APPLICATION NUMBER: 20/01290/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01290/FUL	Ryan Killeen	8 December 2020

Address: Unit C Foxhill Works Fox Street Heywood OL10 1EA

Proposal: Change of use from garage to garage with MOT testing bay (Sui Generis)

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

DELEGATION	**Significant departure from local plan?**	N	**Contrary to national policy?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	N
	Neighbour comments received?	N

EIA	**Screening opinion completed and saved to Onbase?**	N/A

CONDITIONS	**Pre-commencement conditions proposed?**	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT with conditions

CHECKED AND SIGNED OFF BY: EH **DATE: 4 January 2021**

SITE

This application relates to an existing garage south of Heywood Town Centre. The building is of a single storey form with a dual pitched gable style roof and is constructed from concrete panelling with a corrugated metal roof. The application site includes the southern-most third of the building with the forecourt between the applicant building and the adjacent commercial building.

The site is bounded and accessed by Wesley Street to the south and Fox Street to the North, with informal car parking immediately east.

PROPOSAL

The application proposes the change of use from a vehicle repair and maintenance garage (Use Class B2) to a garage with MOT testing (sui generis). No other works are proposed to accommodate this change.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

The following policies of the adopted Rochdale Core Strategy are relevant:-

SO3	**Improving design, image and quality of place**
P3	Improving design of new development
SO4	**Promoting a greener environment**
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
SO5	**Improving accessibility and delivering sustainable transport**
T2	Improving accessibility
SD1	Delivering sustainable development
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	**Defined Urban Area**
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):
Supplementary Planning Guidance note ‘Guidelines and Standards for Residential Development’ (June 2016).

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

Highways And Engineering
No Objections

Env Health - Noise/Odours
No comments received to date

Lead Local Flood Authority/Drainage
No Objections.

Environmental Control (Landfill Gas)
No Objections

Environment Agency
No Objections

The Coal Authority
No Objections

REPRESENTATIONS

Letters of notification were sent to all surrounding ocucpiers and a site notice posted in the vicinity of the site. No responses were received.

ANALYSIS

Principle

In the absence of any specific constraints arising from land designation with regard to the use, it is considered that the proposal is acceptable in principle, but subject to an assessment of matters such as amenity, highways and the environment to ensure its acceptability. Further to this, the proposed additional use is not considered to prejudice any surrounding uses, or promote a contrasting use of the application site.

Impact on Surrounding Occupiers

Policy DM1 of the Core Strategy sets out a number of basic planning considerations that apply to all developments, including that proposals should be compatible with surrounding land uses and not adversely affect the amenity of residents or users. Policy G9 of the Core Strategy states that the Council will require that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

The proposed use of the unit as an MOT station is unlikely to cause a significantly greater degree of noise, disturbance and pollution than the existing vehicle repair centre. It is noted that only three residential properties directly face the unit and these are sited some 35 metres away over Fox Street. No objections have been received from surrounding occupiers and the Council's Public Protection Officer has raised no objections to the proposal. Given the nature of the surrounding area and separation of the unit from other uses vulnerable to noise and disturbance, and it is not considered to be reasonable and necessary to limit the hours of operation by condition.

Therefore, in light of the above assessment, the proposal is considered to accord with the relevant parts of Core Strategy policies DM1, G9 and the NPPF.

Highways, Access and Parking

Policy T2 of the Core Strategy acknowledges that development that offers greater access for all forms of travel will assist the borough's continuous improvement to becoming more sustainable, healthier, greener and prosperous. Development and infrastructure proposal are required to satisfy the Council's accessibility hierarchy and 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.

Paragraphs 108 and 109 of the NPPF require that safe and suitable access to a site can be achieved for all users and 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 of the road network would be severe.

In assessing the impact of the proposals on the public highway network, consultation has been carried out with the Council's Highways Officer who notes that there would not be more than a small increase in the local volume of traffic as a result of the proposal. The Highways Officer considers the proposed access to the site and parking provision to be sufficient.

As such, the application is considered to accord with Core Strategy policy T2 and the NPPF in respect of highways, parking and access.

Other Matters

The considerations of Policy P3 of the Adopted Core Strategy and Paragraphs 124 and 127 of the National Planning Policy Framework, which above all seek to ensure that planning policies and decisions ensure that proposals are visually attractive and of a high standard of design, are satisfied with regards to this proposal as there would be no change to the external appearance of the building and subsequently, no impact to the visual amenity of the area.

The application site is located within the Heywood Critical Drainage Area, as such, the considerations of policy G8 of the Adopted Core Strategy are relevant which states that the Council will ensure that new development does not lead to any form of increased flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk, is itself well protected from flood risk and ensures prudent use of water resources. Saved UPD Policies EM/7 and EM/8 are also relevant.

Consultation has been taken out with the Council's Drainage Officer who has raised no objection and considered it unnecessary to request any conditions on any subsequent permissions.

RECOMMENDATION

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

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2 This permission relates to the following plans:-

- Location Plan
- BM/1020/WESLEY/PL2 – Rev.A – Existing/Proposed Plans

and the development shall be carried out in complete accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, 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:

Report Author Ryan Killeen