

<b>Application No:</b> 2010/628		<b>Application Type:</b> Full	
<b>Proposal:</b>	New Shop Front	<b>Location:</b>	54 Bolton Road North Edenfield
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	17 January 2011
<b>Applicant:</b>	Mr M Ahmed	<b>Determination Expiry Date:</b> 19 January 2011	
<b>Agent:</b>	Mr S Rothwell		

**REASON FOR REPORTING** **Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:  
Reason for Call-In:

**3 or More Objections received** ✓

**Other** (please state) .....

**HUMAN RIGHTS**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

**Article 8**

The right to respect for private and family life, home and correspondence.

**Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

## **APPLICATION DETAILS**

### **1. SITE**

This application relates to a property located on the north side of Bolton Road North (A676), and is surrounded by residential properties.

The property comprises of a 2-storey red brick building, under a slate roof, with a flat-roofed 1-storey addition to the west side. It is used as a shop on the ground floor, with living accommodation above.

The existing shopfront is timber-framed, with an illuminated fascia sign above and a white-rendered stall-riser and surround. The front elevation of the 1-storey addition to the west side contains no windows or doors and is also white-rendered.

The area to the front of the building is hard-surfaced and used for the parking of vehicles.

All neighbouring properties are residential.

The application site lies within the Urban Boundary of Edenfield, as designated in the Rossendale District Local Plan.

### **2. RELEVANT PLANNING HISTORY**

2010/544     Ground Floor Extension to Front of Shop, including Roller Shutters  
                    Withdrawn

### **3. THE PROPOSAL**

Following the withdrawal of Application 2010/544 the Applicant has decided not to proceed with an extension the shop front forwards.

The scheme now proposes to increase the display/sales area of the shop by internal re-arrangement resulting in its extension into a greater part of the single storey addition to the side.

A new shopfront is proposed that would encompass the existing shopfront area and the blank elevation of the single storey addition. As a result of the proposed works the shop would have a central doorway with an aluminium-framed window to each side, with stall-risers and surround in brick matching that of the rest of the building.

As submitted the application proposed that the door and windows would be fitted with external shutters. At my request this element of the proposal has now been deleted.

An application for a new fascia sign has also been submitted, proposing erection of an internally illuminated sign extending across the full frontage of the building, including the addition to the side; Application 2010/643 was submitted later and will need to be determined separately.

The Application Form indicates the Applicant intends the shop to open each day from 7am to 10pm.

#### **4. POLICY CONTEXT**

##### **National**

PPS1 Sustainable Development  
PPS4 Economic Development  
PPG13 Transport  
PPG24 Noise

##### **Development Plan**

###### **Regional Spatial Strategy (2008)**

DP1-9 Spatial Principles  
RDF1 Spatial Priorities  
RT2 Managing Travel Demand  
RT4 Management of the Highway Network  
EM 1 Environmental Assets

###### **Rossendale District Local Plan (1995)**

DS1 Urban Boundary  
DC1 Development Criteria  
DC4 Materials

##### **Other Material Planning Considerations**

LCC Parking Standards (2005)  
RBC Submitted Core Strategy (2010)  
RBC Shopfront Design Guide (Draft SPD)

#### **5. CONSULTATION RESPONSES**

##### **LCC (Highways)**

It has no comments.

#### **6. REPRESENTATIONS**

To accord with the General Development Procedure Order two site notices were posted on 10/12/10 and 21 neighbours were notified by letter on 30/11/10. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

Three objections have been received from local residents and another from Councillor Darryl Smith on the basis of the originally submitted scheme (including provision of external roller shutters). The objectors raise concerns regarding:

- Lack of adequate car parking facilities.
- The intended opening hours are excessive - the existing opening hours are more than adequate.
- Noise resulting from increased traffic due to extended opening hours.
- Lack of need for external roller-shutters and their visually detriment and noise when being opened and closed.

The Applicant having now deleted external roller-shutters from the proposal I have recently re-consulted those who have commented on the application and will up-date Committee at the meeting on any further comments that are received.

## 8. ASSESSMENT

The main considerations of the proposal are:

- 1) Principle; 2) Visual Amenity;
- 3) Neighbour Amenity; 4) Highway Safety

### Principle

The site is located within the Urban Boundary, where the Council seeks to locate most new development. Accordingly, the proposal is considered acceptable in principle.

### Visual Amenity

As a result of the deletion from the proposal of external roller shutters, I am satisfied that the new shopfront is of a design that will not unduly detract from the character and appearance of the area, subject to use of brick which matches that used elsewhere on the front elevation of the building

### Neighbour Amenity

For the most part the shop draws its trade from the surrounding residential area and the proposal entails no extension of the building (internal re-arrangement of the existing ground-floor space not adding hugely to the display/sales area). This being the case I do not consider this proposal to warrant imposition of a condition to now limit opening-hours of the shop.

The scheme is considered acceptable in terms of neighbour amenity.

### Highway Safety

The Highway Authority is satisfied that this proposal will not add greatly to traffic movements on the local highway network or the need for off-street parking at the premises. Accordingly, it has raised no objection to the proposal.

## 9. SUMMARY REASON FOR APPROVAL

The works for which permission is sought are considered appropriate in principle for a property within the Urban Boundary and, subject to the conditions, will not detract to an unacceptable extent from visual and neighbour amenity or highway safety. The scheme has been considered in relation most particularly with PPS1/PPS3/PPS4/PPG24, Policies RT2/RT4/EM1 of the Regional Spatial Strategy and Policies DS1/DC1/HP5 of the Rossendale District Local Plan.

## 10. RECOMMENDATION

Approval

### Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

- 2) The development shall be carried out in accordance with the drawings Rev 2 Sheets 3, 4 and 5 received by the Local Planning Authority 30/11/10 as amended by the email from the applicant's Agent dated 6/1/11 deleting external roller shutters from the scheme. The approved scheme shall not be varied unless otherwise first agreed in writing by the Local Planning Authority or as otherwise required by the conditions below.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

- 3) The external brickwork used in the new shop front shall match in colour, form and texture that of the existing building and shall not be varied unless otherwise first agreed in writing by the Local Planning Authority or otherwise required by the conditions below.

Reason: To ensure a satisfactory appearance to the development, to accord with Policy DC1 of the Rossendale District Local Plan.

- 4) Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am to 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of neighbours, in accordance with Policy DC1 of the Rossendale District Local Plan.

<b>Contact Officer</b>	
Name	Richard Elliott
Position	Planning Officer
Service / Team	Development Control
Telephone	01706 252580
Email address	richardelliott@rossendalebc.gov.uk