

APPLICATION NUMBER: 24/00646/OUT

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00646/OUT	Nick Brookman	28 November 2024
DETERMINATION DATE		
29 November 2024 (Extension of time)		

Address: Land located on the corner of Clough Street and Boarshaw Road, Middleton, M24 2WQ

Proposal: Outline application (including scale) for the erection of a two storey building comprising of a retail unit at ground floor and one, two bedroom apartment at first floor

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: LA

DATE: 28.11.2024

SITE

The application site is an undeveloped piece of land which lies within the Defined Urban Area. The site is located adjacent to 209 Boarshaw Road and Clough Road and is approximately 1.6km to the north of Middleton town centre.

The site itself is currently fenced off with temporary heras fencing and is grassed over.

The surrounding area is predominantly residential with a number of terraced and semi-detached properties in the immediate vicinity. However, the site does form part of the Boarshaw Road Local Centre and Linear Commercial Area as characterised by UDP Saved Policy given the site is located in close proximity to commercial premises comprising of hot foot takeaways, cafes, a hair a beauty parlour, a car wash, pharmacy and convenience store.

Hive Health Centre (Local GP) is located immediately to the rear (north) of the application site with associated parking.

PROPOSAL

Outline permission, including details of scale is sought for the for the erection of a two storey building comprising of a retail unit at ground floor and one, two bedroom apartment at first floor.

As proposed the building would be set back from the existing building line and pavement by approximately 1m and would measure 10.685m long by 7.54m wide.

From the street scene the eaves would have a height of 5.05m and the roof would be hipped at a height of 7.475m at its ridge.

RELEVANT PLANNING POLICY

National Guidance

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

Places for Everyone (PfE)

Policy JP-S1 – Sustainable Development
Policy JP-J1 – Supporting Long Term Economic Growth
Policy JP-P1 – Sustainable Places

Adopted Rochdale Core Strategy (CS):

DM1 General development requirements
DM2 Delivering planning contributions and infrastructure

SO1 Delivering and more prosperous economy

E1 Establishing thriving town, district and local centres.

E2 Increasing jobs and prosperity (partially replaced by PfE policies JP-J3 & JP-J4)

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places

C3 Delivering the right type of housing

SO3 Improving design, image and quality of place

P1 Improving image

P3 Improving design of new development

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Unitary Development Plan (UDP)

G/D/1 - Defined Urban Area

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

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 to the proposed development.

Environmental Health - Noise/Odours

Environmental Health requested the submission of a Noise Impact Assessment which has been provided and assessed accordingly. Environmental Health have now confirmed they have no objection subject to condition.

United Utilities

United Utilities raise no objection but advise that for future reference, the applicant should consider their drainage plans in accordance with the drainage hierarchy.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice was displayed. No comments have been received.

ANALYSIS

Principle of Development

The application site is allocated as a Defined Urban Area under the Proposals Map of the Unitary Development Plan (UDP). Policy G/D/1 of the UDP aims to locate new development in the urban area in order to support urban regeneration and to protect the countryside.

There are two elements to this application which are assessed separately below.

Retail

Firstly, saved UDP Policy S/6 designates the application site as being part of the Boarshaw Road Local Centre and therefore a sequential approach to this application is not required. This Policy sets out that in Local Centres, 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.

Core Strategy Policy E1 (Establishing thriving town, district and local centres) sets out that the Council 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. In this instance, Policy E1 also seeks to ensure that the provision of a hierarchy of accessible district and local centres and shops that meets people's daily shopping needs.

Core Strategy Policy E2 (Increasing jobs and prosperity) seeks to ensure that the Council will ensure there is 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. Amongst other objectives, this policy would be achieved by the Council supporting employment generating uses that comply with the policies of this Plan (e.g. retail, entertainment, leisure and tourism uses). In the south of the borough where this application site is located, the Council will support new employment development outside of designated employment areas where it supports Policy E2 and is not detrimental to amenity.

Paragraph 85 of the NPPF sets out that '*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'.

The application site is a vacant plot of land in a designated Local Centre. It is located next to a row existing commercial premises and takes the form of a corner plot adjacent to a row of residential terraced dwellings which also comprises of other

commercial premises further north. Officers consider that the proposed development retail element of the proposal would be compatible with the surrounding land uses in this Local Centre location where you would expect to find shops and services that meet people's daily needs.

Whilst this application is in outline form including matters of scale only, in order for the LPA to establish the principle acceptability of the proposed development, the Council's Environmental Health team were consulted and they required the submission of a Noise Impact Assessment (NIA). This was to ascertain that acceptable levels of internal noise can be achieved owing to the location of the development adjacent to the road network and existing commercial units. Since the submission of the application a NIA has been submitted and Environmental Health have now confirmed they have no objection in principle to the proposal subject to conditions.

From a retail perspective, the development would enhance the retail profile of this Local Centre and would be of benefit to its vitality and viability by bringing a vacant site into use. The proposal would therefore comply with the requirements of the relevant Saved Policies contained within the UDP, adopted Core Strategy, PfE and the NPPF.

Residential

Places for Everyone establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough. Policy C1 of the adopted Core Strategy seeks to deliver the right amounts of housing in the right places, with a focus on the reuse and regeneration of vacant and underused previously developed sites. Furthermore, policy JP-H4 of PfE states that new housing should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design.

Whilst the latest published information suggests that the Council can demonstrate in excess of a 5 year supply based on the Core Strategy target, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.

PfE JP-P1 and Core Strategy Policy DM1 aim to ensure that development is compatible with surrounding land uses and has a neutral or positive impact on the amenities of future and existing residents.

Paragraph 123 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. More specifically, paragraph 124 (c) states that *'planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'*.

In respect of the addition of a one, two bedroom apartment at first floor level in this sustainable location, within the urban area and designated Local Centre, the Local Planning Authority is also mindful that paragraph 60 of the NPPF supports the Government's objective of significantly boosting the supply of homes. Paragraph 60 states that it is important that a sufficient amount and variety of land can come forward where it is needed. In this instance, the proposal would bring a vacant sustainable site into use and therefore the principle of development is considered

acceptable subject to other materials considerations detailed below being acceptable.

Conclusion

In summation, the application site is located within the defined urban boundary and within a designated Local Centre. This application is considered to make a positive albeit minor contribution to the housing supply and local economy within the borough. It is therefore considered that the principle of development is acceptable in accordance with adopted Rochdale Core Strategy polices C1, C3 and SD1, saved UDP policy G/D/1 and S/6, PfE and the NPPF.

Scale

Appearance, layout, landscaping and access are reserved for subsequent determination and only matters of scale are up for determination and assessment as part of this application. Scale is the height, width and length of the building proposed within the development in relation to its surroundings.

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that good design will improve the image and attractiveness of the borough as a place to live, work and visit. This policy requires all new developments 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, Core Strategy Policy C3 requires a high standard of development and layout that produces attractive places. Furthermore, Paragraph 135 of the NPPF requires that '*planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

In terms of the existing scale and character of the area, it is recognised that the application site is located immediately adjacent to a terraced row of commercial properties which are single storey in height and this proposal would introduce an obvious change to a two storey premises which would also be detached from the existing row, albeit marginally. The height of the proposed development would sit more than twice as high as the existing terraced row of commercial premises and would have a hipped roof which would go against the flat roof nature of the adjacent commercial premises. In this particular regard however, it is also noted that the surrounding area predominantly comprises two storey residential dwellings which collectively dominate the area.

It is also evident that the width and depth of the proposed building is excessive, extending beyond the width of the existing commercial units when assessed individually and the proposed building is wider than the existing terraced row of residential dwellings. Despite the larger scale, the proposed scale would not however appear to be disproportionate or incongruous to the surrounding built environment in its setting or context.

The Council's Urban Design team were consulted on this application and they have not raised any objection to the proposed development and have considered that in assessment of any subsequent Reserved Matters application for appearance, a gable front to Boarshaw Road to add some variety to the street scene on the approach to the town centre would be welcomed. The nearby Cotton Tree Public House is gable fronted so the area is not without precedent.

Whilst being a consideration for layout rather than scale, it is prudent to note that the proposed building would be set back from the existing building line by approximately 1m and therefore break it, the building would be expected to following the existing building line as part of the layout at Reserved Matters stage. Building lines must normally be followed unless there is a strong justifiable reason for the proposal to deviate from the existing building line.

Overall, the height and scale of the proposed two storey building in relation to its surroundings is acceptable within this setting. On this basis the application is considered to be compliant with Core Strategy Policies P3 and DM1 and the NPPF.

RECOMMENDATION

GRANT subject to conditions

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

(a) The expiration of three years from the date of this permission;

or

(b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced, access, appearance, landscaping and layout.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

3. This permission relates to the following plans and documents only:

- ☐ Existing plans Drawing No 972-24-01 Rev A.
- ☐ Proposed Plans Drawing No 972-24-02 Rev A.
- ☐ Existing and Proposed Elevations Drawing No 972-24-03 Rev A.
- ☐ Noise Impact Assessment Referenced P7902-R1-V1 Dated 27th October 2024

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.

4. The proposed residential apartment must be constructed in line with the requirements of the submitted and approved Noise Impact Assessment Referenced P7902-R1-V1 and dated 27th October 2024 to achieve the following internal and external noise levels:

- ☐ 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- ☐ 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- ☐ 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- ☐ 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.
- ☐ Noise in external amenity areas shall not exceed 55 dB(A).

Upon completion and prior to occupation of the development hereby permitted, validation testing must be carried out to ensure the internal and external noise levels have been achieved, the details of which shall be submitted to and approved in writing by the LPA prior to first occupation of the apartment hereby approved.

Reason: To protect the amenity of future occupiers in accordance with Policy G9 of the Rochdale Core Strategy.

5. No plant or machinery should be installed until a further Noise Impact Assessment is carried out to ensure the resultant plant or machinery noise does not exceed the measure background levels of 38 dB(A) between 07:00-23:00 and 35 dB(A) between 23:00-07:00.

Reason: To protect the amenity of future and nearby occupiers in accordance with Policy G9 of the Rochdale Core Strategy.

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:

The applicant is advised to refer to the advice given by United Utilities dated 29th August 2024.

