

Application Number 18/01015/FUL

Proposal Steel arched building to be used as storage and workshop - retrospective.

Site Tameside Transmissions, Albert Street, Droylsden, M43 7BA.

Applicant Mr S Halligan

Recommendation Grant planning permission, subject to conditions

Reason for report A Speakers Panel decision is required because, in accordance with the Council's Constitution, a member of the public has requested the opportunity to address the Panel before a decision is made. Accordingly, the applicant, or their agent, has been given the opportunity to speak also

REPORT

1. APPLICATION DESCRIPTION

- 1.1 The application seeks full, retrospective planning permission to develop a fourth building, to be used for storage and workshop purposes within the applicant's existing site.
- 1.2 Following the grant of planning permission (see paragraph 3.3) in July 2018 for the construction of a steel-arched building to be used as storage work began on the development and is now substantially complete. As constructed, the building occupies a slightly different footprint and is taller than as was approved. This retrospective application therefore seeks to regularise the situation.
- 1.3 As was approved previously, the building is constructed of segmental steel arched panels that are bolted together, as is the existing building next to which it is located. The new building is approximately: 15m wide, fronting in to the site; 11m deep; and, 7m tall, approximately 2m taller than the adjacent building.
- 1.4 As approved, the building was to be constructed parallel with the adjacent building, although protruding further in to the site, and was to stand approximately 6.4m tall. As built, the building is offset at an angle from, and approximately 2m taller than, the adjacent building, being approximately 0.6m taller than was approved. Whereas the shape of the approved building was a regular curve, as built, the sides of the building rise vertically before curving around the roof.
- 1.5 Three existing containers would be retained and relocated to the southern part of the site.
- 1.6 Car parking would then be rationalised in to a linear arrangement along the site's eastern boundary.

2. SITE & SURROUNDINGS

- 2.1 Situated approximately 120m to the east of Droylsden town centre, Tameside Transmissions, comprising a car repair workshop and storage unit with external car parking, occupies an approximately 0.25ha site, at the end of Albert Street, which is a no-through road, off Market Street. Access and egress to the site are from the end of Albert Street, which adjoins the site midway along the western boundary. The site is bounded by Dunkirk Street to the north, across which are terraced houses. Residential curtilages abut the site to the east. To south the site abuts a car park that serves a neighbouring 2-storey block of flats in Baguley Street. To the west: north of the access point, the site adjoins the

curtilage of a church; and, south of the access point, a car park serving neighbouring commercial units. The mixed, surrounding uses reflect the edge of centre location.

- 2.2 The site currently accommodates three discrete buildings. The largest of the existing buildings is located in the northern-most portion of the site and backs on to Dunkirk Street. Next to this, a second building (building 2), runs parallel with the western boundary, north of the access point. The third building (building 3) is also located alongside the western boundary, immediately to the south of the site entrance.

3. PLANNING HISTORY

- 3.1 07/00543/FUL - Erection of industrial building (Retrospective Application) – approved 28/08/2007 (building 3)
- 3.2 16/01024/FUL - Construction of steel arched building to be used as a vehicle repair workshop - approved 23/12/2016 (building 2)
- 3.3 18/00142/FUL - Construction of steel arched building to be used as storage - approved 31/07/2018

4. RELEVANT PLANNING POLICIES

- 4.1 **Tameside Unitary Development Plan (UDP) Allocation**
Unallocated

4.2 **Part 1 Policies**

- 1.1: Capturing Quality Jobs for Tameside People.
- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development
- 1.12: Ensuring an Accessible, Safe and Healthy Environment..

4.3 **Part 2 Policies**

- E5: Local Employment Opportunities and Mixed Uses
- E6: Detailed Design of Employment Developments.

4.4 **Other Policies**

Employment Land Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

4.5 **National Planning Policy Framework (NPPF)**

- Section 2: Achieving sustainable development
- Section 6. Building a strong, competitive economy
- Section 9. Promoting sustainable transport
- Section 12. Achieving well-designed places

4.6 **Planning Practice Guidance (PPG)**

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

5. PUBLICITY CARRIED OUT

- 5.1 Neighbour notification letters were issued initially on 22 November 2018 and again, following the plans being amended, on 5 December 2018, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

6. RESPONSES FROM CONSULTEES

- 6.1 The Head of Environmental Services (Public Protection) has raised no objection subject to a condition restricting the hours of construction work being attached to any permission.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 2 letters of objection have been received to the application, in both cases objections to the previous application were reiterated, being:

- disturbance through increased noise
 - impact on views from the rear of neighbouring houses
 - the intensification of the use of the site would increase air pollution, including due to increased traffic that would also exacerbate existing problems of congestion and traffic flow along Dunkirk Street
 - the size of the building being out-of-keeping and dominating the site
 - impact on property values
 - In relation to the current application specifically, concerns are expressed that:
 - the increase in the height of the building will result in greater loss of light
 - now including use as a workshop, there will be greater impact on air quality
 - work began before it was established that ground conditions, in terms of contamination, were satisfactory
- parking will be now more limited

8. ANALYSIS

- 8.1 As previously, the issue to be assessed in the determination of this planning application are:
- 1) The principle of development
 - 2) The impact upon the residential amenity of neighbouring properties
 - 3) The impact of the design and appearance of the building
 - 4) The impact on highway safety

9. PRINCIPLE OF DEVELOPMENT

- 9.1 A key theme of the UDP is that attracting new, quality jobs into the Borough and securing the future of major existing employers must continue to be the priority, to offset expected

further losses in mature industries and to diversify opportunities for local people. Flexibility to accommodate local employment initiatives, will contribute to this priority. To this end, according to UDP policy 1.1:

To counteract a continuing decline in the Borough's established employment base and to increase the earnings potential of work in the area, measures will be taken to create and maintain a healthy and diverse local economy and to attract quality jobs. ... This will include ... facilitating the retention of indigenous and expanding businesses..

9.2 With this aim UDP policy E5 states that:

The Council will permit developments ... which contribute to innovation, growth and diversity in the economy and generate local employment opportunities in areas of the Borough outside the "strategic employment sites" and "established employment areas" ... This is subject to the nature of the employment activities and the layout and design of any scheme not having an adverse effect on the amenities of surrounding residential areas or creating traffic problems.

9.3 These policies accord with Section 6 of the NPPF which requires that:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

9.4 The proposal would support the creation of at least 2 new full-time jobs and facilitate the retention and expansion of an existing indigenous business and so the proposal, on the unallocated site, can be considered acceptable and compliant with UDP policies 1.1 and E5, subject appraisal of the likely impact on existing residential amenities and highways issues. Although in in area of mixed uses, including residential, this is a long-established employment site and in this appraisal it is noteworthy that commercial operations on the site pre-date the neighbouring residential developments and the proposal does not represent the introduction of new commercial activities in to the locality where before there were none.

9.5 In light of the above it is considered that the principle of the proposed development is acceptable and compliant with UDP policies 1.1 and E5 and with Sections 2 and 6 of the NPPF.

10. RESIDENTIAL AMENITY

10.1. The proposed building would be located on the opposite side of the site from the neighbouring houses and be separated from the neighbouring block of flats by the car park associated with these. There would then be a distance of approximately 30m between the new building and habitable room windows in the nearest house in Lines Road, which is greater than there would be in the arrangement the approved previously, and, as previously, habitable room windows in the flats at Medlock Place in Baguley Street. The new building would stand more than 6m, but less than 7m, tall and so according to the SPD, to prevent undue over-shadowing of neighbouring residential properties, a minimum distance of 21m separation is required. Being compliant empirically with the SPD, the impact of the development on residential amenities in terms of over-shadowing is considered acceptable and compliant also with UDP policy E6(d) and Section 12 of the NPPF.

10.2 It is not anticipated that the proposed use of the building would give rise to any undue increase in noise emanating from the site and, indeed, having been consulted on the application, the Head of Environmental Services (Public Protection) has no objection to the proposal. The impact of the development on residential amenities in terms of noise

generation is therefore considered acceptable and compliant with UDP policy E6(d) and Section 12 of the NPPF.

11. DESIGN AND APPEARANCE

- 11.1 Although taller, by approximately 2m, than the existing building next to which it would stand, the height of the proposed building is akin to the other steel portal frame building (building 2) on the site. The general design and appearance replicates that of both of existing portal frame buildings and is of a type one might reasonably expect to find in an established commercial site. It is therefore considered that the proposed development achieves the quality of design that is required by, and is compliant with, Section 12 of the NPPF, UDP policies 1.3, E6(b) and the SPD.

12. HIGHWAY SAFETY

- 12.1 In addition to a workshop, the proposed building would be used to provide storage space and so facilitate the removal of the existing stacked containers, and others, within the site. The rationalisation of the site would not only allow for its more efficient operation but also the better arrangement of car parking facilities, which would be as approved previously. An existing 2.4m high, timber panel and concrete post fence along the boundary with gardens of adjacent houses would remain.
- 12.2 Being designed to facilitate the improvement and rationalisation of the current operation it is not anticipated that the new building would have a significant impact on traffic generation whilst adequate internal servicing and manoeuvring facilities would remain. The residual cumulative impacts of development not being severe it is considered that, in terms of the impact on the local highway network, would be acceptable and compliant with Section 9 of the NPPF and UDP policy E6(a).

13. OTHER MATTERS

- 13.1 The issue raised by objectors about a possible impact on property prices is not a material consideration in determining the application.
- 13.2 The previous permission was conditional, among other things, upon an investigation into ground conditions and any necessary remedial measures found necessary being implemented. Subsequent application (ref. 18/00075/PLCOND) for approval of the details reserved by this condition has been submitted. The Head of Environmental Services (Public Protection) is satisfied that no contamination was encountered during construction and, as built, the building occupies a similar footprint, and so the reiteration of the condition in any approval is considered unnecessary.

14. CONCLUSION

- 14.1 In conclusion, differing only slightly from the development approved previously, the proposal would support and facilitate the retention of an existing business within the borough without impinging unduly on any existing residential amenities and so, being considered compliant with the NPPF and the UDP, as well as other relevant policies, the recommendation is for approval.

15. RECOMMENDATION

Grant planning permission subject to the following conditions

1. The development hereby permitted shall be carried out in accordance with the General Arrangement Plan, ref. 8117/01 rev. L, received on 04.12.18.
2. The materials to be used in the construction of the external surfaces of the building hereby approved shall match as closely as is practicable the corresponding materials in the existing steel arched buildings within the site.
3. During construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
4. Prior to the first occupation of any part of the development hereby approved, details of the boundary treatments to be fully installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.
5. The car parking facilities indicated on the approved plan, ref. 8117/01 rev. L shall be provided prior to the building hereby approved being first brought in to use and thereafter be kept available for the intended purpose at all times.;
6. The existing close-boarded timber fence, or equivalent, at the boundary with houses in Lines Road, as indicated on the approved plan ref. 8117/01 rev. L, shall be maintained at all times.