

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER    | DATE                      |
|-----------------|-----------------|---------------------------|
| 23/00165/FUL    | Claire Ringwood | 9 <sup>th</sup> June 2023 |

**Address:** Heritage Park Industrial Estate, Chichester Street, Rochdale, OL16 2AU

**Proposal:** Erection of industrial building, comprising 3 individual units together with associated car parking and landscaping

|           |                            |   |                       |     |
|-----------|----------------------------|---|-----------------------|-----|
| PUBLICITY | Weekly list expired?       | Y | Site notice expired?  | N/A |
|           | 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/A |
|-----|--------------------------------------------------|-----|

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

|                |       |
|----------------|-------|
| RECOMMENDATION | GRANT |
|----------------|-------|

CHECKED AND SIGNED OFF BY: RG

DATE: 14 June 2023

## **SITE**

The application site relates to the former Heritage Caravan Park which is located in the north-west corner of Heritage Park which was granted planning permission in 2014 for residential occupation by travellers. This site is now vacant. The remainder of the business park is occupied by 3 industrial units which are accessed from Chichester Street. The site was originally intended for a fourth industrial unit however, ownership of the land became separated and only 3 of the units were constructed.

The site is situated on the corner of Walpole Street and Liley Street. The southern part of the site is designated as a Mixed Employment Zone in the saved UDP. The remainder of the site is within the Defined Urban Area. Each designation comprises around 50% of the total site area.

To the north of the application site on the opposite side of Liley Street is the Roch Valley Traveller Park which is occupied. To the west of the site, located between Walpole Street and Walker Street are a number of small works units and a hostel.

## **PROPOSAL**

The application proposes a new industrial building (Use Class E (g) (iii) – commercial, business and service) which will be internally subdivided into 3 smaller 262sqm units including associated car parking, boundary works, bin storage and landscaping.

The proposal involves removing the existing 1.8m high palisade fence which currently subdivides the land and closing the access into the site from the existing vehicle gates on Walpole Street with a single point of access from Chichester Street. The wall will remain as existing.

The materials will consist of red brick and grey metal cladding, grey metal standing seam roof, dark grey aluminium framed windows, dark grey metal framed door and roller shutter doors. Infill metal railings to replace existing metal vehicle gates.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

### **Adopted Rochdale Core Strategy (CS):**

- C5 Meeting the needs of gypsies, travellers and travelling showpeople
- E2 Increasing jobs and prosperity
- P1 Improving image
- P3 Improving design of new development
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution, contamination and land instability
- T2 Improving Accessibility
- DM1 General Development Requirements

### **Saved Unitary Development Plan (UDP)**

- G/D/1 Defined Urban Area
- G/R/1 Physical Regeneration
- G/H/1 Housing

### **RELEVANT SITE HISTORY**

88/D21340 - Construction of 5 industrial units and office accommodation. Approved 03/03/1998.

91/D26337 - New industrial development. Approved 18/04/1991.

92/D28501 - Erection Of 2m high palisade fencing. Approved 22/10/1992.

14/00609/FUL - Use of land for residential occupation by travellers with associated hardstanding and utility block. Approved 22/10/2014.

15/00063/DOC - Submission of details to comply with conditions 2 and 4 - 8 of planning permission 14/00069/FUL. Withdrawn 24/04/2018.

### **CONSULTATION RESPONSES**

#### **Strategic Planning**

Given that the site is now vacant and is in an employment zone, the development of 3 industrial units on the site would be supported in policy terms.

#### **Highways and Engineering**

##### **Original comments**

This application is supported by a Transport Statement (TS) prepared by SCP which will be the basis of Highway comments and our response is in the order it arises within the TS.

The existing site is served by an existing HGV access which can accommodate the expected vehicles movements that the proposed development would generate. Our main concern with the access is that it lacks segregation for pedestrians and cyclists both at the site entrance and across the existing site to the proposed development site.

The lack of segregated footways means that pedestrians will come into conflict with potentially HGVs in the restricted turning areas which raises road safety concerns.

Although the site is located in a relatively sustainable area walking and cycling trips are likely to be reduced because of the poor internal access facilities within the proposed site layout.

The TS has produced accident data from the surrounding highway network and it would appear that there are no inherent road safety issues on the immediate highway links into the site so we have no concerns on this issue.

The TS has provided some swept path analysis for the internal access arrangements which raises some issues. For the proposed use we would expect that there would be deliveries/collections by 16.5 metre articulated vehicles and no swept path analysis for this size of vehicle has been provided. The swept path analysis shows the turning movements of a refuse vehicle however the turning area is remote from the proposed bin storage area therefore vehicles would have to reverse around 40 metres which is above the recommended distance for these vehicles. As stated previously the lack of segregated pedestrian facilities combined with large vehicles reversing long distances is a road safety concern.

The traffic generation figures included in the TS are acceptable and we would not expect that the proposed development would have any detrimental impact on highway capacity on the surrounding highway network.

If the application were to be approved we would ask that the existing vehicular access into the Caravan Park is reinstated to footway.

Parking provision as shown on the submitted plans is acceptable and if approved we would ask that the proposed parking is retained for its intended use and not to be used for the storage of materials, goods, equipment etc.

At this stage we are unlikely to support this application because of the internal arrangement issues that we have highlighted above.

#### Updated comments following the submission of amended plans and swept path analysis

The amended plans and swept path analysis would seem to address our previous concerns and we are now unlikely to object to this application.

We would ask that the previously requested condition regarding the reinstatement of the footway to the former Caravan Site is applied.

We would also ask that the areas identified as turning areas and parking spaces are retained for their intended purpose and not to be used for the storage of goods, materials, bins or other items.

#### Drainage & Flooding Officer

The Drainage Strategy Report by TJ Booth Associates outlines the principles of Sustainable drainage. Although, it does not provide any details of the measures that will be undertaken. Full drainage detailed proposals can be provided by way of condition.

#### Environmental Health (Noise)

No objections in principle to the proposals, we would recommend the following conditions:

As per the detail in the nia.

- ☐ The roof of the building is to be constructed to provide a minimum sound reduction of 43dB Rw
- ☐ The roller shutter door is to provide a minimum sound reduction of 31dB Rw

#### Environmental Protection

The supplied report and recommendations are acceptable, suitable condition:

A Remediation Verification Report detailing the design and installation of the remedial measures shall be submitted and subject to the approval in writing of the Local Planning Authority prior to the development being brought into occupation or first use.

#### Land and Property

The land is owned by the Council. Terms have recently been agreed to vary the user clause in the existing lease of the former Heritage Caravan Park to permit

Hallmark Developments to develop the site for industrial use, hence the current planning application.

The current lease terms on both the former Heritage Caravan Park and the adjoining Heritage Park Industrial Estate will be extended for a further 125 year term so that in terms of good estate management all three of the current leases will expire co-terminously.

Accordingly, I have no objection to the current planning application.

#### Transport for Greater Manchester

Comments and suggestions provided and no objections made.

### **REPRESENTATIONS**

Letters of notification were sent to surrounding neighbours. No letters of representation have been received.

### **ANALYSIS**

#### Principle of use

The application site falls within a mixed employment zone as set out under saved UDP Policy EC/3. Appendix 3 of the adopted Rochdale Core Strategy states that saved UDP Policy EC/3 should be read in conjunction with Policy E2 and E3 of the Core Strategy.

Policy E2 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 E2 seeks to protect, in the north of the borough, existing employment zones, and employment (B1-B8) sites and premises (over 0.2ha) and support their retention and redevelopment for employment uses.

Saved UDP Policy EC/3 states within Mixed Employment Zones, development and change of use will be permitted for certain employment generating uses including a) Business uses (B1). Recent changes have seen amendments to the Use Class Order whereby Use Class B1 has been merged into the new Use Class E. The proposed use of the industrial units, Class E (g) (iii), which is described as any industrial process is therefore in line with policy.

However, in 2014 planning permission was granted for the change of use of the application site for residential occupation by travellers with associated hardstanding and utility blocks. This application was a departure from Policy EC/3 of the UDP as there was found to be an established need for additional traveller sites within the Borough and the officer report stated that there was no realistic prospect of this site being brought forward for industrial or commercial development in either the short or long term and as such the application was approved.

The Council currently operate a site for travellers off Chichester Street (to the north of the application site) and although the loss of the traveller site is unfortunate, given that the site is now vacant and is in a mixed employment zone, the development of 3 industrial units on the site is supported in policy terms.

To ensure that an alternative use of the premises, which falls under the same use class, is not implemented at a later date, officers consider removing permitted development rights is appropriate in this instance. This is to ensure that the LPA can

assess the impact of any alternative use on highway safety, residential amenity or use in this designated mixed employment zone. A condition removing permitted development rights for such changes is considered necessary.

Given that the proposed use is complementary to employment generating uses, subject to an assessment of other development management requirements, the principle of the proposed development is acceptable and in accordance with Policy E2 of the adopted Core Strategy, EC/3 of the saved UDP and the NPPF.

### Design and Appearance

The NPPF states that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. This is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The proposed building is designed to be similar in appearance to the existing industrial units on the site. It would have a shallow pitch roof and the same height as the existing units. The main elevation fronts into Heritage Park where there are large roller shutter doors to each unit. The materials proposed are consistent with those surrounding the site and are considered acceptable for this type of development.

Taking the above into consideration, the proposed development is considered appropriate in its setting and would not be harmful to the character and appearance of the area and therefore accords with the requirements of Policies P3 and DM1 of the adopted Rochdale Core Strategy and the NPPF.

### Impact on Surrounding Land Uses

Policy DM1 of the Core Strategy requires all new developments to demonstrate that they are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact on the surrounding land uses upon the amenities of future residents/users. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that new 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. The Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

The application site is located within a predominantly industrial/commercial area however, there is a traveller site directly to the north. The proposed development will change the visual appearance for the residents of this site however, the proposed development is in keeping with the industrial nature of the area and is of a scale that would not significantly impact the living environment for these residents.

The application is supported by a Noise Impact Assessment which recommends mitigation measures to ensure that adequate noise levels can be achieved. The Council's Environmental Health Officer has reviewed this assessment and raised no objection subject to a condition requiring the roof and the roller shutter doors to be constructed to provide sound reduction.

Therefore, in light of the above, and subject to a condition, the proposal would accord with Policies DM1 and G9 of the Core Strategy and the NPPF.

## Highways

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those which live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account the proposed use and location. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway 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 Officer initially raised concerns with the lack of segregation for pedestrians and cyclists both at the site entrance and across the existing site and additional swept path analysis for larger sized vehicles was required. An amended site plan was provided by the applicant which introduced pedestrian footpaths within the site and additional swept path analysis which overcame Highways previous concerns.

Bin storage is proposed to the rear of the site and although no cycle storage has been shown on the submitted plans, this matter can be dealt with by way of condition.

Transport for Greater Manchester recommends that a Staff Travel Plan is produced for the development with the objective of reducing reliance on the private car. However, the scale of the proposal does not meet the requirements for a Travel Plan to be submitted as set out in Policy T2 of the Core Strategy.

Subject to conditions relating to the re-instatement of the footway to the site from Walpole Street and areas identified as turning areas and parking to be retained for their intended purpose, Highways raised no objection to the proposal. The proposed development therefore accords with Policies DM1 and T2 of the adopted Core Strategy and the NPPF.

## Drainage

A Drainage Strategy Report by T J Booth Associates has been submitted with the application which outlines the principles of sustainable drainage. The Council's Drainage Officer has reviewed the report and advised that it does not provide any details of the measures that will be undertaken. A pre-commencement condition is required for full drainage details to be provided. Subject to this condition, the proposal would be in accordance with the relevant paragraphs of the NPPF and Policy G8 of the Core Strategy.

## Landscaping

Small areas of landscaping are proposed which would be a benefit to the scheme however, no species details have been provided. This matter can be dealt with by way of condition.

## Land Contamination

The applicant has provided a Phase 1 Preliminary Risk Assessment and a Phase 3 Remediation Statement. The assessment and remediation strategy for the site have been reviewed by the Council's Environmental Protection Officer who considers these acceptable subject to the submission of a Remediation Verification Report

detailing the design and installation of the remedial measures which can be dealt with by way of a condition.

## **RECOMMENDATION**

**GRANT** subject to the following conditions:

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

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

2. This permission relates to the following plans:-

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2001 Rev E – Proposed Site and Location Plans received 19/05/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2005 Rev C – Proposed Plans received 11/04/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2010 Rev A – Proposed Elevations 01 received 15/02/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2011 Rev A – Proposed Elevations 02 received 15/02/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2012 Rev A – Proposed Bin Store Elevations received 11/04/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2015 Rev A – Proposed Perspective received 15/02/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2020 Rev A – Existing and Proposed Streetscene Elevations 01 received 26/03/2023

Drawing No: WSR-SVA-ZZ-ZZ-DR-A-2021 Rev – Existing and Proposed Streetscene Elevations 02 received 26/03/2023

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

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

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

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

4. The building(s) hereby permitted shall not be occupied until all vehicle parking space(s) and turning areas have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking and turning at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR2 of the Rochdale Core Strategy.

5. The development hereby approved shall not be occupied until a plan showing how cycle parking spaces can satisfactorily be provided on site is submitted to and been approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

Reason: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy TR2 of the Rochdale Core Strategy.

6. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interests of visual amenity in accordance with Policies DM1 and T2 of the Rochdale Core Strategy.

7. The existing vehicular access from Walpole Street shall be reinstated to footway to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway in accordance with Policy TR2 of the Rochdale Core Strategy.

8. Prior to first occupation/use of the building hereby approved, a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Core Strategy policy P3 and the National Planning Policy Framework.

9. 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. The drainage scheme shall include:
  - (i) Foul discharge to the existing public sewer and a restricted 5 l/s rate of surface water discharge to public surface water sewer, in accordance with the reasoning provided in the Drainage Strategy Report by TJ Booth Associates dated March 2023.
  - (ii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD.

- (iii) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

10. The development hereby approved shall be carried out in accordance with the remediation strategy contained within the Geo-Environmental Audit (Phase 1 Preliminary Risk Assessment & Phase 3 Remediation Statement by T J Booth Associates, Date March 2023, Reference rep-tjba-hallmark-walpole st-Phs 1 & 3 Env-030323.docx and shall not be occupied until such time as a Remediation Verification Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy G9 of the Rochdale Core Strategy.

11. The development hereby approved shall provide the following mitigation measures:
- o The roof of the building shall be constructed to provide a minimum sound reduction of 43dB Rw;
  - o The roller shutter door shall provide a minimum sound reduction of 31dB Rw

Reason: In order to protect the amenities of occupiers of nearby premises from noise and disturbance in accordance with Policies G9 and DM1 of the Rochdale Core Strategy.

12. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the premises shall be used for any industrial process within Use Class E (g) (iii) and for no other purpose (including any other purpose in the same Use Class of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: Another alternative use of the premises which may otherwise be permitted by virtue of the above Orders could be harmful to highway safety, residential amenity or the designated mixed employment zone in accordance

with Policies E2, DM1 and TR2 of the adopted Core Strategy, Policy EC/3 of the saved UDP and the NPPF.

### **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.