

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00255/FUL	Claire Ringwood	2 nd August 2023

Address: Plot I, Kingsway Business Park, John Milne Avenue, Rochdale, OL16 4NR

Proposal: New treatment plant to south facing elevation and erection of additional 2.4m high security fencing

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?	N

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	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 4 August 2023

SITE

The application relates to Plot I, in the Kingsway Business Park (KBP). Located on site is a newly constructed warehouse distribution centre/production unit together with ancillary ground, first and second floor office space, two storey transport office, associated service yard, car parking and landscaped areas. The site is located towards the southern extent of KBP. The rest of the business park extends to the south west, west and north of the site.

Residential properties are located at least 250m to the west of the site, comprising a network of roads branching off New Broad Lane and Lower Lane, with a landscaped mound and the large ASDA distribution centre between the business park and these residential areas. The M62 lies a short distance to the south, with open agricultural and Green Belt land beyond. The site falls within a Primary Employment Zone as defined in Rochdale Borough Council's Unitary Development Plan (UDP) Proposals Map.

PROPOSAL

The application proposes a new effluent treatment plant to the south west of the existing building which is occupied by a food factory. The proposals consist of a sludge tank, 6m high equalisation tank, IBC acid storage container, underground sump, underground pump stations, DAF unit and boundary fence and pedestrian access gate. A footpath and access road separate the existing building from the proposed treatment plant. The treatment plant will sit on a concrete base and have bunded walls. The supporting information submitted with the application explains the cleaning process and that the trade effluent is mainly discharged during cleaning hours.

The proposal also involves a new security fence made of black metal measuring 2.4m in height. The proposed fencing will be inside the site itself and extend around the existing car park to the north and the building to the south and west and will attach to existing fencing to the east and will enclose the treatment plant.

PLANS AND DOCUMENTS SUBMITTED

Drawing No: PL010 – Location Plan

Drawing No: PL011 – Existing Elevations

Drawing No: PL012 – Proposed Elevations

Drawing No: PL014 – Existing Site Plan

Drawing No: PL015 Rev C1 – Proposed Site Plan

Drawing No: PL016 – Proposed External Works

Design & Access / Heritage Statement

Plant Noise Impact by Environoise, ref: 21879R01SWPK, issue date: 25/04/2023, rev 1

Means of disposal of trade effluent

Received 26th April 2023

Drawing No: PL017 – Proposed Effluent Treatment Plant Elevations

Received 10th May 2023

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3 Improving design, image and quality of place

P2 Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

SO4 Promoting a greener environment

G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

EC/7 Kingsway Business Park

RELEVANT SITE HISTORY

14/00542/OUT - Outline application, with all matters reserved, for a mixed use business park comprising buildings within development plots as shown on the site location plan for General and Light Industrial Uses (Classes B1 and B2), Offices in the Use Class B1, Distribution and Storage Uses (Class B8), Research and Development Uses in Use Class B1, Car Showrooms (Sui Generis Use), Hotels in Use Class C1, Ancillary Retail and Leisure in Use Classes A1 - A5 and D2, and Residential in Use Class C3. Approved 22/08/2014.

18/00943/VRCON - Removal of condition 45 (requirement for BREEAM rating) of outline planning permission 16/01085/VRCON. Approved 05/12/2018.

21/00881/REM - Reserved matters application following outline approval 18/00943/VRCON for erection of warehouse distribution centre/production unit together with ancillary ground, first and second floor office space, two storey transport office, associated service yard, car parking and landscaped areas, and other associated works. Approved 27/08/2021.

21/01038/DOC – Submission of details to comply with conditions 13 (Interceptors) and 18 (Contractor off-street parking) of planning permissions 14/00542/OUT and 18/00943/VRCON. Discharged 27/08/2021.

22/00821/ANM - Application for a non-material amendment to planning permission 21/00881/REM - alterations to include: changes to boundaries; elevations; landscaping; materials; building access arrangements; utility buildings and, increased cycle parking. Approved 04/08/2022.

22/01243/FUL - Installation of external plant and gas tanks with flue to north elevation with palisade fencing and roof alterations for vent openings. Approved 10/01/2023.

CONSULTATION RESPONSES

Environment Agency

We have no objection in principle to the proposed development but take this opportunity to provide the following comments.

Advice to applicant – trade effluent:

Effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home is described as trade effluent.

If you are not able to discharge effluent it will be classed as waste and you must then comply with your duty of care responsibilities.

If proposing to discharge to non-mains:

If you wish to discharge effluent after appropriately treating it to groundwater or surface water please contact the Environment Agency (Tel: 03708 506 506) as a permit under the Environmental Permitting Regulations will be required.

If proposing to discharge to mains:

A trade effluent consent or a trade effluent agreement with your water and sewerage company must be obtained before you discharge trade effluent to a public foul sewer or a private sewer that connects to a public foul sewer.

Further guidance is available at: [Pollution prevention for businesses - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/pollution-prevention-for-businesses)

Highways and Engineering

The application would not appear to have any detrimental impact on the previously approved development layout or the adjoining adopted highway network.

We would ask that any new hard standing areas or access road are SUDs compliant.

Highways raise no objection to this application.

Drainage & Flooding Officer

The drawing shows the plan. The plan does not show the connection to public sewer location. The submitted drawing and documentation say nothing about odour. The details of the actual connection to public sewer are not shown on the plan, but this will be dealt with by the applicant when they consult with United Utilities.

The building control rules on sewage plant require such plant to be located at least 7m from a dwelling/ habited building. This location is not near either of those, but near a footpath. Although the plant general mal-odours, people can walk past it so it does not warrant objection, or alteration to the application.

SUGGESTED DRAINAGE CONDITIONS

The development shall be built in accordance with the details provided on Proposed External Works drg DAN001/NIA/B/XX/DR/A/PL016 dated 23.2.23 by Niras Architects.

Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development.

Environmental Health (Noise)

No comments at the time of writing.

Greater Manchester Ecology Unit including Trees

No comments at the time of writing.

Environmental Protection

No comments to make.

Conservation Officer

The proposal is for the installation of a treatment plant to the southwest of the existing unit and additional 2.4m high fencing around the perimeter of the site.

Broadshaw Farm, which is listed at grade II lies approximately 100m to the southwest of the site. The new perimeter fence and treatment plant would be seen in the context of the modern commercial unit on the site. Given this and the distance of separation, the proposed works would have a neutral impact on the setting of the listed building.

The proposal would not result in any additional harm to the significance of this designated heritage asset. No objections.

United Utilities

No comments at the time of writing.

REPRESENTATIONS

The application was publicised by way of neighbour notification letters, site notices and a press advert. No letters of representation were received.

ANALYSIS

Principle of Development

Paragraph 11 of the NPPF identifies a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay. Paragraph 81 of the NPPF also requires that *'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.'*

The site is located within the Kingsway Business Park which has been established over the past 30 years for development of this type. The site is allocated within the Rochdale UDP under policy EC/7 as part of the Kingsway Business Park for high quality general and light industry, offices, distribution & storage, research and development, and associated uses. The Core Strategy refers to the delivery of Kingsway Business Park as a key part of the Strategy for Rochdale as set out in policy SP3/R. Core Strategy policies E2 and E3 identify the wider Kingsway site as part of an economic growth corridor where a significant number of jobs and employment development will be delivered.

The proposal development would be ancillary to the existing use on site. On this basis, the proposed development is considered to be acceptable in principle and in accordance with adopted Rochdale Core Strategy policies E2, E3 and SP3/R, saved UDP policy EC/7 and the National Planning Policy Framework.

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 the installation of a treatment plant with various units, containers and tanks to clean the trade effluent produced at the site. Some of the structures would be visible above the proposed fencing however, this side of the site is elevated and considerably higher than road level and would be viewed in the industrial context of the site and surrounding area. Therefore the proposed development would not detract from the character and appearance of the area, appearing as an appropriate addition to the site and nor would it affect the setting of the Grade II Listed Building at Broadshaw Farm which lies approximately 100m to the southwest of the site.

Therefore the proposal is considered to be acceptable and would accord with policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the NPPF.

Impact on Surrounding Occupiers

Core Strategy policy DM1 states that developments should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. The "Guidelines & Standards for Residential Development" SPD also sets out guidelines for reducing or omitting the impact of new development on the amenities of residential occupiers.

Policy G9 of the Core Strategy seeks to prevent developments that would lead to an unacceptable increase in pollution.

The proposed treatment plant will be partially screened by the proposed boundary fence however, elements of it will be visible from the road, albeit the road is at a much lower level than the site itself. Taking the overall size of the building into consideration and the relatively small nature of the proposal in comparison, the proposal is not considered visually dominant or overbearing.

The closest neighbouring properties are approximately 250m to the west of the site. There are other industrial units on the business park that are closer to any dwellinghouses or other sensitive receptors. The Council's Environmental Protection team were consulted and raised no objection to the proposals.

A Plant Noise Impact report has been submitted with the application. The Council's Environmental Health (Noise) officer has been consulted but no comments have been received. The report concludes that predicted plant noise levels meet the plant

noise limit at the nearest residential receptors for the daytime and night-time period, indicating a 'low impact' in accordance with BS4142 and stating no further mitigation is required.

The proposal would therefore not result in a significant impact on existing residential properties through the creation of noise. On this basis, the proposed development would not give rise to any external noise issues or other harmful impacts on amenity.

The proposed development would therefore be in accordance with the requirements of CS Policies DM1, G9, the objectives of the SPD "Guidelines and Standards for Residential Development" and the policies within the NPPF.

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 proposed development would be sited well within the application site and would not result in any loss of existing parking on site or have a detrimental impact on the adjoining adopted highway network. In addition, the application has been reviewed by the Councils Highways Engineer who raised no objection to the proposal.

As such, the proposal complies with adopted Rochdale Core Strategy policies T2 and DM1 as well as the NPPF.

Drainage

The proposed development involves processing effluent waste and discharging the resulting water into the sewer system. The Environment Agency have been consulted along with the Council's Drainage Officer.

The Environment Agency have raised no objection to the proposal but have advised that certain permits or agreements are required dependent on whether the effluent is being discharged to non-mains or to mains. This information will be provided in an informative to ensure the applicant is aware of their responsibilities.

The Council's Drainage Officer has advised that the plans do not show the connection to the public sewer location and with no mention odour. Building Control rules on sewage plant require such plant to be located at least 7m from a dwelling/habited building. The application site is not located near either of these, but near a footpath. As people can walk past the proposed treatment plant and as it is at an elevated position above the footpath it is unlikely that any odours, if any, would be harmful to the amenity of the surrounding area. A condition is required for the drainage to be implemented as shown on the external works plan.

Subject to this condition, the proposal would be in accordance with the relevant paragraphs of the NPPF and Policy G8 of the Core Strategy.

RECOMMENDATION

GRANT subject to the following 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:-

Drawing No: PL010 – Location Plan
Drawing No: PL012 – Proposed Elevations
Drawing No: PL015 Rev C1 – Proposed Site Plan
Drawing No: PL016 – Proposed External Works
Received 26th April 2023

Drawing No: PL017 – Proposed Effluent Treatment Plant Elevations
Received 10th May 2023

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 materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy P3 of the Rochdale Core Strategy.

4. The development shall be built in accordance with the details provided on Drawing No: PL016 – Proposed External Works, received by the Local Planning Authority on 26th April 2023. Prior to the use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk pollution in accordance with Policy G8 of the adopted Rochdale 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.

Informatives

Advice to applicant from Environment Agency – trade effluent

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United Utilities

The applicant is advised to consult with United Utilities prior to any works being undertaken to ensure the details of the actual connection to the public sewer are in accordance with United Utilities regulations and guidance.