DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00442/FUL	Mubeen Patel	12 July 2019

Address: First Floor 17 Drake Street Rochdale OL16 1RE

Proposal: Proposed change of use from Beauty Salon (Sui-Generis) to sandwich shop (Class A1)

PUBLICITY	**Call up expired?**	Yes	**Site notice expired?**	Yes
	Neighbour letters expired?	Yes	**Press Notice expired?**	Yes

INTERESTS	**Officer dealing with planning matters / Councillor app?**	No	**Ten or more objections and recommendation to grant?**	No
	Decision maker management interest in site?	No	**Called up?**	No

COMMUTED SUMS / S106	**Commuted Sum paid / S106 completed?**	N/A
	Confirm if commuted sum / S106 for POS – copy of calculation spreadsheet on file?	N/A

HUMAN RIGHTS ACT	**Account has been taken of the Act's provisions.**
ENFORCEMENT?	No

EIA	**Has a screening opinion been completed and saved to Onbase?**	N/A

RECOMMENDATION	**GRANT**

CHECKED AND SIGNED OFF BY: DR **DATE: 24/07/2019**

SITE

This application relates to 17 Drake Street, a three storey red brick mid terrace building located in Rochdale Town Centre. The ground floor of the property is occupied by a barber shop whilst the first floor is unoccupied and the second floor occupied by an office. The property is also located in the Rochdale Town Centre Conservation Area opposite No. 14 Drake Street (formerly Butterowrths Brothers Diamond Merchants) which is designated as a building of Local Interest. Given the town centre location, the surrounding area is predominately commercial, with various shops, banks, restaurants, bars and offices.

PROPOSAL

The application seeks planning permission for the change of use of the vacant first floor from a beauty salon (Sui Generis) to a sandwich shop (A1). The applicant has confirmed there would be no hot food prepared at the premises.

Internally a sandwich bar/service area would be provided including a waiting area for customers. A WC, a small office and store rooms would be provided towards the back of the shop. Access to the first floor would be provided from the separate entrance doors along the Drake Street frontage.

No external alterations are proposed to the building.

The opening hours proposed are 8am -8pm Monday to Friday, 8am- 6pm on Saturdays and 8am - 4pm on Sundays.

The number of full time employees would be two.

A small bin store would be provided on the sandwich shop floor, the information submitted states that refuse would be collected and disposed of daily at the end of each working day.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) (Revised)

National Planning Practice Guidance (NPPG)

Rochdale Core Strategy (RCS):

The Core Strategy was formally adopted by the Council on 19th October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

SO1 Delivering a more prosperous economy
E1 Establishing thriving town, district and local centres
E5 Encouraging the visitor economy

SO3 Improving design, image and quality of place
P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development

SO4 Promoting a greener environment
G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport
T2 Improving accessibility

SD1 Delivering sustainable development
DM1 General development requirements

Rochdale Unitary Development Plan (RUDP):

A number of policies contained within the Unitary Development Plan have been saved following the adoption of the Core Strategy. The following saved policies are relevant:

G/D/1 Defined Urban Area
BE/17 New Development Affecting Conservation Areas

RELEVANT SITE HISTORY

82/D14324 – Change Of Use From Shop To Office – Approved.

CONSULTATION RESPONSES

Public Protection (Noise)

This section has no objections to the proposal.

Conservation Officer

17 Drake Street is located in the Rochdale Town Centre Conservation Area. The property was formerly a Georgian building however, it has been considerably remodelled and the front elevation has been rebuilt with modern brick. The application does not include any external alterations and as such it is considered that the proposal will have a neutral impact on the designated and non-designated heritage assets (NPPF, paragraph 192).

To conclude, this application is supported for approval.

The proposal will have a neutral impact on the designated and non-designated heritage assets (NPPF, paragraph 192).

REPRESENTATIONS

Letters of notification were sent to surrounding properties, a site notice was displayed and a press notice published. No observations have been received.

ANALYSIS

Principle of Development

The application site is located within Rochdale Town Centre, as defined under the Unitary Development Plan Proposals Map, but outside of the primary or secondary shopping areas. Policy E1 of the Rochdale Core Strategy supports a focus of retail and leisure development within existing centres in order to maintain vitality and viability.

The proposed development would make a positive contribution to the town centre by bringing a vacant part of the building back into a viable and vibrant use. The site is well positioned in relation to existing uses and services within the town centre and would benefit from access to sustainable transport in the form of the nearby Metrolink stop and bus interchange. The proposed use is considered to accord with the requirements and ambitions of Policy E1 of the Core Strategy and is therefore acceptable in principle.

Impact on Heritage Assets

Policy P2 of the adopted Core Strategy states that the Council will protect the Borough's heritage by conserving, enhancing and promoting key heritage assets,

both statutory and non-statutory, including consideration of their wider settings. Saved UDP Policy BE/17 only permits development that preserves or enhances the character and appearance of the conservation area.

Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities to pay special regard to the desirability of preserving the setting of a listed building. A similar requirement for the preservation and enhancement of character of a conservation area is found in Section 72 of the Act.

The NPPF at Paragraph 192 advises that when determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

The application property was formerly a Georgian building however, it has been considerably remodelled and the front elevation has been rebuilt with modern brick. A number of internal works are proposed, these do not require planning permission.

In looking at the change of use itself, the proposed use maintains public access as a proposed retail use. The Council's Conservation Officer has confirmed that as the works would only affect the internals of the property the proposal would have a neutral impact upon the Rochdale Town Centre Conservation Area. As such, it is not considered that the change of use itself would cause any harm to the character and significance of the conservation area.

Relationship with Surrounding Land Uses

Paragraph 127 of the National Planning Policy Framework seeks to ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy G9 of the adopted Core Strategy states that the Council will reduce all forms of pollution in the borough by, amongst others, requiring that final development does not lead to an unacceptable increase in air, water, noise, light or other pollution.

As noted previously, the area surrounding the site is predominantly commercial in nature. The proposed use would share an acceptable relationship with the Barber shop at ground floor and offices on the second floor as there is unlikely to be significant noise increases from the users of the sandwich shop. The hours of operation proposed are acceptable in this town centre location and a condition would be attached to any approval limiting the opening to these hours in order to maintain the amenity of neighbouring occupiers.

The proposed development is therefore considered to accord with the requirements of Core Strategy policies G9 and DM1, and the relevant provisions of the National Planning Policy Framework.

Highways and Access

Policy T2 of the adopted Core Strategy relates to accessibility. It is acknowledged that no off-street parking is proposed for the development. However, the proposed development is located within the centre of Rochdale and within close proximity to Rochdale Interchange, which provides high frequency bus and Metrolink tram services. The site also lies within walking distance of Rochdale railway station, which provides further links to areas outside the borough. Off-street car parks are in place within walking distance of the development, providing free parking for 3 hours during the daytime and free parking after 18:00 hours during the evening. On this basis, it is not considered that a lack of dedicated on-site parking would result in any detriment to the surrounding highway network.

In light of the above, it is considered that the proposal would adequately protect highway safety, and given the town centre location the site would represent a sustainable location. The application accords with Policies DM1 and T2 of the Core Strategy and the NPPF.

Bin storage

The property has a large single storey extension to the rear, therefore there is no yard space available to store bins. As such the plans show a small bin store would be provided on the sandwich shop floor which would be collected and disposed daily at the end of each working day which is considered to be acceptable in this instance.

RECOMMENDATION

AC

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
- Existing Floor plans
- Proposed Floor plan showing Bin store

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3 The sandwich shop shall only be open between the hours of 08:00-20:00 Monday to Friday, 08:00-18:00 on Saturdays and between the hours of 08:00-16:00 Sundays and Bank Holidays.

Reason: In the interest of amenity in accordance with Policy DM1 of the Core Strategy and the National Planning Policy Framework

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

Report Author Mubeen Patel