

APPLICATION NUMBER: 24/00151/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00151/FUL

CASE OFFICER

Rosalind Gralton

DETERMINATION DATE 12.06.2024 EXT OF TIME 12.07.2024

Address: Land Off Manchester Road Adjacent To Gas Street Rochdale OL11 4HY

Proposal: Proposed vehicle garage including MOT test centre, together with ancillary office and customer parking spaces

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	NA

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?	NA
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: LA DATE: 12.07.24

SITE

The site relates to a rectangular parcel of land on the western side of Manchester Road, just south of Gas Street.

The site is currently fenced off by 1800mm high steel post fencing and gates, and the site is dominated by hardcore. Some mature trees are located on the site.

To the south of the site is a flat roof, two storey unit, occupied currently by 'Budget Beds' furniture shop. To the west of the site is a verdant swath of trees, and further west is a large industrial building included within a Mixed Employment Zone. To the east the site is bounded by Manchester Road, and a parcel of land dominated by trees and containing a substation is located to the north.

The site is located within the Defined Urban Area, and does not affect any, or the setting of, designated heritage assets.

PROPOSAL

The application seeks planning permission for a proposed two storey height vehicle garage, with roller shutter door, ancillary office space and 9 customer parking spaces.

The building would have a tilted roof and be facing north onto the customer parking spaces. The access into the building would be from the northern elevation. A double height roller shutter door would be sited on the northern elevation, two windows would be located on the eastern elevation into the office space, with a third on the northern elevation also.

The building would be used as a vehicle garage and also a MOT test centre.

No trees are proposed to be removed as part of the proposals. A large sycamore tree is located centrally on the right hand side of the plot. This is identified as T1 in the accompanying Arboricultural Impact Assessment.

The proposed use class would be Sui Generis.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan

Policy JP-S1 – Sustainable Development

Policy JP-J1 – Supporting long term economic growth

Policy JP-J2 – Employment Sites and Premises

Adopted Rochdale Core Strategy (CS):

SO1	Delivering a more prosperous economy
SO3	Improving design, image and quality of place
SO4	Promoting a greener environment

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

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

04/D43959 - Erection Of One Block Of 3 Shop Units – Grant subject to conditions
20/09/2004

09/D51692 - Erection Of Four Storey Mosque/Religious Teaching Centre – Refuse
25/03/2009

12/55647/FUL - Change of use of land to form car wash – Refuse 28/09/2012

15/01226/FUL - Erection of two detached dwellings with detached garage block for
two cars – 16/12/2015

16/01538/FUL - Erection of one dwelling - Resubmission of 15/01226/FUL – Refused
09/02/2017

CONSULTATION RESPONSES

Highways And Engineering

The development is unlikely to generate any significant volume of traffic in the peak period.

Parking in the vicinity is limited and on street parking is in high demand. The development does however show adequate customer parking on site and as such I do not believe we could sustain an objection to this proposal due to the existing parking situation.

Servicing the site should not prove to be problematic. We would not expect any large vehicles to visit the site.

No new highways are proposed as a result of this proposal.

No changes to existing highways are as a result of this proposal.

No new road safety issues should occur as a result of this proposal. Given the nature of local businesses this is very important.

No PROW will be obstructed by this proposal.

Whilst we do have concerns around the existing parking situation in this locale the proposed development should not add to the issue. We could not sustain an objection to this proposal on parking grounds.

We have no objections to this proposal.

Lead Local Flood Authority/Drainage

A full consultation response is added to the decision notice as an informative. No objections subject to a pre-commencement condition.

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

United Utilities may request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable, before a surface water connection to the public combined sewer would be accepted.

The drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (ii) Construction details for permeable paving including kerbing and cross-section of open graded sub-base, if this type of paving forms part of the sustainable drainage system.*
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.*

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of 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.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

Env Health - Noise/Odours

This section has no objections to the proposals

Tree Officer

No comments received to date

Gtr Manchester Ecology Unit

Summary

There are unlikely to be any significant ecological issues associated with this development.

Protected Species

The development is very unlikely to have any adverse effects on any protected species, with the mature trees retained, the only ecological features on the site. I am satisfied that no further information or measures are required.

Nesting Birds

The only potential bird nesting habitat on the sites are the three trees that are proposed for retention. Theoretically nests could still be disturbed but given the scale of the development this risk is very low. I therefore recommend an informative along the following lines is applied to any permission.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Invasive Species

The rear of the site is moderate risk for invasive species such as Japanese knotweed and Himalayan balsam. The site itself however appears free of any such species. I therefore recommend an informative along the following lines is applied to any permission.

The applicant is reminded that it is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development appears to result in no significant loss of vegetated habitats and to have no significant adverse effects on wildlife.

With regards biodiversity net gain, I accept that it is exempt from mandatory 10% BNG, as it was submitted prior to it coming in to force for non-major developments. It may also have been exempt under the de minimis rule.

No mitigation therefore appears to be required. As enhancement on bird box could be provided on one of the retained trees. [The details can be conditioned.](#)

REPRESENTATIONS

The application was publicised by way of neighbour notification and site notice. 3 responses were received objecting to the application. The concerns are summarised below:

- Another garage less than 100 yards away from an existing established MOT garage would not be beneficial
- Parking is a problem as existing
- Queries regarding how many trees and what species and maturity are proposed for felling during this development
- What EIA has been carried out on the site relating to increased traffic use
- Manchester Road is congested and polluted
- Air polluting monitoring – what has been done and how would this impact health, including on the adjacent mother and baby unit at St Gabriels – located in close proximity
- How will the existing traffic be relocated, where to, and how will be increased traffic be managed during school runs.
- Concern regarding how the trees would be protected on and around the site.
- Concern regarding pollution of Rochdale following removal of any trees

ANALYSIS

The key considerations are design, amenity and impact upon the adjacent highway network.

Principle of Development

The application site is not specifically allocated for any defined land use purposes within the Rochdale UDP, other than it is within the Defined Urban Area, defined by UDP Policy G/D/1.

Policy E2 of the adopted Core Strategy states that 'We will 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 lower carbon economy. Policy JP-J1 of PfE states '*a thriving, inclusive and productive economy will be sought in all our boroughs. There will be an emphasis on maintaining a very high level of economic diversity across our boroughs*'.

The site to which the application relates is not located within any identified district or local centre or linear commercial area. Additionally the proposed use as a vehicle garage and MOT centre, is not considered as a main town centre use.

The proposed MOT centre would be a relatively small unit with 39sqm of internal workshop floorspace, and would provide 2 full time and 1 part time employees.

Overall, the proposal is considered acceptable in accordance with Policy E2 of the Core Strategy and the NPPF. However, further material considerations, as outlined below, must be taken into account, including the impact of the scheme on the living conditions of neighbouring occupiers and the impact on the surrounding highway network and visual amenity.

Visual Amenity

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. Additionally Policy P3 of the adopted Core Strategy requires buildings to contribute positively to the townscape. 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 proposed MOT centre would be a single storey structure with a mono pitched roof with a slight pitch. The appearance of the structure would be more like a flat roof structure. The materials proposed would consist of facing brickwork, aluminium windows, and profile metal cladding to the roof. The Case Officer requested details of this brick upfront, the agent was unable to secure a sample of the brick proposed, and therefore a condition detailing the colour, texture, specification and type of brick, is secured to the decision notice.

Given the siting adjacent to relatively similar flat roof industrial units, the proposal would not appear as an unduly prominent development.

Subject to conditions, the proposed development would result in an acceptable standard of design. It is therefore considered that the proposal accords with Rochdale Core Strategy policies DM1 and P3 as well as the NPPF.

Impact on surrounding uses

Paragraph 191 of the NPPF also states that Planning policies and decisions should ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Additionally, policies DM1 and G9 of the adopted Rochdale Core Strategy seek to ensure that new development is 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, also requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

The nearest residential properties located to the north would be approximately 81m away. To the east, 100m away across the A58, to the south on Castle Hill Crescent, also approximately 100m. Therefore, given the distance away from the properties, it is not considered the proposal would result in any unacceptable impact upon their residential amenity.

Confirmed via email with the agent, the opening times of the proposed MOT garage would be:

- Monday – Friday: 08:00 to 18:00
- Saturdays: 08:00 to 16:00
- Sunday and bank holidays: Closed

The Council's Environmental Health officer was consulted on the proposals and raised no objections. Following this, the agent provided the details of opening hours. With the Environmental Health Officer's no objections in mind, it is considered the proposed opening times are reasonable and would not result in the undue impact of the closest neighbouring properties. Given the noise associated with the use of a vehicle repair garage and MOT centre, it is necessary to condition these opening hours in the interest of residential amenity.

The proposal is therefore considered to be acceptable in regards to its impact on the amenity of neighbours, in accordance with the requirements of Policies DM1 and G9 of the Rochdale Core Strategy.

Highway Safety

With any application for new development it is important to assess the impact on highway safety and under policy T2 of the adopted Core Strategy it is established that 'In all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through'. Additionally, policy T2 of the Core Strategy sets out that development proposals are required to satisfy the Council's accessibility hierarchy and are required to provide parking in compliance with the Council's Maximum Car Parking Standards set out in Appendix 5 of the Core Strategy.

The Council's Highways Officers were consulted on the application and acknowledged the existing limited parking around the site. However, they were satisfied with the level of customer parking provided on the site which amounts to 9 spaces, and that the servicing would be suitable for the proposal. No objections were raised. As such, it is considered the proposal provides adequate off-street parking so as not to displace parking on to the highway and as such would comply with Policy T2 of the Rochdale Core Strategy and the policies contained within the NPPF.

Drainage

Policy G8 requires that new development does not lead to any form of increased flooding or impeded natural water and flood risk management. In this regard it is important that development includes drainage that is appropriate for the site and that utilised sustainable urban drainage solutions where ever possible. The site is not within an area at increased risk of flooding.

The Council's Drainage Officer was consulted and requested a pre-commencement condition be imposed. Subject to this condition, the proposal would not have any unacceptable impact, and would accord with Policy G8 of the Rochdale CS and the NPPF.

Trees and Ecology

Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity. Policy JP-G8 of PfE states development will be expected to achieve a net gain in biodiversity of no less than 10%.

The Council's Ecologist was consulted on the application. In respect of biodiversity, no mitigation of loss is required, however, an enhancement measure could be completed by the fixing of a bird box onto the retained trees. As such, these details are secured by condition.

An arboricultural impact assessment (AIA) has been submitted with the application. No trees are to be removed on the basis of the proposed layout; two trees (identified as T1 and G7 in the accompanying AIA), are to be removed for arboricultural management reasons. The case officer secures the recommendations of the AIA by

condition, which include the submission of a Tree Protection Plan and an Arboricultural Method Statement (AMS). This must be satisfied prior to discharge of the condition, and only after discharged will the developer be able to commence works to the proposal.

Subject to this condition, the proposal would not have any unacceptable impact, and would accord with Policy G6 and G7 of the Rochdale CS and the NPPF.

Neighbour objections

In relation to the outstanding concerns raised by objectors, clarification was requested on the number of trees, species and maturity of trees marked for felling. Details of what Environmental Impact Assessment (EIA) had been completed was requested, as well as details of air pollution monitoring and how this would harm local residents and adjacent uses. Concerns were raised over the congestion of the road. The site is not EIA development and this is not required with the application. The site is outside the Air Quality Management Area.

In relation to the impact on congestion, the Council's Highways Officers were consulted, and while they did note on-street parking is limited, the level of parking proposed by the applicant is satisfactory and Officer's were not concerned in relation to the impact of parking, nor was the impact on the capacity of the highway raised. Additionally, Officer's concluded no road safety issues were likely as a result of the development, and as such, no objections on highways grounds were raised.

An arboricultural impact assessment was submitted with the application. The conclusions of this have proposed an arboricultural method statement and tree protection plan be submitted prior to commencement of the scheme, secured via planning permission. As outlined above, the felling of these trees are for arboricultural management purposes, as stated in the AIA. Prior to any of these works, an AMS must be submitted and approved by the Local Planning Authority. These details shall also include a replanting scheme.

RECOMMENDATION: APPROVE SUBJECT TO 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 and documents:-
 - Proposed Site Plan – Drawing Number 02
 - Proposed Elevations – Drawing Number 04
 - Proposed Floor Plans – Drawing Number 03
 - Proposed Site Plan Inc Parking Plan – Drawing No 02
 - Location Plan
 - Arboricultural Survey and Impact Assessment – Reference AIA-1933-1 prepared 11 April 2024, by Tree Care Consultancy Arboricultural Consultants.

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

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. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

United Utilities may request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable, before a surface water connection to the public combined sewer would be accepted.

The drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) Construction details for permeable paving including kerbing and cross-section of open graded sub-base, if this type of paving forms part of the sustainable drainage system.
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of 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.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

4. No development shall commence on site (including demolition or preparatory works) until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the approved drawings, both within and adjacent to the site, has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The trees must be protected before any works are carried out.

5. Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting at a ratio of 2:1, shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling.

Reason: To safeguard the visual amenity of the area and in the interests of biodiversity.

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, 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 operation of the building 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. No above ground works shall take place until details of the materials (including specifications and samples to be provided on site) to be used in the construction of the exterior of the development hereby permitted are submitted to and approved in writing by the Local Planning Authority.

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

8. The development hereby approved shall not be operated outside the hours:

Monday, Tuesday, Wednesday, Thursday, Friday: 08:00 to 18:00

Saturdays: 08:00 to 16:00

Sunday and bank holidays: Closed

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 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:

None

Report Author Rosalind Galton