DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00513/FUL	Mubeen Patel	27 June 2019

Address: 72/ 72A Whitworth Road Rochdale OL12 0EZ

Proposal: Erection of single storey detached building to form 3 storage units for building materials and re-instatement of boundary wall - Resubmission of 18/00920/FUL

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?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N/a

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

RECOMMENDATION	APPROVE WITH CONDITIONS

CHECKED AND SIGNED OFF BY: DR **DATE: 19/07/2019**

SITE

The application site relates to a large flat yard area located to the rear of 72a – 74 Whitworth Road. The site includes three two-storey red brick terraced properties with retail units at ground level and residential flats above. The properties front Whitworth Road with Stott Street located to the south of the terraced block and Rivington Street located to the rear. The location of the site is within the Whitworth

Road local centre as identified in the adopted Rochdale UDP map. This is a mixed use area with commercial, retail and residential dwellings in the vicinity.

The yard area to the rear is open and was previously bound by a low level red brick wall which has been removed. Access into the yard is provided from Stott Street. As existing the yard area appears to be used for the parking of vehicles.

PROPOSAL

The application proposes to construct a single storey 3 bay storage units in the yard area to the rear of 72a – 74 Whitworth Road. The proposed building would measure 12.2m x 9m, its height to eaves would be 2.4m whilst its total height would be 3.8m. The rear elevation of the building would be positioned along the northern side boundary, whilst the side elevation would be positioned up to the highway along Rivington Street. The front doors of the storage units would face Stott Street and would be set back from this highway by 4m. Access into the site would remain as existing from Stott Street. The plan submitted also show the reinstatement of a 1m high boundary wall to part of the Rivington Street boundary and along Stott Street.

The walls of the building including the proposed boundary walls would be constructed from red brick whilst the dual pitched roof would be finished in grey slate.

The applicant has stated that the units would be used to provide independent storage space for construction materials.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Core Strategy (CS):

SO1 To deliver a more prosperous economy
SO3 To improve design, image and quality of place
E2 Increasing jobs and prosperity
SD1 Delivering sustainable development
P3 Improving design of new development
T2 Improving accessibility
DM1 General development requirements
G9 Reducing the impact of pollution, contamination and land instability

Saved Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
S/6 District Centre, Local Centres and Linear Commercial Areas

RELEVANT SITE HISTORY

12/56114/FUL - Installation of three new shop fronts with external roller shutters, erection of rear external staircase and erection of detached garage to rear including the demolition of existing outbuilding – Approved

15/00003/FUL - Change of use from pet shop to tattoo and piercing studio (Retrospective) – Approved.

18/00920/FUL - Erection of a single storey detached building comprising of 3 private garages used for storage - Withdrawn

CONSULTATION RESPONSES

Highways – The scale of this proposal is inappropriate for use as garages. None of the garages would be accessible with the available space.

The applicant has however identified the units as storage and not as garages which would be allowable. The wall must be reinstated to prevent people accessing the yard across the footway. If possible could we condition that the units must not operate without the wall in place? If we could I would have no objections to this proposal. If the units end up as garages I would be opposed.

United Utilities -

This application would not be something United Utilities would comment on.

Environmental Health

Advice to restrict hours of use to 9-6:30 Mon- Sat and 9-5 Sundays and BH similar to adjacent retail units.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice posted, 4 letters of objection have been received and one letter of support.

The objection letters received raise the following concerns:

- The size of the building would block natural light to our building
- The appearance of the building will cause an eyesore
- Noise and disturbance from visitors, tenants, collection and drop off of building materials
- The garages would cause parking issues by removing the existing parking at the site leading to obstruction and congestion
- The application would cause anti-social behaviour, nuisance and disturbance
- I live directly across this land and I object.
- Given the size of the garage it would be used for the repair of cars with vehicle lifts
- What would stop the applicant converting the garage into commercial venture
- Where are the tenants of the shops and flats going to park, and the customers
- This would lead to congestion and possible accidents
- I have major concerns relating to the footings along the dividing wall
- The size of the garage will block the light into my office
- This would lead to more pollution, noise and disturbance
- The garages should be built separate to our boundary wall, and this should be built on his own property.

The letter of support received states the following;

- The empty land is causing everyone problems
- I fully support this application

ANALYSIS

Principle of development

The storage building proposed would also be located within the Whitworth Road Local Centre. Policy E1 of the Council Core Strategy is therefore relevant and which states 'We will focus retail leisure, cultural, office, residential and other development to promote the viability and vitality of the boroughs town centres'.

Policy S/6 of the UDP is also relevant, the policy advises that 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.

The Whitworth Road Local Centre is characterised by a number of small retail and commercial units and it is considered that the introduction of storage units for the storage of products/materials would be an appropriate development at this site.

In light of the above, it is considered that the principle of providing storage space within this location is acceptable. Consideration is still required into the other material considerations of the policy including amenity and highway safety and the environment.

The application does not seek to change the use of any retail units to the front of the site, which would remain within their respective use classes.

Given that the buildings at the site would retain their existing use, which are appropriate within a local centre, it is considered that the principle of the development is acceptable. The application accords with Policy E1 of the CS, S/6 of the UDP and the NPPF.

Visual Amenity

Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

The proposed building would be positioned over part of the existing yard area which is currently unmade and used for parking cars. The plans submitted show the proposed building would take up a large portion of the yard space to the rear. However, given the size, including the low height of the building, it is considered to be of a proportionate size in a mixed use area to the back of commercial properties where similar large storage buildings exist in the street scene. In addition, the building would be set back from Stott Street, of brick construction and contained by a boundary wall. The plans submitted show the previously demolished wall around the yard area would be re-instated, this would be an improvement to the existing situation and provide a clear distinction between the highway and the site itself.

As such, although part of the yard area would be lost due to the positioning of the building it is not considered to have a detrimental impact on the character of the area.

Given the details, it is considered the proposed building and walling would appear acceptable in the street scene, which consists of other similar industrial and storage buildings and also residential properties.

Notwithstanding the details submitted, a condition should be attached to any approval for the materials proposed to be submitted and approved by the Council in order to maintain an acceptable visual appearance of the building and character of the area.

In light of the above, the proposal would result in no harm to visual amenity subject to the adherence of conditions. The application would therefore accord in this regard with policies DM1 and P3 of the adopted Core Strategy and the NPPF.

Amenity

Policy DM1 of the Core Strategy sets out a number of basic planning considerations that apply to all development. Further to this, paragraph 127 of the NPPF advises that Planning policies and decisions should ensure that developments: 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.

The proposed building would be single storey in height located to the rear of No's 72a -74 Whitworth Road. The ground floor areas of these properties are in commercial use and have no window openings. As such, the proposed building would not impact on the amenity of these properties. Sufficient space would be retained to allow servicing within the site if necessary.

The neighbouring property No.76 does have a window in its rear elevation; however this window serves an office and is not a habitable room window. Therefore, although the proposal would have some impact in terms of natural light into this window, given the single storey height of the building and shallow pitched roof design which would taper away from the office window, the proposed building would not result in a detrimental impact upon the amenity of these occupiers.

A distance of 10m would be retained between the eastern side elevation of the building and the front of the terraced houses No's 2 and 4 Rivington Street. Although the distance between these properties and the building is close, they are separated by the highway and given the single storey height and pitched roof design of the building which would not extend the full width of the site, it is not considered to result in a detrimental impact on the outlook or amenity of these neighbouring occupiers. It should also be noted that a detached garage which extended the whole width of the site was approved in 2012 under application 12/56114/FUL.

In light of the above, it is considered that the development would not harm the amenity of nearby occupants. The application is therefore acceptable in this respect and would meet with the expectations of Policies DM1 of the Rochdale Core Strategy, along with the relevant requirements of the National Planning Policy Framework.

Noise Pollution

Policy G9 (b) requires that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution. The proposal includes the erection of a detached 3 bay building which would be used for the storage of building materials. Although the site is located within the local centre where noise levels would generally be more than in residential areas, the comings and goings of vehicles, opening and shutting of car/van and garage doors would result in some disturbance to neighbouring residential dwellings during night hours

where they would expect a degree of peace and quiet. Therefore, the Council's Public Protection Team have been consulted and advise that the use of the site should be restricted to the hours of 9am to 6:30pm Mon- Sat and 9am – 5pm Sundays and Bank Holidays, similar to the opening times of the adjacent commercial units.

As such, subject to the imposition of a condition restricting the hours of use, the use of the storage units would not lead to a significant impact in terms of noise that would be detrimental to the occupiers of neighbouring properties.

Highways

Policy T2 of the adopted Core Strategy relates to accessibility and Policy DM1 requires all development to provide satisfactory vehicular access with adequate parking and manoeuvring arrangements provided.

The proposed storage units would be accessed from Stott Street similar to existingand the applicant has stated that they would only be used for storage purposes. The Council's Highways officer has been consulted in relation to the plans submitted and has stated that 'The scale of the proposed garage units is inappropriate for vehicles as none of the garages would be accessible with the available space, however the units used as storage would be allowable. In addition, the highways officer has stated that the wall proposed along the boundary as shown on the plans must be reinstated to prevent people accessing the yard across the footway, as such the highways officer offers no objection to the proposal.

Therefore, it is considered the proposed units can safely be provided without resulting in harm to pedestrian and highway safety subject to a condition requiring the implementation of the proposed wall. The application is as such acceptable and would accord with policies T2 and DM1 of the Core Strategy and the NPPF.

RECOMMENDATION – Grant with 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 This permission relates to the following plans:-

- Site Location Plan 1:1250
- Proposed covered storage units to rear - Drawing No. BUILDING/26158192-B, received 18/07/2019
- Existing and proposed plans, elevations and block plans - Drawing No. BUILDING/26158192-A, received 18/07/2019

and the development shall be carried out in complete 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 Unitary Development Plan and the National Planning Policy Framework.

3 Notwithstanding any description of materials in the application no works shall take place above ground level until samples and / or full specifications of materials to be used externally on the building, walling and the proposed

surfacing treatment 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 before the storage units are first brought into use.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Information regarding the materials is required by the Local Planning Authority before any works are carried out, to ensure the development is visually acceptable.

4 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 or any equivalent Order following the amendment, revocation and re-enactment thereof, the units hereby approved shall only be used for storage within use class B8, and for no other purpose.

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

5 The storage units hereby permitted shall not be used to deliver or collect materials outside the following times: 09:00 hours to 18:30 hours Monday to Saturday and 9:00 hours to 17:00 hours on Sundays and Bank Holidays.

Reason: In the interests of residential amenity and in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6 The storage units hereby approved shall not be brought into use until the boundary wall shown on the submitted plan 'Drawing No. BUILDING/26158192-B' received on 18/07/2019 has been fully erected. The boundary wall shall thereafter be retained at all times.

Reason: In the interest of visual amenity and highways safety in accordance with policies DM1, P3 and T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

7 No goods, materials, waste products or containers shall be stored on land outside the storage units.

Reason: In the interest of visual amenity in accordance with policies DM1 and P3 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 Mubeen Patel