

APPLICATION REPORT - PA/345119/20

Planning Committee, 11 November 2020

Registration Date: 10/07/2020
Ward: Medlock Vale

Application Reference: PA/345119/20
Type of Application: Full Application

Proposal: Part use of bakery to form a catering and retail shop outlet selling the bakery products to the public as well as wholesale production.
Location: Copster Hall, 122-130 Copster Hill Road, Oldham, OL8 1QQ
Case Officer: Abiola Labisi
Applicant: Mr Abid Munir

This application is being reported to the Planning Committee in accordance with the Scheme of Delegation as the applicant is related to elected Members.

RECOMMENDATION

Approve subject to the conditions below.

THE SITE

122 - 130 Copster Hill Road is located on the north side of the road and at its junction with Lorne Street. The site is located within a predominantly residential area but there are a number of retail/commercial units within close proximity of the site. On site is a bakery.

THE PROPOSAL

The proposal relates to the use of part of the existing bakery as a catering facility and retail outlet selling the bakery products to calling members of the public. The applicant was requested to clarify the exact nature of catering and retail activities that would be undertaken and has advised that the catering area would be used for the cooking and preparation of packed foods to be delivered at events being held away from the site (such as weddings) while the retail area would be for the retail sale of cakes and desserts produced on site.

There would be no significant external alterations to the building. The only alterations comprise of increasing the length of an existing high-level window and formation of a new side door adjacent the modified window.

With regard to opening hours, the applicant has advised that these would be between 07.00 and 21.00 hours daily.

RELEVANT PLANNING POLICIES

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

The following policies are relevant to the determination of this application.

Joint Development Plan Document

Policy 09 - Local Environment
Policy 20 - Design
National Planning Policy Framework

RELEVANT HISTORY OF THE SITE:

PA/040890/00 - Permission granted for change of use from meeting place to a manufacturing bakery on 08/02/2001.

It is noted that condition 3 of the above referenced permission tied the use of the premises to specified named persons while Condition 10 restricted the use to bakery manufacturing purposes only with no direct retailing of goods to members of the public.

CONSULTATIONS

Highway Engineer	No objection
Environmental Health	No objection subject to conditions relating to details of extraction system and opening hours.

REPRESENTATIONS

No representations have been received.

PLANNING CONSIDERATIONS

The main material planning issues to consider are:

- ☐ Impact of the proposal on the character of the area;
- ☐ Impact on the amenity of the occupiers of neighbouring properties; and
- ☐ Highway issues.

Design and Impact on the character of the area

NPPF Paragraph 127, as well as Policies 9 and 20 of the Oldham Local Plan require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

The proposal does not include any significant external alterations to the building with the only alterations being increasing the size of an existing window and creation of a new pedestrian door on the side elevation. As such, it is considered that the proposal would not lead to any significant adverse impact on the character of the area. Notwithstanding the predominantly residential character of the area, the building is currently in commercial use and there are other premises in various types of commercial uses within the vicinity of the site. As such, the proposal would not alter the character of the area significantly.

Impact on the amenity of occupiers of neighbouring properties

NPPF Paragraph 127 requires that new development should also ensure a high standard of amenity for existing and future users. Policy 9 of the Oldham Local Plan provides that development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

Having regard to the nature of the proposed use, the potential impact on the occupiers of neighbouring properties would be those relating to noise and odour pollution. It is noted that some element of cooking as well as baking already takes place on the site. Whilst the retail sale of bakery products is not considered to be likely to lead to any significant additional noise and odour pollution, the commercial preparation of food for off-site consumption could lead to significant additional odour pollution.

However, the additional odour pollution from the proposed catering service can be addressed by way of conditions. The Environmental Health Officer has recommended that full details of existing and proposed extraction/odour abatement systems be submitted prior to commencement of the development.

The Environmental Health Officer has no objection to the premises being open for business between Monday and Saturday and would suggest that no trading takes place on Sundays and Bank Holidays. However, if the catering service is considered acceptable, it would be unreasonable to restrict opening hours to Monday to Saturday as the applicant may need to supply food at events taking place on a Sunday. In as much as issues relating to odour and noise from cooking/extraction equipment can be minimised, it is considered that trading on Sundays/Bank Holidays would not lead to a significant adverse impact on the amenity of the occupiers of neighbouring properties.

Highway Issues

In relation to the impact of proposals on highway safety, paragraph 108 of the NPPF provides that proposals should ensure that safe and suitable access to the site can be achieved for all users while paragraph 109 provides 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.

There is a public parking layby just outside the building and as such, it is considered that the proposal would be unlikely to lead to detrimental highway safety issues. In addition, there has been no objection from the Highway Engineer.

CONCLUSION

Having regard to the nature and scale of the proposed development, the existing use on site, and neighbouring uses, it is considered that the proposed development would not lead to any significant adverse impact on the character of the area neither would it lead to a significant adverse impact on the amenity of the occupiers of neighbouring properties. The proposal would therefore be in accordance with relevant provisions of Oldham Local Plan Policies 9 and 20, as well as relevant provisions of Sections 9 and 12 of the NPPF.

RECOMMENDED CONDITIONS

- 1 The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
- 3 The development hereby approved shall not be brought into use unless and until a detailed scheme for treating fumes and odours before their emission to the atmosphere so as

to render them innocuous has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration as well as the position and finish of any external flues and a programme of operation and equipment maintenance, in accordance with the manufacturer's recommendations. The works forming the approved scheme shall be completed entirely in accordance with the approved scheme and thereafter the works forming the approved scheme shall at all times remain in place. REASON - To protect the amenity of the occupiers of nearby properties having regard to Policy 9 of the Oldham Local Plan.

4 The use hereby permitted shall only be carried out during the hours of 07.00 to 21.00 daily. REASON - To safeguard the amenity of the adjoining premises and the area generally. having regard to Policy 9 of the Oldham Local Plan.

5. Retail sales shall be limited to the designated "retail area" as indicated on the approved layout plan. REASON - To safeguard the amenity of the adjoining premises and the area generally. having regard to Policy 9 of the Oldham Local Plan.

122-130, Copster Hill Road, Oldham, OL8 1QQ



Site Plan shows area bounded by: 392310.94, 403538.02 392510.94, 403738.02 (at a scale of 1:1250), OSGridRef: SD9241 363. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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