

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/00820/FUL

CASE OFFICER

Majid Mir

DETERMINATION DATE 21.09.2023 **EXT OF TIME** 09/02/2024

Address: Land Between 473 & 475 Oldham Road, Rochdale

Proposal: Erection of two commercial units (Class E) including associated access, plant area, car/cycle parking and landscaping - Re-submission of 22/00947/FUL

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

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

RECOMMENDATION

Grant subject to conditions

CHECKED AND SIGNED OFF BY: RG

DATE: 9 February 2024

SITE

The application relates to a circa 0.14 hectare rectangular plot of land located between the A671 (Oldham Road) and Watkin Street in Rochdale. The site was previously used as a vehicle hire depot, but it is presently vacant. Historical images show that the site has been empty for over 10 years. The site is generally flat and comprises a patchwork of hardstandings and scrubland. The land opens directly onto Oldham Road to the west, with established vehicle access points to the northwest and southwest corners. There is a retaining wall with a metal fencing on top of it which forms the eastern side boundary where ground level steps up onto Watkin Street. When viewed from Watkin Street, the wall is set below ground floor level, and the palisade fence is set at ground floor level. The remaining boundaries are enclosed by a combination of palisade fencing and the external walls of adjoining buildings to the north and south.

The western side of the site lies within the Oldham Road south of Kingsway Local Centre as defined on the Rochdale Unitary Development Plan (UDP) Proposals Map. Surrounding uses fronting onto the eastern flank of Oldham Road are predominantly commercial in character. To the north of the site along Oldham Road is a commercial property that appears to have been used as a hardware store, and to the south is a Public House. The properties are modest two storey properties.

Further west on the opposite side of the site of Oldham Road, the frontage of Oldham Road is characterised by two storey pre-war terraced dwellings. On the opposite side of the site, the site adjoins Watkins Street. On the northern side of the site along Watkins Street is a single storey community building. There is a two storey residential property on the southern end of the site along Watkin Street. The property sits on the corner at the junction of Watkin Street and Argyle Street. On the opposite side of Watkin Street are two storey terraced dwellings. The wider area to the west is residential in nature consisting of predominantly two storey terraced properties. The neighbouring properties occupy an elevated aspect along Watkin Street.

Commercial premises along Oldham Road typically comprise small-scale retail units forming a parade of shops organised in terraced rows. These typically reflect the age and style of surrounding pre-war terraced housing, with a range of finishes including brick, render and stone adding diversity to the street scene. There is a level of uniformity in the height of the properties with most being modest two storey buildings with the same eave and ridge height. There is however a variation in size and design of properties by the junction. The site's frontage onto Oldham Road includes a short run of waiting restrictions around the junction with the site access and, further to the north, a stretch of marked, on-street parking bays which narrow the eastern carriageway.

PROPOSAL

The application seeks permission for the erection of two retail units (use class E) on the site. The premises would have a total foot print of approximately 509 sqm. Unit A (larger unit) would have gross internal floorspace of approximately 378 square metres and Unit B (smaller unit) would have gross internal floorspace of approximately 93 square metres. The total gross internal floorspace of both units would be approximately 471 square metres.

The units would set within one building, with unit B would being located to the north and would be a simple rectangular form. Unit A would wrap around unit B. When viewed externally, it would have a rectangular form with a small outrigger to the rear.

The proposed buildings have inverted pitched roof design (butterfly roof design) but when viewed from the front it would appear like a mono pitched roof. The building would be detached with a maximum height of 5.6 metres.

For unit B, a glazed L-shaped frontage would extend across the building's western elevation onto Oldham Road and around the southwest corner. For unit A, there would be a traditional glazed opening. Both units would be accessed from Oldham Road.

The proposed building would be constructed using a mix of brick and cladding. The design of the proposed building has incorporated architectural detailing including brick banding and grey brick section.

The buildings would occupy the northern half of the site, with external servicing/bin storage areas to the rear on the northeast of the site. The application also proposes to alter the layout of the access to the site which is located on Oldham Road and to the southeast of the site. The access to the northwest would be closed off and the access to the southwest would be moved northwards slightly. The application proposes 23 car parking spaces (including two disabled bays and 6 electric vehicle charging bays).

Unit A will be used by a food retailer and with the supporting statement stating that no end operator has yet been secured for unit B. The application proposes opening times of between 06:00 and 23:00 Monday to Sunday (including bank holidays).

The proposed elevations also show a location for signs and a cash machine. These elements are not included in the proposal and would need to be applied for separately.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO1	Delivering a more prosperous economy
E1	Establishing thriving town, district and local centres
E2	Increasing jobs and prosperity
E3	Focusing on economic growth corridors and areas
SO2	Creating successful and healthy communities
C6	Improving health and well being
C8	Improving community, sport, leisure and cultural facilities
SO3	Improving design, image and quality of place
P1	Improving image
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, contamination and land instability
G9

SO5 Improving accessibility and delivering sustainable transport
T2 Improving accessibility

DM1 General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

G/S/1 Hierarchy and Role of Centres

S/6 District Centre, Local Centres and Linear Commercial Areas

Supplementary Planning Documents (SPD):

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

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development'

Shopfronts and Security Shutters SPD

RELEVANT SITE HISTORY

80/D10132	Use Of Part Of Service Station Site For Bar Sales. Decision: Approved.
86/D19280	Car Wash Centre. Decision: Approved.
88/D21887	Car Showroom And Garage. Decision: Withdrawn.
89/D23029	Use Of Land For Sale Of Motor Vehicles. Decision: Refuse by default.
89/D23677	Tyre And Exhaust Centre With Ancillary Parking. Decision: Refuse.
90/D25029	Use Of Site For Sale Of Used Cars For Temporary Period (Three Years) And Siting Of Portacabin Office. Decision: Approved.
91/D26239	Erection of single storey retail unit with associated car parking. Decision: Approved.
95/D32176	Change of use of land from former petrol filling station to car and van hire depot. Decision: Approved.
93/D29822	Renewal Of Temporary Permission (D25020) For Use Of Site For Sale Of Used Cars And Siting Of Prefabricated Office Building.

	Decision: Approved.
95/D32506	Erection Of Prefabricated Building And Boundary Fence To Car And Van Hire Depot. Decision: Approved
96/D33310 Application).	Erection Of Four Lighting Columns (Retrospective Decision: Approved.
98/D35769	Renewal Of Temporary Permission To Erect A Prefabricated Office Building (D32506). Decision: Approved
05/D44918	Erection of single storey office/valet bay building. Decision: Approved.
07/D49502	Erection of single storey prefabricated building (retrospective). Decision: Refused.
07/D49503	Erection of prefabricated building on top of existing building (retrospective). Decision: Refused.
07/D50206	Erection of replacement prefabricated office unit. Decision: Approved.
13/01176/FUL	Erection of 2 retail units (use class A1) with associated car parking and external storage areas. Decision: Withdrawn.
14/01078/FUL	Erection of two retail units (use class A1) with associated car parking and external storage areas - resubmission of application 13/01176/FUL. Decision: Grant subject to conditions.
16/00719/FUL	Erection of single storey prefabricated building to be used as offices for vehicle rental base. Decision: Withdrawn.
22/00947/FUL	Erection of two commercial units (Class E) including associated access, plant area, car/cycle parking and landscaping. Decision: Withdrawn.

CONSULTATION RESPONSES

Highways And Engineering

There are a number of highway issues arising from this application which are similar to a previous application (22/00947) for retail development on this site. This application is supported by a Transport Statement (TS) prepared by MJM Consulting Engineers which will be the basis of our response.

The TS outlines the traffic impact the development is likely to have on the highway network and taking into account the estimated traffic generation figures and the previous use of the site we can see no sustainable reason for refusal on overall traffic impact.

Parking provision for the size of the proposed development is slightly below the Council standards however the amount involved would not provide a sustainable reason for refusal.

The proposed development is with a local retail area with established shops etc and is within a relatively sustainable location with regards to public transport and amenities.

Having checked accident data it would appear that there are no inherent road safety issues on the highway network around the proposed development.

Highways have previously expressed concerns regarding the servicing of this site in particular access for the size of vehicles accessing the site from Oldham Road which is a classified road(A664)

The application includes an internal servicing arrangement which includes the swept path of a 11 metre vehicle which seems to indicate that this size of vehicle can be accommodated provided that the service area be kept clear. Highways have previously expressed concern regarding the sites ability to accommodate a 16.5 metre service vehicle which in today's logistics would be an expected size of service vehicle. The control of the size of service vehicle by planning condition has been discussed however we feel that this would be difficult to impose.

The proposed layout of the site includes build outs into the carriageway of Oldham Road which raise some concerns over the impact on the turning movements of larger vehicles entering and leaving the site. From the swept path analysis these larger vehicles would have to enter the opposite side of the carriageway to exit the site which would have an impact on both road safety and the free flow of traffic on the classified road.

It would appear that the build outs are deigned to accommodate loading bays on Oldham Road itself and we have previously expressed our concerns regarding this proposal in relation to goods being delivered across the footway. Highways are not convinced that these physical build outs are required and as previously stated such build outs are likely to restrict the turning movements of larger service vehicles.

If the above issues can be resolved we would ask for the following planning conditions;

- The car park and servicing areas are marked out and retained for their intended use and should not be used for the storage of goods, materials or bins etc.
- The redundant vehicle access points into the site are returned to footways with works undertaken by the applicant and approved by Highways
- All parking and loading areas within the site are SUDs compliant.
- The existing road marking layout along the development frontage will require updating by the applicant.
- We would require the submission of a Construction Management Plan for approval.

The applicant is also reminded that works within the adopted highway, including the relocation of existing signage, will require a separate approval from the Council as Highway Authority.

10/23

The amended plan does not change our previous comments on this application and we note that the physical build outs into Oldham Road remain despite our previous concerns which are outlined below.

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11/12

Whilst we may not be experts in food retail logistics our comments regarding the size of service vehicles are based on observations on existing similar sized food retail outlets within the Borough of Rochdale itself. The use of 16.5 metre sized service vehicles is commonplace at numerous sites and where adequate internal turning space is not provided or customer parking takes place within the loading bays unloading takes place on the highway, hence our concerns.

We have previously raised concerns regarding the unloading of service vehicles in this particular location because it would have to take place across a very busy footway which would raise safety concerns.

Following internal discussions between Planning and Highway Officers it was felt that a planning condition limiting the size of service vehicle would be difficult to monitor and enforce therefore not practical. At this stage we could consider discussing this matter further but we may not wish to set a precedent for future applications.

02/24

The outstanding issue we have is that the site cannot accommodate the turning or access of a 16.5m vehicle.

16.5m vehicles are now common place for servicing retail premises such as this.

The applicant has not attempted to prove the suitability of the site but stated the end user has a range of size of delivery vehicles and suggested a condition of planning and.

Whilst we cannot doubt the intentions of the end user at this point in time, it's very possible the end user could quickly change their servicing/delivery strategy or the end user could change all together once the retail use is established.

Unfortunately we cannot enforce any condition regarding vehicles size so this is not an acceptable proposal either.

The issues identified with the Car Park and Access to the site threaten both the Safety and Function of the Highway.

We maintain our objection to these proposals.

The vehicle tracked is a 10.35m rigid and barely makes the manoeuvre. Our concerns are regarding the 16.5m vehicles which are now common place in servicing premises of this size and nature.

This submission only goes to re-enforce our concerns regarding this application.

The site is simply too constrained for service vehicles and customers to operate without dangerous conflict.

There is no enforceable condition we can accept which can control delivery vehicle sizes or hours of delivery. We cannot see this site will operate safely and therefore cannot offer this application our support.

We object to this proposal on road safety grounds due to the inadequate space for servicing.

Env Health - Noise/Odours This section is broadly supportive of the proposals, however we cannot accept deliveries from 06:00 (night time) this would need to be restricted/agreed to 07:00-23:00.

If agreed we would recommend the following conditions:

Noise from fixed plant does not exceed 48dB(A) 1hr between 07:00-23:00 and 33 dB(A)15min between 23:00-07:00

An acoustic fence of no less than 2m is placed on the boundary with Watkin street

Sound absorption is placed as per diagram 4.12

Transport For Greater Manchester

Trip Generation - The trip rates are acceptable.

Proposed Internal Access Arrangements - The TS confirms that the existing vehicle access on Oldham Road will be utilised to serve the development and will be improved to provide wider footways either side of the access, along with tactile paving, which is welcomed. Any redundant access points surrounding the site should be reinstated accordingly.

The Site Layout Plan demonstrates that visibility splays of 2.4 metres x 43 metres are achievable in both directions from the site access, in line with guidance contained within Manual for Streets.

The TS confirms that car parking provision will be provided in accordance with the Council's adopted standards.

The TS confirms that servicing will be undertaken within the on-site car park, within a service bay provided to the south-east of the building. A swept path analysis is contained within Appendix D of the TS. This demonstrates that a 10.35 metre rigid delivery vehicle can enter and exit the site in a forwards gear.

TfGM would refer to the LHA to determine if the proposed access, car parking and servicing arrangements are acceptable.

Traffic Regulation Orders - TfGM would suggest that it may be beneficial for a review of the Traffic Regulation

Orders in the vicinity of the development to be undertaken. This should cover the potential for introducing additional parking restrictions, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm.

Other - A robust Construction Traffic Management Plan should be employed as part of the development.

Public Transport - The nearest bus stops offering access to regular services are located outside the site on Oldham Road. These stops provide regular services between Rochdale and Ashton-under-Lyne every few minutes.

It is therefore considered that the site benefits from good public transport links and as such staff will be provided with viable alternatives to car travel.

Active Travel - In order to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks.

To promote active travel and link in with the surrounding environment, the applicant should ensure the provision of continuous 2 metre wide footways throughout and surrounding the development, as well as reinstating any redundant vehicle crossings which previously served the site, installing tactile paving at junctions/crossing points and renewing any substandard footways.

It is noted that the TS confirms improvements in line with the above.

Cycle Parking - It is important to ensure that there is adequate infrastructure and facilities to encourage staff to travel by sustainable modes. Cycle parking provision should be provided in accordance with the Council's adopted standards and where possible spaces in excess of the minimum provided.

The cycle facilities should be covered and secure, with measures such as the installation of CCTV and appropriate lighting to ensure security. Welfare facilities should also be provided for staff.

Travel Plan - TfGM would refer to the Local Authority to determine whether a Travel Plan is required for the development. Should this not be a requirement, TfGM recommend that a Travel Pack is produced for staff which provides journey planning information and incentives for staff travelling by public transport or active travel modes.

Lead Local Flood Authority/Drainage

Sustainable drainage could be provided by either the provision of permeable car-parking areas, which require open graded sub-base or the inclusion of an attenuation tank and flow control to public sewer. These details will need to be accepted by United Utilities.

Environmental Control (Landfill Gas)

The supplied Phase 1 is acceptable, suitable condition. Additionally site investigation and assessment required. Recommended condition provided.

United Utilities

We request that the applicant submits a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels). It is our recommendation this information is submitted for our review so that any risk of sewer surcharge can be further assessed. The applicant should note that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge.

Request for pre-commencement condition requiring details of surface water drainage and foul water drainage schemes to be provided.

Tree Officer

No comments received to date

REPRESENTATIONS

Letters of notification were sent to neighbouring properties and site notices were placed in the vicinity of the site. No responses have been received.

ANALYSIS

Principle of development

The application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside. Furthermore, the part of the site fronting Oldham Road is located within the Oldham Road south of Kingsway Local Centre as defined on the Rochdale UDP Proposals Map.

Policy S/6 of the UDP relates to District Centre, Local Centres and Linear Commercial Areas within the district and needs to be read in conjunction with policy E1 of the adopted Core Strategy. Policy S/6 states:

“In Milnrow District Centre, local centres and linear commercial areas (as identified on the Proposals Map and listed in Appendix B) the development of, or change of use to, shops, financial and professional services, food and drink outlets, offices, community and cultural facilities and other uses appropriate to a district or local centre will be permitted provided that:

- a) It will be of a scale and character appropriate to the size, role and function of the centre or area; and*
- b) It will be compatible with surrounding land uses and will not harm local residential amenity. “*

The policy also indicates that for retail development over 500 square metres gross, applicants should also demonstrate that the sequential approach to site selection has been adopted and that no suitable sites or buildings that are sequentially preferable are available or likely to become available within a reasonable period of time. Whilst this threshold seeks, to an extent, to limit the scale of retail premises within Local Centres, this approach has been superseded by national and local policy which does not require a sequential approach to proposals within defined centres.

The Core Strategy states that 'out of centre application, an impact assessment is required and should satisfy the locational requirement floorspace thresholds set out locally. The floorspace thresholds set by the Council are: Rochdale (2,000 sq. m gross and above); Middleton (1,000 sq. m gross above); and Heywood, Littleborough and District/Local Centres (500 sq. m gross above). The requirement for an impact assessment will be dependent upon the floorspace proposed, the catchment area of the proposed development and the centres which fall within that catchment area'. Policy E1 of the Core Strategy states that 'in considering proposals for main town centre uses we will require the application of the sequential approach, where the application site is not in an existing centre and not in accordance with an up to date development plan'.

As noted by the Planning Officer for planning application 14/01078/FUL, the Oldham Road south of Kingsway Local Centre falls within the definition of town centres in Annex 2 of the NPPF and the proposed retail premises is a main town centre use. Given the application's proposal within a defined centre, it is not considered necessary or proportionate in line with national and local policy to require a Retail Impact Assessment.

In regards to the use of the site for two retail units. Paragraph 90 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation, Planning policies should define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters'. Paragraph 90 also adds that planning should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary'.

As noted above, policy S/6 of the UDP indicates that subject to the two criteria, development of or change of use to shops and other local town centre uses will be permitted. Policy E2 of the Core Strategy 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. Policy C6 states that we will ensure good provision of and access to a range of food shops within or adjacent to town centres, local centres and particularly those located in or able to serve deprived areas. Policy E1 of the adopted Core Strategy states that 'we will focus retail, leisure, cultural, office, residential and other development to promote the viability and vitality of all the borough's town centres to maintain them as thriving and sustainable centres and the preferred shopping and leisure destinations for people living, working and visiting the borough. We will also ensure the provision of a hierarchy of accessible district and local centres and shops that meets people's daily shopping needs'.

The proposed retail premises would occupy a large, vacant site within the Local Centre which stands between rows of commercial units forming a prominent shopping parade along the eastern flank of Oldham Road to the north and south of the site. This parade predominantly comprises groups of small-scale shops organised in terraced rows and is characterised by a range of uses. Whilst the larger of the two units would incorporate a significantly greater floor area than that typical of

surrounding commercial premises, as noted by the planning officer in the previous application, 'its scale and character would not be inappropriate to the size, role and function of the Local Centre'. The development would enhance the retail profile of the centre and would be of benefit to its vitality and viability by bringing a vacant site back into use and creating high quality retail floorspace for a main town centre use within an allocated commercial centre. Additionally, the supporting report notes that the proposed development would provide approximately 20 jobs.

The proposal is therefore in accordance with the requirements of UDP policy S/6, Policies E1 and C6 of the Core Strategy and the NPPF.

Design and Visual Amenity

Policies DM1 and P3 of the Council's adopted Core Strategy require 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, paragraph 131 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF 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.

The NPPF seeks to encourage well-designed, beautiful places, which are a key component of sustainable development. Building on this, the National Design Guide 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. Principles of good shop front design are also outlined in more detail within the SPD: Shopfronts and Security Shutters.

The building would be sited on a prominent location front on to Oldham Road. The buildings on either side of the site and on either side of Oldham Road are all predominantly modest two storey pre-war terraced properties. There is a clear and distinct building line that is visible when travelling along Oldham Road. The properties front on to the footpath and have the same ridge and eaves heights. The properties have a single rectangular form window on the first floor bounded by cills and eaves. The properties also have subtle and understated architectural detailing that adds to the positive visual interest. Some of this has been lost over time due to the development that has been undertaken (i.e. render).

The two proposed retail units would be housed within one building. To the north of the site the building would be sited close to the boundary with 469-473 Oldham Road. To the south, would be the car park and vehicle entrance to the car park via Oldham Road. When viewed from Oldham Road, it would appear that approximately half of the site will have the proposed building on it. It is noted that there is presently a large gap between the properties to the north and south of the site. This visual break does create a negative impact on the visual amenity of the street scene.

The proposed building would have an offset inverted pitched roof design with the front element being substantially larger. The smaller element would be to the rear and be set on the rear outrigger. When viewed from Oldham Road, the proposed building will appear like a mono pitched building with the roof slanting downwards as it moves to the rear.

The proposed development has been amended to reduce the eaves height to match the height of the eaves of the neighbouring properties and to include some of the architectural features that can be found within the neighbouring properties. Although the building is starkly different in form and overall design when compared to the surrounding properties, the addition of the architectural detailing provides a connection to the historic architectural detailing found on neighbouring properties but within a modern form.

Also, whilst the size of the building differs from that of surrounding commercial properties, the building would have a strong frontage onto Oldham Road articulated by floor-to-ceiling glazing, wrap around/ 'L' shaped glazing and architectural detailing. Both the units would have their entrances fronting on to Oldham Road. The orientation of the entrance to the front would allow the proposed development to take advantage of the site's prominent frontage onto Oldham Road and ensure visual interest across the site's principal frontage onto Oldham Road is retained.

The amount of cladding on the southern elevation has been reduced where most prominently viewable from Oldham Road. Additionally, brick detailing has also been introduced on to the southern elevation. When approaching from the north, and by virtue of its height in comparison the neighbouring properties and siting the proposed building close the boundary with the neighbouring properties, the side (north facing) elevation of Unit B would be extensively screened. As a result, this elevation would not be prominent in view in the street scene. Nevertheless, the cladding is sufficiently set back on the northern elevation that when pedestrians are walking from the north, the view of the cladding on the side elevation would be limited.

In regards to the southern elevation, owing to the car parking area, there is greater openness on the southern side of the site. Therefore the southern elevation of the proposed building would appear more prominent. The comparative prominence of this visual aspect is addressed by reducing the amount of cladding and subsequent increase in the amount of brick, the amount of brick detailing and the extent of glazing to the southwest corner (including the presence of the building's main entrance within this frontage). The alterations have allowed for a sufficient amount of visual interest to be created on one of the largest and most prominent elevations of the building. Additionally, the proportions of the brick, cladding, brick detailing and glazing on the southern elevation is acceptable.

The proposed front elevation of the building is set slightly further back than the building line of the terrace properties. Although there is preference for the building to follow the building line of the row of terrace properties, it is noted that the proposed building would be distinct in its design and form from the neighbouring terrace properties. Additionally, it would be detached and slightly set away from the properties to the north. It is also noted, that alterations to the eaves have been made so that they match the eaves of the neighbouring properties. The matching of eaves height helps somewhat compensate for the slight setting back of the proposed building and helps to create a greater level alignment with the row terrace properties to both the north and south of the site. Overall the building is sited sufficiently close enough to the neighbouring properties that there is no undue impact on the general visual amenity from the streetscene.

In regards to the rear, the properties to the eastern side along Watkins Street are set on higher ground than the application site. When viewed from Watkins Street, owing to the slope and size of the roof, it would be the prominent element of the proposal. Additionally, due to the great expanse of cladding on the roof and rear elevations, this only becomes more prominent. Although there is preference for the soft landscaping along this vast boundary with Watkin Street to screen and soften the visual impact, it is accepted that owing to the height difference, security and the requirements set out by the environmental health officer to provide a 2m acoustic fence across the boundary with Watkin Street, a more secure and solid boundary treatment is required. The details of the boundary as shown on the proposed plans is considered to lack sufficient visual interest in a prominent location adjoining the footpath. Nevertheless, a boundary treatment of sufficient height, screening and design is required along the boundary to sufficiently screen the proposed development. The agent has agreed to deal with the boundary treatment via a condition. It is therefore considered acceptable to include a condition requiring details of a suitably designed boundary treatment.

As noted by the planning officer in application 14/01078/FUL, despite 'it's setting amongst pre-war terraced buildings, the size of the site, scale of the building (including the nature, character and function of the end use) and its separation with adjacent properties provides an opportunity for a unique and innovative design. It is not considered that a pastiche which attempts to replicate the character of adjacent terraced properties is necessary in this case, nor does such a design concept readily lend itself to the size, scale or purpose of the development'. It is noted that the proposed design of the previous permission would be considered inappropriate now, however, the conclusion in regards to the attempt to replicate the design and/or scale of the adjacent terraced properties may not necessarily lend itself to this site is still considered to be relevant.

The proposed development exhibits a modern and contemporary design that differs in scale, design and form from the neighbouring properties. The site has been left unoccupied for over 10 years and does significantly attract from the local centre. The proposal has incorporated some architectural design features that can be found on neighbouring properties and has included design features that create visual interest. Additionally, the use of brick along the prominent elevations to the east and south helps to soften the starkness experienced by the design and form. However, it is imperative that the materials, the architectural features added to the proposal and the boundary treatment is of a high standard for the development to be acceptable. As such it is considered appropriate to include conditions requiring samples/details of materials, boundary treatment and detailed scale drawings of the architectural detailing.

Subject to the addition of the relevant conditions, it is considered that on balance, the proposal is acceptable and would accord with the relevant policies in the Core Strategy and the NPPF.

Impact on surrounding uses and occupiers

Paragraph 180 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. Paragraph 135 also seeks to ensure that planning decisions create places which promote health and well-being, with a high standard of amenity for existing and future users. 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. Additionally, policy DM1 of the Core Strategy requires that proposals should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

UDP policy S/6 (b) states that, within Local Centres, the development of shops, financial and professional services, food and drink outlets, offices, community and cultural facilities and other uses appropriate to a district or local centre will be permitted provided that it will be compatible with surrounding land uses and will not harm local residential amenity.

The western part of the site lies within a local centre between rows of commercial premises along Oldham Road. There is a residential property sited to the southeast corner of the site. Additionally, on the opposite side of Oldham Road and Watkins Street are residential properties. Furthermore, to the east is a residential area. Nevertheless, given their frontage onto (or close proximity to) the busy thoroughfare of Oldham Road and the character of surrounding uses (including several which open late into the evening), the occupiers of these dwellings would expect to experience a greater level of noise and disturbance (e.g. from traffic and the operation of neighbouring commercial premises) than would be expected in more suburban locations.

The application is also supported by a Noise Impact Assessment to assess the impact which the proposed use may have on occupiers of surrounding properties. The assessment used data from similar sites to get sample noise levels. The report calculated that for the application site, sound pressure level from delivery noises at 5.6 metres was determined to be 67.2 dB LAeq, 1h. In regards to plant equipment noise, the report calculated that the plant equipment operating continuously such that its hourly sound pressure level, at 13 metres, was determined to be 39.3 dB LAeq, 1h.

Within the vicinity and along the local centre there are a range of shops and commercial premises, including a drinking establishment, hot food takeaways and retail outlets and other commercial premises. The supporting report noted that during the day and night time, the ambient noise in the vicinity is dominated by traffic noise, particularly from Oldham Road. It is noted that some of these premises are open late into the evening. Additionally, the majority of these premises have daytime opening hours. The application proposes opening times of 06:00 to 23:00 on Monday to Sunday (including bank holidays). The Environmental Health Department has stated that although they are broadly supportive of the proposals, however the department object to deliveries from 06:00 and requested that this is restricted to 07:00 to 23:00.

The application proposes to locate the plant area to the rear of the site. This would be located close the community hall (Twenty Seventh Rochdale Lowerplace Scout Group building) on Watkin Street. Additionally, on the opposite side of Watkins Street are residential properties. The supporting report concluded that the plant equipment would be unlikely to give rise to any significant disturbance. However, the supporting report noted that the plant equipment would be placed in a narrow space that would be constrained on 3 sides by solid structures and therefore this creates the potential for the build-up of reverberant noise within the space. As such the report recommended the inclusion of additional mitigation measures including the addition of sound-absorbent material on the walls immediately adjacent the plant equipment. The Environmental Health department has requested a condition restricting the noise of the fixed plant to 48dB(A) 1hr between 07:00 and 23:00 and 33 dB(A)15min between 23:00 and 07:00. Additionally, the Environmental Health department

requested the inclusion of a condition requiring the noise absorption material to be installed.

In regards to noise from deliveries, the supporting report noted that as the noise from deliveries includes some impulsive sounds, BS 4142 suggests a character correction be added. The report judged that a character correction of +3 dB would be appropriate. This would therefore give rise to a 'rating' sound level of 62.9 dB L_{Ar}, 1h at the closest property elevation on Watkins Street. The report concluded that this level was 9.9 dB greater than the day time measured 'modal' background level measured on Watkin Street which, according to the significance criteria presented in BS 4142, would be predicted to give rise to a likelihood of the occurrence of a significant adverse impact during the day time (nominally up to 11:00pm). The supporting report recommended the addition of a 2 metre high barrier along Watkins Street, which would provide approximately a 10 dB sound attenuation. The Environmental Health department also requested the inclusion of an acoustic fence of no less than 2m to be placed on the boundary with Watkin street.

Noting the above, and given that the site is set amongst existing commercial premises along Oldham Road and having regard to the established hours of operation of neighbouring premises, it is considered that the operating hours for the retail premises would be broadly acceptable. However, as noted above, the rear does project beyond the local centre and would be sited adjacent to numerous residential properties on the opposite side of Watkins Street and the plant equipment would be sited close to the eastern elevation. Additionally, the site differs from neighbouring commercial premises that front directly on to Oldham Road and the rear of the building creates somewhat of a buffer to the properties on Watkins Street. The proposed building would be located to north side of the site with the remaining element of the site open and used for parking and access to delivery vehicles which will offload products to the rear.

As such, as recommended by the Environmental Health department, it is considered appropriate to restrict the delivery times, planting operating noise, noise absorption material and opening times.

The Council's adopted Guidelines and Standards for Residential Development SPD provides guidance on distances that should be retained to prevent unduly impacting on the amenity of occupiers or residential properties. The proposed development would be sited approximately 18.3m from the front elevation of the residential properties on the opposite side of Oldham Road. This would exceed the minimum distance of 14m required between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room. Additionally, the distance would be slightly more than the distance presently experienced with the existing terraced properties on Oldham Road.

In regards to the residential properties on Watkin Street, they presently have views through to Oldham Road across a vacant site. The residential properties along Watkin Street are set on sufficiently higher grounds and the addition of the proposed building would not unduly impact on the amenity of the residential properties. Additionally, the proposed boundary treatment would be sufficiently set away from the residential properties to unduly impact on the light or outlook to any of the residential properties.

The proposed building would be sited close to the boundary with the side elevation of no. 469-473 Oldham Road and side of Twenty Seventh Rochdale Lowerplace Scout Group building on Watkin Street. Both are considered commercial properties. In regards to no. 469-473 Oldham Road, there are no windows on the side elevation. In regards to Twenty Seventh Rochdale Lowerplace Scout Group, it is noted that the

building is set on higher ground and the windows on the side elevation are set higher up on the side elevation. As such, it is considered that the proposed development not unduly impact on the light or outlook to either of the properties.

A residential property is located to the southeast at the junction of Argyle Street and Watkin Street. The Public House is located to the southwest of the site. The proposed building would be sited between 17.8m and 28.6m from the buildings adjoining the site to the south. There do not appear to be any windows that would be unduly impact by the proposed development. The proposed development would be set sufficiently away from the buildings to unduly impact on the light or outlook of these properties.

In conclusion, subject to the addition of the relevant conditions, it is considered that the proposed development would not unduly impact on the amenity of the occupiers of any of the neighbour properties. The proposal is therefore considered to comply with policies DM1 and G9 of the adopted Rochdale Core Strategy, S/6 of the UDP, the SPD and the NPPF.

Highways and road 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'. Whilst Paragraph 111 of the NPPF 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 council's highways officers concluded that there does not appear to be inherent road safety issues on the highway network around the proposed development. The supporting Transport Statement noted that there had been 5 accidents over a 5 year period, with all the accidents being 'slight'. The Transport Statement concluded that 70% of development traffic would be considered to pass-by, 10% diverted, and 20% of development generated traffic would be considered to be 'new'. As such, the Transport Statement calculated that the proposed development would generate 11 new two-way trips in the AM peak hour and 16 new two-way trips in the PM and Saturday peak hours.

Parking Standards

The Core Strategy in appendix 5 provides maximum standards for parking depending on the use and size. For food retail units less than 900 sqm. the maximum standard for car parking provision should be 1 space per 25 sqm. gross floor area (GFA). In regards to minimum standard for cycle space provision should be 1 space per 100 sqm. (min 2 spaces). Based on these standards, the maximum standard required 25 car parking spaces, however, the site plans suggest 23 parking spaces. The highways department stated that although the parking provision is slightly below the Council standards, they did not consider it was a sustainable objection. It is noted that the application site is also within the local centre with good public transport links and is considered to be sustainable location. As such the parking provision is considered to be acceptable.

Access and servicing

At present there are two access points to the site along Oldham Road; One to the north and one to the south. The proposed development would see the access to the

north blocked off by the addition of the proposed building. To allow for parking along the southern boundary of the site, the access to the site will need to be moved northwards slightly. It is noted that there is an existing lamppost by the new access to the site that will need to be relocated. Additionally, the alterations to the access will require amendments to the existing parking restrictions and formalised parking area to the eastern frontage of Oldham Road. These would need to be amended to reflect the revised positioning of the access in order to ensure adequate visibility at the junction with Oldham Road. This would subsequently result in the loss of existing on-street car parking spaces on Oldham Road where the carriageway shares a boundary with the site. It is considered appropriate to include an appropriately condition in regards to this.

The proposed access would allow two-way vehicle movements onto Oldham Road to serve the 23 space car park. Adequate manoeuvring space would also be created within the car park to ensure that vehicles are able to enter/exit the site onto a classified road in forward gear.

The proposal initially included build outs into the carriageway of Oldham Road which the highways department had raised concerns about. The highways department considered that the inclusion of the build outs would impact on the turning movements of larger vehicles entering and leaving the site. From the swept path analysis that was provided, larger vehicles would have had to enter the opposite side of the carriageway to exit the site which would have an impact on both road safety and the free flow of traffic on the classified road. Additionally the highways department raised concerns that the addition of the build outs would facilitate the use of the carriageway to service the retail units. Finally, the highways department questioned the need of the build outs. Amended plans have since been provided to remove the build outs.

The Council's highways department have raised concerns with the servicing arrangements proposed. In particular there were concerns about the access of the site by larger vehicles. The application includes an internal servicing arrangement which includes the swept path of a 10.35 metre rigid HGV which demonstrates that this size of vehicle can be accommodated provided that the service area be kept clear. However, the highways department expressed concern regarding the sites ability to accommodate a 16.5 metre service vehicle. The highways department have stated that these size vehicles would be expected to be used to service such a site. The applicant has stated that conditions can be applied to restrict the use of the site by vehicles with a maximum length of 10.35m. Additionally, the applicant has provided a letter from the retailer confirming that it can operate under such a restriction.

The highways department have raised concerns whether such a condition can be enforced. However, it is noted that similar conditions have been applied by other planning authorities and the inspectorate. Furthermore, it is noted that a similar condition restricting the size of the vehicle servicing the units to 10.7m was included in the planning permission 14/01078/FUL. As such, within planning terms, the condition would meet the 6 standards set out in the NPPG. Therefore it is considered that the concerns expressed by the Council's Highways department do not represent sustainable grounds for refusal.

In conclusion, it is considered that satisfactory measures can be put in place through a combination of restrictive conditions and site management to ensure that any conflict with respect to servicing can be resolved. With the addition of the restrictions on the type of vehicle to service the retail units, the addition of a condition requiring a service management plan and a condition requiring car parking and vehicle servicing area to be retained and kept clear at all times, it is considered that the proposal

would not have a severe impact on highway safety for the purposes of the NPPF, nor would the proposed servicing arrangements have a detrimental impact on road or pedestrian safety in conflict with the requirements of policy DM1 of the adopted Core Strategy.

Contamination

Core Strategy Policy G9 states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.

A phase 1 study report was provided with the application. The report identified moderate to high ground contamination risk setting for Human Health, moderate ground contamination risk setting for controlled waters and low to moderate geotechnical risk setting. The report recommended that a phase 2 Ground Investigation (intrusive investigation) works are undertaken to provide an assessment of the geo-environmental characteristics of the site. The report recommended that the investigation works should be completed prior to commencing with any future development work. The public protection (contamination) officer considered the report to be acceptable and also recommend that a further assessment should be undertaken.

It is therefore considered that subject to the inclusion of the necessary condition, the proposal would meet the requirements of Policy G9 of the Core Strategy and the requirements of the National Planning Policy Framework.

Drainage and flooding

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 located in flood risk zone 1 or 2 and nor is the site located within a critical drainage area. Although the site is not within national surface water 1 in 30 year flooding risk zone, the highway to the southwest is.

The application was supported with an outline drainage strategy plan, however as noted by the Drainage Officer, no calculations to indicate how the consultant has arrived at a value of surface water discharge rate of 13 l/s. Although the drainage plan has suggested 13 l/s, United Utilities have stated a level of 5 l/s. United Utilities have requested the applicant submits a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels). United Utilities also added that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge.

Owing to the lack of information, the Drainage Officer and United Utilities recommended the inclusion of a condition requiring sustainable surface water drainage scheme and a foul water drainage scheme to be provided and agreed prior to work commencing. It is considered that such a condition would be acceptable.

As such, subject to the addition of the relevant condition, it is considered that the proposal would accord with policy G8 of the adopted Core Strategy, and the National Planning Policy Framework.

Ecology and trees

Policy G7 of the Core Strategy aims to protect and enhance the borough's wildlife habitats and species and key natural resources and features. Policy G7 states that no development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in a net gain. Furthermore, policy G7 states that developments proposals which would affect a species protected by law or its habitat will not be permitted unless it can be demonstrated that there is no adverse impact on the species concerned and damage to habitats is minimal and alternative habitat provision is effective in maintaining those species.

The application site has been a hard standing dominated vacant site, previously used for open storage of vehicles for rent. As such whilst there is some elements of rough scrub that have broken through the hardstanding, there are no structures for birds or bats to use and the site has negligible biodiversity value.

It is therefore considered that the proposal would not conflict with the requirements of Policy G7 of the Core Strategy and the requirements of the National Planning Policy Framework.

RECOMMENDATION

Grant permission 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:

- General Arrangement UNIT A_PROPOSED PLANS AND ELEVATIONS. Drawing no: 1630_102(P). Revision: M. Received by email on 01/02/2024.
- General Arrangement SITE SECTION_STREET SCENE_XX_YY_ZZ. Drawing no: 1630_105(P). Revision: F. Received by email on 01/02/2024.
- General Arrangement PROPOSED SITE PLAN. Drawing no: 1630_101(P). Revision: V. Received by email on 06/02/2024.
- General Arrangement SITE LOCATION INFORMATION. Drawing no: 1630_100(P). Revision: A.
- General Arrangement EXISTING SITE PLAN. Drawing no: 1630_104(P). Revision: A.

and the development shall be carried out in accordance with these drawings and documents 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. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground construction works shall take place until samples and/or full specification 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. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be in operation until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

5. Notwithstanding any details contained within the application, full details of any external lighting to be installed on the buildings or on the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Such details shall include its position and height on the buildings or site and its luminance, angle of installation and any hoods to be fixed to the lights. Only lighting as approved shall be installed on the site in accordance with the terms of any such approval.

Reason: To ensure that any lighting to be installed on the site does not cause a nuisance to surrounding occupiers in accordance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

6. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the following:

- (i) hours for site preparation, delivery of materials and construction;
- (ii) the route of access and parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding;
- (vi) wheel washing facilities;
- (vii) dust management during site preparation and construction;
- (viii) any external lighting of the site.

The duly approved CMP shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development in accordance with policies G9 and P3 of the adopted Rochdale Core Strategy, and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure the construction process is managed from commencement and measures put in place to protect the amenity of nearby residents and highway safety prior to commencement of any building or engineering works on site.

7. 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 sewer is acceptable.

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) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5l/s;
- (iii) 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.
- (iv) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD.
- (v) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- (vi) Mitigation measures to manage the risk of sewer surcharge, if UU Developer Services advise that this is necessary.
- (vii) Construction details for permeable paving including sub-base details e.g. cross-section, if this type of paving forms part of the sustainable drainage system.
- (viii) Provision of a Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

The approved schemes 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 of the proposed development, the drainage schemes 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.

8. Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:
- i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
 - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Contamination investigation and any required mitigation measures will require investigation before the significant disturbance to ground and removal of material.

9. Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details including elevations of the type, siting, design and materials to be used in the construction of boundaries, screens, fencing or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of visual amenity and to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and in compliance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

10. The units hereby permitted shall not be occupied until all vehicle parking spaces and the turning areas have been provided in accordance with the plans hereby approved. The spaces shall be kept available for parking at all times thereafter and shall not be used for the storage of materials, goods or bins.

Reason: In order to ensure there is adequate provision for vehicles to be parked and adequate turning and servicing provision clear of the highway in order to comply with policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework

11. Notwithstanding the details shown on the approved plans and the requirements of condition 2, details of the windows and doors to be utilised in the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority before any such windows and doors are installed. Such details shall indicate, at a scale of not less than 1:20, the longitudinal and cross-sectional detailing, surround, cill and lintel detailing, and means of opening together with any finished treatment. The windows and doors shall be installed in accordance with the approved details before the development is first brought into use and thereafter so maintained.

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

12. Notwithstanding the details shown on the approved plans and the requirements of condition 2, details of the architectural detailing identified to the front and side elevation of the approved plans shall be submitted to and approved in writing by the Local Planning Authority. Such details shall indicate, at a scale of not less than 1:20, the longitudinal and cross-sectional detailing. The architectural detailing shall be installed in accordance with the approved details.

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

13. The hereby permitted units shall only be open for trade between 06:00 hours and 23:00 hours from Monday to Sunday (inclusive of bank holidays).

Reason: In the interest of the amenity of adjacent residential uses and to prevent nuisance arising and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

14. No part of the development hereby approved shall be occupied until a Service Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include but is not limited to providing details on the restriction of servicing vehicles to no more than 10.35m in length, and ensuring deliveries do not take place between the hours of 23:00 and 07:00

The approved Service Management Plan shall be adhered to in full thereafter.

Reason: In order to prevent obstruction of the surrounding highway network by limiting the size of delivery vehicles in the interests of road and pedestrian safety and to prevent noise, nuisance and disturbance to the occupiers of neighbouring dwellings and in accordance with the requirements of policies DM1, G9 and T2 of the adopted Rochdale Core Strategy and National Planning Policy Framework.

15. The noise from the external plant and associated equipment shall not exceed 48dB(A) 1hr between 07:00-23:00 and 33 dB(A)15min between 23:00-07:00.

Reason: In order to safeguard the amenities of the area and to prevent noise, nuisance and disturbance arising to the occupiers of neighbouring dwellings and in compliance with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

16. Notwithstanding any details in the application and the requirements of condition 2 of this permission, the building hereby approved shall not be first occupied until a scheme of highway works to;

- (i) to return the redundant vehicle access point into the site is returned to footways, and
- (ii) amendment of the existing road marking layout,

along the frontage on Oldham Road of the hereby approved building, has been submitted to and approved in writing by the Local Planning Authority. The works thereafter will be carried out in full accordance with the approved details.

Reason: In order to ensure safe and convenient access and circulation for vehicle traffic visiting the site (including service vehicles), pedestrian safety and in the interests of highway safety in accordance with the requirements of policies DM1 and T2 of the adopted Rochdale Core Strategy and National Planning Policy Framework.

17. Notwithstanding the details shown on the approved plans and the requirements of condition 2, the building hereby approved shall not be first occupied until full details of cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall thereafter be retained for the lifetime of the development.

Reason: In order to ensure there is adequate provision for cycle parking facilities in order to comply with policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

18. Notwithstanding the details shown on the approved plans and the requirements of condition 2, the sound absorption measures on the eastern elevation facing Watkins Street and as identified in figure 7 of paragraph 4.12 in '473-475 Oldham Road, Rochdale, Greater Manchester, OL16 4TD: Noise Assessment' by Echo Acoustics and dated 23 Aug 2023 shall be implemented in full prior to occupation of the development.

Reason: In order to safeguard the amenities of the area and to prevent noise, nuisance and disturbance arising to the occupiers of neighbouring dwellings and in compliance with policies G9 and DM1 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.

Notes for Applicant:

The applicant is reminded that works within the adopted highway, including the relocation of existing signage, will require a separate approval from the Council Highway Authority.

The Greater Manchester Fire and Rescue Service has advised that it strongly supports the installation of sprinkler systems as a positive measure to protect persons. The provision of a sprinkler fire suppression system would have significant benefits for the development. It would ensure that any fire would be quickly controlled and would significantly reduce any fire damage to the building. This is particularly important as business continuity following a fire as an important factor in the ongoing viability of an organisation.