

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01582/FUL	Rosalind Gralton	25 May 2023

Address: Ceylon Service Station Yorkshire Street Rochdale OL16 2DR

Proposal: Demolition of existing shop and car wash building and erection replacement petrol station forecourt shop, installation of new pump island equipment and vents, erection of a 2m timber fence and installation security bollards associated landscaping works, new parking area and bin store

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

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: RG

DATE: 08 June 2023

SITE AND SURROUNDINGS

The site relates to an existing Shell Service station on the southern side of Yorkshire Street. The site benefits from a car washing facility and an ancillary retail store. The building is single storey and has 65sqm of retail space. The existing car wash is 50sqm in area. The proposal has 6 filling pumps, and an advertising totem sign at the front. Hedging forms the boundary treatment around the northern and eastern boundaries of the site, while concrete and timber fencing is located along the southern and western boundaries.

To the north, east and west of the site are terraced properties, with a mix of residential and commercial use, with some ground floor commercial uses and first floor residential.

The proposal is located within the Local Centre and linear commercial centre of Yorkshire Street, within the defined urban area.

The site is not, nor adjacent to, a listed building or conservation area.

PROPOSAL

Planning permission is sought for the erection of:

“Demolition of existing shop and car wash building and erection replacement petrol station forecourt shop, installation of new pump island equipment and vents, erection of a 2m timber fence and installation security bollards associated landscaping works, new parking area and bin store.”

The proposed new shop would replace the car wash and would create 160sqm of retail space.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

Adopted Rochdale Core Strategy (CS):

SO1	Delivering a more prosperous economy
E1	Establishing thriving town, district and local centres
E2	Increasing jobs and prosperity
E3	Focusing on economic growth corridors and areas
SO3	Improving design, image and quality of place
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a greener environment
G9	Reducing the impact of pollution, contamination and land instability
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/3	Mixed Employment Zones

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

86/D19737 – Redevelopment of Petrol Filling Station Incorporating New Sales Building Pump Island Car Wash and Underground Storage Tanks – Grant subject to conditions 04/12/1984

CONSULTATION RESPONSES

Highways And Engineering

The Council's Highways Engineer was consulted on the application and their response copied below:

'There are a number of highway issues arising from this application that would require some consideration.

A petrol filling station has existed on this site for a number of years so vehicle trips to and from the A58 are long established. From the submitted plans it would appear that the existing the vehicular access points would remain unchanged.

The internal parking arrangements as shown on the submitted plans would appear to be appropriate for the size of the development.

The servicing arrangement would seem to be adequate for the size and type of development and servicing access is supported by swept path analysis.

The site already generates vehicle movements and although the proposed development may increase vehicle movements we would not expect that there would be any detrimental impact on highway capacity.

We would not expect that there would be any impact on road safety as a result of development.

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

Environmental Control (Landfill Gas)

The Council's Public Protection Officer was consulted and recommends a Site Investigation and Assessment. Recommended condition attached.

Lead Local Flood Authority/Drainage

The Council's drainage officer has requested details of permeable surface for drainage.

United Utilities

Request a drainage condition attached to any subsequent approval

REPRESENTATIONS

The application was publicised by way of neighbour notification and site notice. No responses were received.

ANALYSIS

In the absence of the Council's Allocations DPD, Policy E1 is to be read in conjunction with Saved UDP Policy G/S/1, which identifies the application site as a linear commercial area.

UDP Policy G/S/1 states linear commercial areas role is to *'serve, or have the potential to serve, the day-to-day shopping requirements of surrounding areas within a short walking distance of them'*

Policy E1 states development should *'support meeting local shopping needs in existing local centres where there is an opportunity for appropriate development'*. Additionally, UDP Policy S/6 states *'in local centres and linear commercial areas ... 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.'*

A retail provision is already provided within the service station's current arrangement, and would be set to expand under the current proposals at approximately 95sqm additional to the existing retail offering. It is noted however of the total existing floorspace (115sqm) 50sqm of this is a car wash, which would not be replaced. Additional customer parking is proposed. The continued use of Class E in this location is considered acceptable in this instance.

It is therefore considered that a marginal increase in the sales floor area of an existing retail unit would not result in an undue impact on the vitality and viability of the existing nearby centres to the extent that would warrant refusal of permission for the current application and the application would accord with the requirements of Policy E1 of the adopted Core Strategy and the National Planning Policy Framework.

Impact on Character and Appearance

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, paragraphs 126 and 130 of the National Planning Policy Framework (NPPF) state 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.

The proposals seek to demolish and redevelop the existing forecourt, with the erection of new fencing, bin store, parking area and landscaping works. The existing canopy would be retained. A larger shop would also be created. The proposed replacement shop structure would be of a single storey form with an L shaped floorplate, with a mono-pitch roof rising to the front elevation, facing north east from its location in the south western corner of the site. The building would be finished in a dark grey cladding with a glazed front elevation and glazing also proposed to the south facing side elevation, towards Yorkshire Street. Two air conditioning units are

proposed on the side elevation of the new retail unit, which would be visible from the south eastern corner of the proposal, adjacent to 3 new car parking spaces introduced.

The replacement building, by virtue of its form, materiality and design, would appear a modern contrast to the one it replaces, and in this regard, would assist in elevating the character and appearance of the surrounding area. Visual interest is created along the Yorkshire Street through the inclusion of glazing.

A replacement ATM is proposed. Whilst the visual impact of an ATM would be compatible with the general character of the site and surrounding area, policy P3 of the Core Strategy requires developments to ensure developments and spaces are safe to use and access and Paragraph 92 of the National Planning Policy Framework advises that planning decisions should result in safe places with paragraph 130 further stating that decisions should be made so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposed cash machine would be sited at the north of the site, away from the highway and adjacent to the night time payment windows. This would provide users of the cash machine with a good level of natural surveillance from both employees of the shop and other users of the fuel station. While the ATM has been moved from its original position the ATM would retain siting adjacent to the retail shop entrance.

As such, in light of the above assessment, it is considered that the proposals would contribute positively to the character and appearance of the area and are of a satisfactory standard of design generally. It is therefore considered that the proposals would accord with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

Impact on Surrounding Occupiers

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

Further to this, the *Guidelines and Standards for Residential Development* Supplementary Planning Document provides guidance to ensure high quality design for residential development throughout the Borough.

In assessing this application the Council's Environmental Health Officer was consulted. There is no objection in principle subject to compliance with details submitted within the Noise Impact Assessment. It is considered that the broad retention of the existing layout of the site, in addition to the retention of the same number of pumps. The removal of the car wash, to be replaced by the increase in shop floor area would balance out concerns, and would not give rise to additional unacceptable noise and disturbance through additional comings and goings to the extent that it would unduly impact the amenity of surrounding occupiers in this regard.

Section 4.1 of the SPD sets out minimum distance requirements for new development. Of which 4.1(iii) requires 10m between a principal window and any

directly facing single storey elevation which does not contain a principal window to a habitable room.

The replacement shop would be sited a distance of 20m from the front facing windows of properties on Yorkshire Street to the north. As such, this would meet the guidance as required. Additionally, the proposal would not overshadow windows of properties to the east or west.

Subject to recommended conditions, it is not considered that the proposals would unduly impact the amenity of surrounding occupiers, and the proposals would accord with the requirements of policies DM1 and G9 of the adopted 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 who 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 of the proposed use and location. Paragraph 111 of the National Planning Policy Framework states that 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.

The site currently comprises an established petrol filling station with an existing retail unit on site and an assessment of the highways impact of the development proposals will be based on the additional vehicle movements generated by the expansion of the retail unit in addition to any alterations to the internal site layout.

The proposals would retain the existing vehicular accesses onto the A58, with no concerns regarding the access. The provided parking is considered adequate. Swept path analysis shows that the site can be serviced adequately for the size of the development. No conditions are proposed and no objections are raised. It is considered the proposal is compliant with Policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

Drainage

Policy G8 of the adopted Core Strategy seeks to ensure that new development does not lead to any form of increased flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk. The site falls within Flood Zone 1, and is subsequently considered to be at low risk of flooding.

The site is currently surfaced in impermeable concrete which is to be retained as existing. The Drainage Officer has been consulted on the application and recommended conditions ensuring details of surface water drainage scheme are submitted to the Council. Conditions have been recommended requiring the submission of detailed drainage design prior to the commencement of development at the site, subject to which, it is considered that the proposals would accord with Policy G8 of the adopted Core Strategy and the National Planning Policy Framework.

Ground Conditions

Core Strategy Policy G9 states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.

The Environmental Protection Officer has been consulted and confirms the supplied report and recommendation for an investigation is acceptable, subject to conditions.

RECOMMENDATION

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:-

- Proposed Landscape Plan Drawing No 9
- Site Plan as proposed – Drawing No 5A
- Plans and Elevations as proposed – Drawing No 4B
- Location Plan

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, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:
 - i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
 - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

4. No development shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

5. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

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 requirements of the National Planning Policy Framework.

6. No external lighting shall be installed on the external surfaces of any of the structures hereby approved or within the car parking areas, 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.

7. No part of the development shall be occupied until such time as the car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made

fully available for use. The arrangements shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. No goods, materials, waste products or containers 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.