

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00320/VRCON

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 30.05.2024 EXT OF TIME

Address: Land Adjacent To Argyle Street Parade, Darn Hill, Heywood

Proposal: Application to vary conditions 2 (Plans - New Drawing HBC.50) and 3 (Materials - Roof and Cladding) of planning permission 17/00812/FUL (Erection of single storey detached building for use as boxing club with associated hard standing, external lighting and erection of 2.1m high boundary fencing)

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

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

SITE

This site relates to land south of Argyle Street in Darnhill, Heywood, situated to the north west of the Argyle Parade and the Darnhill Library.

This is within the Defined Urban Area.

PROPOSAL

The applications seeks to vary condition 2 and 3 of planning permission 17/00812/FUL. This would amend approved drawings to change the materials on the walls and roof of the proposed development. The approved materials are insulated cladding sheets in a horizontal pattern in 'Pastel Blue' and 'Merlin Grey' and the roof is grey aluminium. The proposed materials are vertical grey composite wall sheets with blue detailing in rectangle shapes.

RELEVANT PLANNING POLICY**National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional**Places for Everyone Joint Development Plan (PfE)**

JP-P 1 Sustainable Places

Adopted Rochdale Core Strategy (CS):**SO2 – To create successful and healthy communities**

C1- Delivering the right amount of housing in the right places

C3- Delivering the right type of housing

SO3- To improve design, image and quality of place

P2- Protecting and enhancing character, landscape and heritage

P3- Improving design of new development

SO5- To improve accessibility and deliver sustainable transport

T2- Improving accessibility

DM1- General development requirements

Unitary Development Plan (UDP):**G/D/1 – Defined Urban Area****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).

RELEVANT SITE HISTORY

17/00812/FUL - Erection of single storey detached building for use as boxing club with associated hard standing, external lighting and erection of 2.1m high boundary fencing – Approved

19/00386/DOC - Submission of details to comply with conditions 3 (Materials), 4 (Site Investigation), 5 (CMS), 6 (Levels), 7 (Surface Water Drainage) and 8 (AMS) of planning permission 17/00812/FUL - RC

19/00982/DOC - Submission of details to comply with condition 7 (Surface Water Drainage) on planning permission 17/00812/FUL - RC

23/01006/VRCON - Section 73 application to vary condition 2 (plans) and 3 (materials) following planning permission 17/00812/FUL for Erection of single storey detached building for use as boxing club with associated hard standing, external lighting and erection of 2.1m high boundary fencing – Refused

CONSULTATION RESPONSES

Letters of representation have been sent to surrounding neighbours and a site notice has been displayed. No comments have been received.

Highways And Engineering

No objections

Environmental Health

No objections

REPRESENTATIONS

Letters of representation have been sent to surrounding neighbours and a site notice has been displayed.

ANALYSIS

Principle

The principle of development was established in the application 17/00812/FUL. Whilst approval of the application would, in effect, result in the issuing of a new permission, consideration only needs to be given to those elements of the scheme which differ from the previous approval, together with any significant change in policy which has occurred in the interim. The key consideration of this application is the design and visual amenity of proposed materials.

Design

The proposal alters the appearance of the dwelling by changing the materials of the development. The proposed development will no longer have a horizontal pattern, instead all elevations will have vertical composite wall sheets with blue rectangle detailing. This is an improvement from the previous submission 23/01006/VRCON, and overall it is considered that as amended, the proposed development will enhance the character of the area. The proposed materials are considered acceptable and compliant with Policy DM1, C3 of the Core Strategy and relevant policies in the NPPF and PFE.

RECOMMENDATION

- 1 The development must be begun not later than three years from 12.02.2018.

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

- 2 The development shall be carried out in accordance with the following approved plans:

- Proposed Elevations drawing no. 18.1874.HBC.50
- Proposed Site Layout drawing no. HBC.0021B
- Proposed Floor Plans drawing no. HBC.0024B

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 materials shown on the approved plan 18.1874.HBC.50 are hereby permitted. The development should be carried out in accordance with the approved details.

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 National Planning Policy Framework.

- 4 No development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy 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 prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in

accordance with policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for Pre-commencement Condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to deal with any on-site contamination prior to commencement of any building or engineering works on site.

- 5 No development shall commence on site (including any works of site clearance) until a Construction Method Statement (CMS), which shall include the following:
- a. the parking of vehicles of site operatives and visitors;
 - b. loading and unloading of plant and materials;
 - c. storage of plant and materials used in constructing the development;
 - d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e. measures to control the emission of dust and dirt during construction;
 - f. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - g. measures for the protection of the natural environment from accidental spillages, dust and debris.

has been submitted to, and approved in writing by the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMS without the prior written permission of the Local Planning Authority.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the emerging Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

- 6 No development shall take place until details of existing and finished site levels and finished floor levels for the proposed building relative to off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of proper planning, amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding of site levels will be necessary prior to commencement of any building or engineering works on site. Finished floor levels are intrinsically linked to site levels.

- 7 Notwithstanding any detail shown on the approved plans, no development shall take place until a scheme for the discharge of surface water from the site (including surface water from the access and parking areas) has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, foul and surface water shall be drained on separate systems. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance, with evidence of an assessment of the

site conditions, and shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The duly approved scheme shall be implemented prior to first occupation of the building hereby permitted and retained as such thereafter.

Reason: 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 No development shall take place until such time as a detailed Arboricultural Method Statement, including but not limited to detail on which trees are to be removed, which trees are to be retained, any other tree work to facilitate development including pruning, temporary protective barriers, temporary ground protection, site supervision, location of services and, if required, specialist construction techniques in accordance with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction) has been submitted to and approved in writing by the Local Planning Authority. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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

Reason for pre-commencement condition: The vegetation to be retained is required to be protected before works commence to avoid damage.

- 9 The premises shall only be open for use between the hours of 0800 to 2100 Monday to Saturday and 1000 to 1600 on Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of surrounding properties in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 10 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a gymnasium and boxing club and for no other purpose (including any other purpose in Class D2 of the above Order).

Reason: In order to safeguard the amenities of surrounding properties in accordance with Policies DM1 and G9 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.

Report Author Aimee Bovaird