

APPLICATION NUMBER: 22/01193/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01193/FUL	Rosalind Gralton	22 November 2022

Address: Unit 2 Stakehill Lane And Land Between Bentley Avenue And Finlan Road, Stakehill Industrial Estate Middleton

Proposal: Change of use from car park (Use Class: sui generis) to open storage (Use Class: B8) and change of use of Unit 2 from call centre (Use Class E(c)) to general industrial and storage (Use Class B2 and B8).

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

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: RK

DATE: 23/12/2022

SITE

The site relates to former call centre building (Unit 2) and associated car park from the call centre, located off Finlan Road.

The existing car park is surrounded by green mesh fencing, and is surrounded by single and two storey height industrial buildings. To the rear, located on Bentley Avenue are two storey semi-detached residential properties. Directly to the rear of the car park site is land protected under the green belt.

PROPOSAL

The site relates to the change of use and subdivision of Unit 2 and associated car parking from call centre (Use Class E(c)) to general industrial and storage (Use Class B2 and B8). No operational works are required to fulfil the change of use

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO1 – Delivering a more prosperous economy

E2 – Increasing jobs and prosperity

E4 – Managing the release of land to meet future employment needs

SO3 – Improving design, image and quality of place

P1 – Improving image

P3 – Improving design of new development

SO4 – Promoting a greener environment

G4 – Protecting Green Belt land

SO5 - Improving accessibility and delivering sustainable transport

T2 – Improving accessibility

DM1 – General development requirements

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area

EC/2 – Primary Employment Zone

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

Highways and Engineering

Highways have stated the main consideration associated with planning application from a Highways perspective is the loss of 200 car parking spaces and the impact on existing businesses in this Industrial Estate.

As a result of the change of use of the existing Unit 2 building from the call centre to a B2 and B8 use, this would mean a substantial reduction on parking demand for that building. On the basis of the loss of the call centre use, Highways therefore consider that the loss of the circa 200 car parking spaces in this instance is acceptable.

With the loss of the car park there should be an overall reduction in vehicle movements around the industrial estate. While there may be a slight increase in HGV movements associated with the change of use of the car park to storage, Highways do not feel that these movements would have a detrimental impact on highway capacity.

Additionally, Highways do not envisage that there would be any detrimental impact on road safety as a result of development.

While there may be a higher servicing demand for both of the changes of use, the development is within an industrial estate so servicing movements should be easily accommodated.

Therefore, Highways raise no objection to this application and request no specific planning conditions.

Lead Local Flood Authority/Drainage

The drainage officer has stated plans show the surface of the carpark will remain unchanged and that the building will remain in place. Therefore unless the Applicant plans to change the surfacing, or building itself, no comments on drainage matters nor recommend any drainage conditions.

Env Health - Noise/Odours

The Environmental Health Officer would have no objection in principle to the application. Given the proximity of the proposed storage area to residential properties we would suggest a condition limiting access to the storage area to 07:00-19:00 Monday to Friday and 09:00-18:00 on Saturday and Sunday

GM Fire Service

Standard advice. Recommend the installation of sprinklers.

Tree Officer

No comments received to date

REPRESENTATIONS

The application was advertised by way of neighbour notification. No responses were received.

ANALYSIS

Principle of Development

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. In respect of sites in the south of the borough (such as the application

site), Policy E2 seeks to deliver most new employment development and jobs, in the areas such as Stakehill Business Park, where the site is high quality with good access to the motorway network and public transport facilities.

The application proposes the change of use from car parking (Use class sui generis) and call centre (Use Class (E(c)) to Use classes B2 and B8. Given the requirements of Policy E2 (g) relates to non-employment uses only, it is not considered the provisions of Policy E2 apply and the principle of development need not be inappropriate. While the exact proposed use of the site is unclear, given the proposed B2 and B8 use. Furthermore, given the use of the building as a trade counter would fall under use class B8, it is also recognised that the use of the site for employment would be preserved.

Accordingly, subject to an assessment of other development management requirements, the principle of development of the proposed change of use is acceptable and in accordance with Policy E2 of the adopted Core Strategy and the National Planning Policy Framework.

Impact on the Green Belt

CS Policy G4 'Protecting Green Belt Land' states in relation to the south of the borough, the role of the green belt is to 'prevent neighbouring towns from merging (i.e. land between the towns of Rochdale, Middleton and Heywood and between those and towns outside the borough)'

Paragraph 137 of the NPPF states 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, however paragraph 150 goes on to set out certain forms of development which would not be inappropriate in the greenbelt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes material changes in the use of land, and as such, subject to an assessment of openness, the development would not comprise inappropriate development in the greenbelt.

"Openness," for the purpose of Green Belt policy is not formally defined within Planning Policy or legislation but is taken to mean the absence of built development. The term "openness," comprises a spatial and visual component which should be assessed in considering whether a proposal preserves the openness of the Green Belt.

The proposals state any storage located on the car park would have a maximum height of 6m. Additionally, a landscaping plan has been submitted showing a 'buffer' area whereby landscaping is to be secured by condition attached to this decision notice.

Given the set back of the proposed storage, the maximum height levels, and the proposed landscaping condition including set back, it is not considered the development would have an unacceptable impact upon the adjacent Green Belt, over and above that of the neighbouring two storey units.

In relation to the proposed change of use of the call centre to a B2 use, no external works are proposed within this application, and therefore the proposed use would not harm the openness of the Green Belt as a result.

The development would therefore preserve the openness of the Green Belt and can therefore would not be considered inappropriate development in the Green Belt. As such it would not be contrary to the Framework, UDP Policy D/10 or Policy G4 of the adopted Core Strategy, which seek, amongst other matters to limit development to that which would be acceptable in the Green Belt.

Impact on Character and Appearance

CS Policy P3 states 'all new developments, including associated landscaping, regardless of location in the borough, to adhere to high standards of design' and shall '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'.

Paragraph 126 and 130 of the NPPF states good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The applicant has clarified no vehicles will be located on the open storage, and any open storage would be a maximum height of 6m. Whilst it is acknowledged that the proposals would place open storage including shipping containers, where currently no built form exists, the plot is surrounded to the east, west and south by built form of 1-2 storeys, and therefore given the setback from the landscaping buffer, it is not considered the potential for built form would be unacceptable in this regard.

Given the nature of the land use plan, pre commencement conditions are proposed in relation to the B8 use, to secure further information in respect of layout and contents of future open storage on the site, to ensure visual amenity of the area is preserved given the prominence of the site from public vantage points and residential properties on Bentley Avenue.

The proposed B2 use does not relate to any external changes and would have no impact upon the design or character of the surrounding area.

Given the above, and the proposed conditions, the proposal would be considered acceptable and in accordance with Policy P3 of the Rochdale Core Strategy.

Impact on Surrounding Occupiers

Policy DM1 of the adopted Core Strategy seeks to ensure that new development is compatible with surrounding land uses in terms of its impacts upon the amenities of future residents and users. Equally, paragraph 130 of the NPPF seeks to 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.

In assessing the application, a noise impact assessment has been submitted as part of the application.

In assessing this application, the limited operational development that would occur on the proposed B2 use site, is not considered to give rise to any unacceptable

overshadowing, overbearing impact or loss of privacy for surrounding occupiers given the siting and scale of development and the orientation of fenestration.

It is noted that the use of the site as a B2 use would be somewhat similar in the character of its use to the approved use of the building as use Class E(c), particularly in the overall intensity of the use, where members of the public would not attend the site.

It is noted that a B8 use may give rise to additional noise and disturbance impacts where HGV movements would be associated with the proposed use. A Noise Impact Assessment has been provided in support of this application. Upon review of this, the Council's Environmental Health Officer has raised no objection to the proposals. Given the close proximity to properties on Bentley Avenue, hours of access are restricted to 07:00 to 19:00hrs Monday-Friday, and 09:00hrs to 18:00hrs Saturday and Sunday. This is secured by condition.

Subject to the recommended conditions, the impacts of the development on the amenity of surrounding occupiers can be controlled to be acceptable and the proposals would accord with the requirements of Policy DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Ecology

Given no details regarding lighting has been submitted, a lighting scheme and ecological survey must be carried out prior to the installation of any external lighting.

Highways

Paragraph 111 of the NPPF states '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 on the road network would be severe.'

Policy DM1 sets out the general development requirements and establishes that proposals should not adversely impact on highway safety. To fully assess this matter consultations have taken place with Highways officers who have confirmed no objection to the application.

The proposed change of use would remove 200 car parking spaces to create a B8 use, which were previously used to serve Unit 2, of which is proposed a B2 use within this application. As a result of this change of use, this would generate a substantial reduction on parking demand, and on that basis only, it is considered the loss of parking spaces is acceptable. The Council's Highways Engineer notes with the loss of the car park there should be an overall reduction in vehicle movements around the industrial estate, but notes there may be a slight increase in HGV movements associated with the change of use of the car park to storage. Highways do not feel however that these movements would have a detrimental impact on highway capacity, nor would the proposed development have any detrimental impact on road safety.

As such, the application is considered to be acceptable in terms of highway safety and in accordance with Core Strategy Policies T2 and DM1, and the NPPF.

RECOMMENDATION

GRANT subject to the following conditions:

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

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 This permission relates to the following plans:

- Land Use and Block Plan, received by the Council 5th December 2022.
- Proposed GA Floor Plan, Unit 2, Dwg No 2 Rev A, received by the Council 17th October 2022.
- Unit 2: General Arrangement Floor Plan – Dwg No 2 Rev A, received by the Council 28th September 2022.

and the development shall be carried out in 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 and the National Planning Policy Framework.

3 The B8 use hereby approved shall not operate except within the hours of 07:00-19:00 Monday to Friday and 09:00-18:00 on Saturday and Sunday and not on Bank Holidays.

Reason: In the interests of visual and neighbour amenity P3, G9 and DM1 of the Core Strategy, and the National Planning Policy Framework.

4 No external lighting shall be installed on the approved B2 and B8 uses, or within the car parking areas of the B2 use, unless and until a detailed scheme of lighting design has first been submitted to and approved in writing by the local planning authority. The scheme shall include the position and height on the building, luminance, angle of installation, hours of luminance and any hoods to be fixed to the lights. The external lighting shall be installed in complete accordance with the approved scheme and shall be retained as such thereafter.

Reason: In the interests of visual and neighbour amenity P3, G9 and DM1 of the Core Strategy, and the National Planning Policy Framework.

5 The B8 use hereby approved shall not commence until a detailed site layout plan has first been submitted to and approved in writing by the local planning authority. The scheme shall include the positions and heights of the storage, including use and details of access and parking. The open storage shall be carried out in complete accordance with the approved scheme and shall be retained as such thereafter.

Reason: In the interests of visual and neighbour amenity P3 and DM1 of the Core Strategy, and the National Planning Policy Framework.

6. No vehicles (other than the parking of vehicles necessary to carry out the approved use) or waste products shall be stored within any of the external service yards hereby approved.

Reason: In order to ensure a satisfactory appearance and in the interests of neighbor amenity in accordance with policies P3 and DM1 of the 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:

None

Report Author Rosalind Galton