

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00794/FUL

CASE OFFICER

Anna Hayes

DETERMINATION DATE 11.11.2024

Address: 7A Summer Street Rochdale OL16 1SY

Proposal: Change of use of ground and first floor residential (Class C3) to Class E (Commercial, business and services).

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

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: RG

DATE: 11 November 2024

SITE

The application relates to 7A Summer Street which comprises of a first floor residential unit on the outside edge of Rochdale town centre, as defined by UDP Policy G/S/1. The residential unit sits directly above a car mechanics workshop within a densely developed mixed-character area, comprising of industrial, commercial and residential uses. A separate yard / bin storage area is located to the south of the site further along Summer Street.

Adjoining the site to the south is Nos. 3 – 7 Summer Street which is presently in commercial use at ground floor with residential accommodation above and is also in the applicant's ownership. This adjoining site has recently obtained planning permission for a change of use at ground and upper floors to use class E (24/00758/FUL).

PROPOSAL

Planning permission is sought for the proposed change of use of the unit known as 7A Summer Street from residential (use class C3) to commercial (E).

The applicant has not specified the intended use within Class E since the end users and operating hours are not yet known.

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF)

Section 2	Achieving sustainable development
Section 6	Building a strong, competitive economy
Section 9	Promoting sustainable transport
Section 11	Making efficient use of land
Section 12	Achieving well-designed places
Section 15	Conserving and enhancing the natural environment

Development Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The development plan for the proposal consists of the Places for Everyone (PfE) Joint Development Plan, Rochdale Core Strategy (CS), adopted 2016, and saved Unitary Development Plan (UDP) policies. The Council also has an adopted series of Supplementary Planning Documents and Supplementary Guidance Notes, which are other material considerations.

Places for Everyone Joint Development Plan (PfE) (2024)

Sustainable and Resilient Places

JP-S1 Sustainable Development

Places for Jobs

JP-J1 Supporting Long-Term Economic Growth

JP-J2 Employment Sites and Premises

Greener Places

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1 Sustainable Places

Connected Places

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

Rochdale Core Strategy (CS)

SO1 To deliver a more prosperous economy

E1 Establishing thriving town, district and local centre

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

E3 Focussing on economic growth corridors and areas

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places

SO4 Promoting a Greener Environment

G7 Increasing the value of biodiversity and geodiversity

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Managing delivery and monitoring progress

DM1 General Development requirements

SD1 Delivering sustainable development

Rochdale Unitary Development Plan (UDP) Proposals map allocation

G/D/1 Defined urban area

EC/3 Mixed Employment Zone

Adjacent to:

G/S/1 Town Centres

S/6 Local Centres and Linear Commercial Areas

Other

National Planning Practice Guidance (NPPG).

RELEVANT SITE HISTORY

None.

CONSULTATION RESPONSES

Highways and Engineering

No objections to the proposal.

Env Health - Noise/Odours

No objections to the proposal.

REPRESENTATIONS

No comments received.

ANALYSIS

Principle

When read collectively, paragraph 90 of the NPPF, PfE policy JP-P2, and Core Strategy policy E1 aim to focus commercial, retail, cultural, and office development within town centres, in order maintain them as thriving and sustainable locations. As such, policy E1 requires such development to be concentrated within, or close to, allocated town centres under policy G/S/1.

Places for Everyone also establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough, and Core Strategy policy C1 looks to focus housing in town centres and sustainable locations.

Paragraph 92 of the NPPF states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable edge of centre sites are fully explored.

The site falls on the edge of an allocated town centre. Therefore, its proposed change of use conflicts with the above policy as it would constitute a main town centre use outside of an existing centre, and by contributing to a loss of residential dwellings in a sustainable location close to a town centre.

Whilst the site falls outside the allocated town centre, it falls within a well-established commercial area and designated mixed employment zone that is easily accessible via sustainable methods of travel. Use Class E covers a broad spectrum of uses, some of which contribute more than others to the vitality and viability of town centres. This includes retail and food and beverage establishments. It is considered that such uses, if permitted would give rise to harm to the vitality and viability of the town centre, and therefore, a suitably worded condition is recommended to restrict the uses within Use Class E under which the site can operate, namely subsections c) – g). The uses permitted under subsections c) – g) are those which are less prevalent within Rochdale Town Centre and more prevalent within the surrounding area and appropriate to its position within a designated mixed employment zone, and therefore, even in the absence of a sequential assessment, the proposal would comply with the requirements of the adopted Core Strategy, PfE and the NPPF.

Overall the proposed use would result in better compatibility with surrounding uses, when compared with the existing residential use, particularly noting the car mechanic workshop immediately below. Therefore subject to the above recommended condition controlling the class E use, the proposal is found to be acceptable in principle.

Amenity and surrounding land uses

In respect of the loss of the dwelling, JP-P1 and 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.

The site is in a busy urban area, surrounded by key road networks, industrial sites, and commercial sites, all of which generate significant levels of noise. The property is situated above a car mechanic workshop and adjacent to a tyre yard, mechanical equipment, and operational outbuildings. As such, the site and the surrounding land uses do not lend themselves to a residential use, and is clearly only served by a poor standard of amenity. The proposed commercial use would therefore be more compatible with the surrounding land uses, requiring a lesser standard of amenity than a residential use.

Presently it is not considered that the property itself offers an adequate level of residential amenity sharing internal walls/floors with the car workshop.

Whilst there is no objection from the Council's Environmental Health departments, given that this site is situated with elevations and windows fronting over Holdroyd Street to the north within very close proximity to nearby residential uses opposite, in consideration of paragraph 193 of the NPPF, it is recommended that a condition is

attached restricting the hours of opening to 07.00-18.00 Monday to Sunday including Bank Holidays. This has been agreed and suggested by the applicant's agent and seems appropriate since Class E c) – G) provides a variety of uses which can each operate differently.

Access and Highway Safety

The Council's Highways team have raised no objection to the proposal and confirm that the proposals outlined are unlikely to have any impact upon the highway and would therefore have no objection to these proposals were they to come forward as a full application. The proposed scheme therefore raises no concerns in respect of paragraph 111 of the NPPF.

Ecology

Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the national and local environment.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain, subject to some exemptions, every grant of planning permission is deemed to have been granted subject to the condition that biodiversity net gain objective is met. This objective is for development to deliver at least 10% increase in biodiversity value relative to the pre-development biodiversity value of onsite habitat. This increase can be achieved through onsite biodiversity gains or statutory biodiversity credits.

PfE Policy JP-G8 also states that through local planning and associated activities a net enhancement of biodiversity resources will be sought where relevant. In particular, development will be expected to achieve a measurable net gain in biodiversity of no less than 10%.

However, there are exemptions to this requirement, including development falling below the threshold. This includes this application which comprises of a change of use with no loss of existing habitat on site. The scheme is therefore found to be acceptable with regards to biodiversity.

Other matters

The site benefits from a separate bin and storage yard to the south further along Summer Street which is shown on the proposed site plan. The submitted planning statement advises that Euro bins will be sited in the yard area on the south east elevation of 3-7 Summer Street which will be available to all occupiers of the building. A collection agreement will be organised with a private waste disposal operator. There are no objections from Highways or Environmental Health in relation to this arrangement and Officers have no reason to disagree and so is found to be acceptable.

Conclusion:

Overall, the loss of residential use and introduction of commercial use fits with the historic use of the site and is appropriate in principle. The existing property is not well suited for residential accommodation, whereas, a commercial property would be more compatible with the surrounding land uses and in a sustainable location. The proposed change of use is therefore acceptable in accordance with the NPPF, the Places for Everyone Joint Development Plan, the Core Strategy, and the SPD.

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. The development hereby permitted shall be carried out in accordance with the following approved plans and documents received 16 September 2024 unless otherwise required by the conditions below:

Drawing 1558.08 dated August 2024 (existing and proposed floor plans)

Drawing 1558.09 (Location plan)

Drawing 1558.11 (existing and proposed elevations)

Drawing 1558.13 (Proposed site plan)

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. 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 revocation and re-enactment thereof, the building hereby approved shall only be used for the purpose of uses described within Class E (C)-(G, iii) inclusive, and no other purposes including other uses within Use Class E.

Reason: In the interests of protecting town centre vitality and ensuring compatibility with surrounding land uses, in accordance with policies JP-P2 of the Places for Everyone Joint Development Plan, policies DM1 and E1 of the adopted Rochdale Core Strategy, and the National Planning Policy Framework.

4. The development hereby permitted shall only operate between 07:00 and 18:00 on Mondays to Fridays to Sundays including Bank or other National Public Holidays.

Reason: In the interests of the amenity of the area and adjoining and nearby residential properties