the above, the proposals would accord with the requirements of Policies DM1 and G9 of the adopted Core Strategy and the National Planning Policy Framework.

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.

The application site, on the approved site plan of the permission for the wider Dexine Site redevelopment ref. 20/01193/FUL, is shown to include space for 12no. parking spaces.

Whilst the cumulative impact of the loss of 12 parking spaces, and the increased parking requirement through the introduction of offices, could be great, taken in the context of this busy industrial estate, the Council's Highways Officer does not

consider that the impact would be so severe as to warrant refusal, particularly in light of the site's sustainable location.

The site includes satisfactory arrangements for manoeuvring larger vehicles and servicing requirements, and as such, the proposed development would accord with policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

Other Matters

Drainage

The site does not propose any significant areas of hardstanding, however would require drainage proposals to be in accordance with the drainage hierarchy set out in NPPG. Both United Utilities and the Council's Drainage Engineer have accepted that drainage proposals can be required via pre-commencement condition. Subject to this condition, the proposals would be in accordance with the relevant paragraphs of the NPPF and Policy G8 of the Core Strategy.

Ecology

The site is currently cleared and does not include any ecological value. The necessary biodiversity enhancement measures can be achieved through via condition, subject to which the application would accord with the NPPF and Policy G7 of the Core Strategy.

Land Contamination

The applicant has provided a Phase I, II and III report which concludes with a remediation strategy for the site. The Remediation measures are considered appropriate and proportionate for the development and the submission of a validation statement prior to first occupation of the building is to be required via condition to ensure the suitability of the site for its proposed use. Subject to this condition, the requirements of Policy G9 and the NPPF will have been met.

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 This permission relates to the following plans:-
 - CIE-SVA-ZZ-ZZ-DR-A-2000 rev. A – Location Plan, Existing Site Plan
 - CIE-SVA-ZZ-ZZ-DR-A-2001 rev. C – Proposed Site Plan

- CIE-SVA-ZZ-ZZ-DR-A-2005 rev. C – Proposed Ground Floor Plan
- CIE-SVA-ZZ-ZZ-DR-A-2006 rev. E – Proposed First Floor Plan
- CIE-SVA-ZZ-ZZ-DR-A-2007 rev. C – Proposed Roof Plan
- CIE-SVA-ZZ-ZZ-DR-A-20010 rev. C – Proposed Elevations and 3D
- CIE-SVA-ZZ-ZZ-DR-A-20011 rev. B – Proposed Elevations (2)
- CIE-SVA-ZZ-ZZ-DR-A-20012 rev. A – Existing and Proposed Street Scene

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 Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No development shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

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

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

- 4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials, and where brick is proposed, details of the bonding pattern used. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external

doors, roof lights, or any other glazing, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of visual amenity and in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels, hibernaculum and wildflower seeding has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 The development hereby approved shall be carried out in accordance with the remediation strategy set out in section 3 of the submitted Geo-Environmental Audit by TJ Booth Associates ref. rep-tjba-hallmark-dexine-Phs 1+2+3 Env-080415, rev. 8 and dated July 2022.

Prior to the first occupation of the approved development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm the effectiveness of the remediation strategy and to confirm that no unacceptable contaminants were detected during the construction phase of the development.

In the event that unacceptable contamination is detected, a remediation strategy shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the duly approved remediation strategy thereafter.

Reason: In the interest of the health and safety of future users and in accordance with Policies DM1 and G9 of the adopted Core Strategy and the National Planning Policy Framework.

- 8 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 9 No goods, materials, waste products or containers shall be stored within any of the external service yards hereby approved.

Reason: In order to ensure a satisfactory appearance and in the interests of neighbour amenity in accordance with policies P3 and DM1 of the Core Strategy 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:

Report Author Ryan Killeen