

APPLICATION REPORT - PA/340670/17

Planning Committee, 6 June, 2018

Registration Date: 18/08/2017
Ward: Chadderton Central

Application Reference: PA/340670/17
Type of Application: Outline Planning Permission

Proposal: Outline application for an erection of a warehouse (class B8).
Access, Appearance, Layout and Scale to be considered.
Landscaping is reserved.

Location: Gordon Street, Chadderton, Oldham

Case Officer: Graeme Moore

Applicant Cascade Electrolite Ltd
Agent : Peter Harrison Architects

THE SITE

The site is located on land adjacent to Gordon Street, Chadderton. The site at present is currently vacant, comprising of 0.2 hectares, with an existing metal palisade boundary fence around the perimeter of the application site.

The site is located immediately adjacent to Gorse Mill which is an impressive Grade II listed mill building. The neighbouring area is characterised by additional mill buildings and modern day low rise industrial sheds, with residential properties located to the south.

Access to the site is gained via Gordon Street, on to the A663 Broadway towards the M62 and M60 respectively.

THE PROPOSAL

An outline planning application with access, appearance, layout and scale to be determined at this stage, has been submitted for the erection of a warehouse. The warehouse will provide a total of 1210 sq m of floorspace and measures 47m x 21m x 7.5m. The proposal is sited so that it runs parallel to the existing Gorse Mill and Gordon Street.

The size of the application site and nature of the proposed development does not exceed any of the thresholds stated within the first or second schedules to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017; accordingly the application has not been screened by the Local Planning Authority.

PLANNING HISTORY

The following applications are of relevance:

- PA/334252/13 - Extension of time limit to PA/58146/10 (Outline application for erection of warehouse (class B8). Access, Appearance, Layout and Scale to be considered. All other matters reserved. Granted 03/10/2013
- PA/049892/05 - Outline application for warehouse development (Class B8). Siting, design, external appearance and access to be considered. (Landscaping to be reserved for later consideration). Granted 02/11/2005
- PA/043136/02 - Outline application for erection of warehouse, siting, design, external appearance and access to be considered, landscaping to be reserved. Granted 16/9/2002

ALLOCATION AND PLANNING GUIDANCE / POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is re-iterated within paragraphs 12 and 210 of the NPPF.

The site is allocated as part of a Business Employment Area (Broadway / Greengate) within the Council's adopted Local Development Framework (LDF).

The following policies of the Council's LDF are relevant to the determination of this application:

Joint Core Strategy and Development Management Policies Development Plan Document adopted 9 November 2011 (the 'Joint DPD')

Core Strategy

Policy 3 An Address of Choice

Policy 5 Promoting Accessibility and Sustainable Transport Choices

Development Management Policies

Policy 9 Local Environment

Policy 13 Employment Areas

Policy 14 Supporting Oldham's Economy

Policy 20 Design

Supplementary Planning Guidance

Oldham and Rochdale Urban Design Guide

National planning guidance

The National Planning Policy Framework (NPPF) and the accompanying technical guidance document.

The National Planning Practice Guidance (NPPG)

PUBLICITY AND REPRESENTATIONS

The application has been publicised on the Council's web-site, by press advertisement and by site notice. No representations have been received.

CONSULTATIONS

Highways Engineer - No objections, subject to a condition requiring the provision of the proposed parking and manoeuvring areas.

Environmental Health - No objections, subject to conditions in relation to landfill gas and working hours.

Highways England - No objections.

DETERMINING ISSUES

1. Principle of the development
2. Design, appearance, landscaping and impact
3. Environmental impact
4. Access, servicing, parking and highway safety

ASSESSMENT

Principle of the development

The principle of the proposed development is considered to be acceptable – and has already been established under the previous permissions - at the scale proposed in this location. The application site forms part of an existing industrial area, and will make a positive and productive contribution to these existing uses.

The application demonstrates that such a facility can be accommodated on the existing site, close to all existing facilities, and within a sustainable location. The site is part of the Greengate Business Employment Area. Policy 13, (Employment Areas) and Policy 14, (Supporting Oldham's Economy) within the DPD support proposals for development for employment generating uses within this existing industrial area.

Paragraph 111 of the NPPF states that: *'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land'*.

The site has had a former industrial use. It is therefore considered that the proposed development and the principle of the regeneration of the site is in accordance with national guidance contained within paragraph 111.

Design, appearance, landscaping and impact

Guidance within Section 7 ('Requiring good design') of the NPPF is relevant, together with DPD policies 1 (Climate Change and Sustainable Development), 9 (Local Environment), 20 (Design) and 24 (Historic Environment), which provide guidance on the design of new development.

The proposed building lies parallel to the existing Gorse Mill and Gordon Street, with access gained from Gordon Street. The proposed design reflects the character and appearance of adjacent and surrounding recently built industrial buildings.

In terms of its materials, height, bulk and massing and appearance, the proposed building will be in keeping with the existing commercial and industrial vernacular.

Turning to the impact on the setting of the listed mill building adjacent to the site, whilst it is acknowledged that the proposal neither protects or enhances the setting of the listed building, the previous approvals and the current architectural context of the area means that any architectural qualities that the mill had in relation to its setting have been irreversibly lost over time, with the introduction of the Aldi store and the McDonalds for instance. Therefore, it is considered that the proposal will not cause a degree of harm to the setting of the listed building that would justify a refusal.

The proposed location, scale, massing and design of the building would have no impacts upon any other surrounding building or properties in regard to issues such as overlooking, overshadowing or having an overbearing or oppressive impact. Landscaping is reserved for subsequent approval.

In taking account of the context and character of the site and surrounding area, it is considered that the overall design concept, the layout of the site and the scale and design of the building and associated infrastructure are acceptable. Suitably worded planning conditions could be imposed to ensure that outstanding details are submitted to and approved in writing by the LPA. Overall, it is considered that the visual and physical impact of the proposed development would be acceptable and in accordance with the aforementioned national planning guidance and local planning policy.

Environmental impact

National guidance within paragraphs 109, 120, 121 and 122 of the NPPF and policies 7, 8 and 9 of the Council's Joint DPD are relevant, which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The Environmental Health team has advised that they have no objections to the proposal subject to a condition requiring a landfill gas investigation report be submitted before development commences on site. Furthermore, it is considered that an informative could be added to the decision notice to advise the applicant that paragraph 120 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

With regard to hours of operation, previous approvals have restricted activity to between 07.00 hours and 22.00 hours on Monday to Saturday, and it is considered that a similar restriction should apply.

Access, servicing, parking and highway safety

Guidance within the NPPF Section 4 ('Promoting sustainable transport') is relevant, together with policies 5 (Promoting Accessibility and Sustainable Transport Choices), 9 (Local Environment), 13 (Employment Areas) and 20 (Design) of the Joint DPD. Guidance contained within the Oldham and Rochdale Design Guide's set out the standards and criteria against which the highway implications of the development are assessed.

An existing access serves the site from Gordon Street which is already utilised by cars and heavy goods vehicles (HGVs) as part of the existing operation of the BEA. The site edged red incorporates the site of the proposed new industrial building, and an area of car parking. The access will be gated. 15 parking spaces will be provided for staff and visitors, including one disabled person's space. Footways are provided around the perimeter of the building to connect the parking areas to the building access points.

The Highways Engineer is satisfied that the additional traffic generated by the proposed development will not have a significant or adverse impact on the local highway network. The development site is in a sustainable location with access to public transport and opportunities for walking and cycling. Parking provision is adequate, and the highways engineer is satisfied that service vehicles will be able to enter the site, turn and leave in a forward gear.

Therefore, in taking account of the scale and nature of the development, the technical advice given by the Council's Highway Engineer and subject to the imposition of the recommended planning conditions, it is considered that the proposed use can be adequately accommodated on the local highway network, that there would be adequate access, servicing, circulation and car parking arrangements and that the proposal would not have any detrimental impacts upon pedestrian or highway safety. For these reasons the proposal is considered to be acceptable when assessed against the aforementioned policies.

Conclusion

Paragraph 197 of the NPPF states that 'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development'.

The proposal has been fully assessed against national and local planning policy guidance. On balance, it is considered that the proposal is acceptable in principle and is acceptable in terms of the appearance and impact upon the visual amenity of this site and surrounding area. The proposal will have no detrimental impacts upon the environmental quality of this locality, or pedestrian and highway safety. The proposal, subject to the imposition of planning conditions, accords with the aforementioned policy guidance.

Recommendation

For the reasons set out in this report the proposal is considered to be acceptable when assessed against national and local planning policy and conditional approval of planning permission is recommended.

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or two years from the date of approval of the last of the reserved matters.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby permitted shall be commenced until details of the:-

- 1) Landscaping

of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall be fully implemented in accordance with the approved plan and specifications, received on 18/08/17, which is referenced as 2515/AL/1001 C.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

4. No development shall take place unless and until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

5. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's written report and recommendation have been submitted to and approved by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety, because the site is located within 250 metres of a former landfill site.

6. The development hereby approved shall not be brought into use unless and until the access, turning area and car parking spaces have been provided in accordance with

the approved plan received on 18th August 2017 (Ref: Dwg No. 2515/A1/1001 C). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety.

7. Any floodlighting or security lights within the curtilage of the proposed development shall be positioned and operated in accordance with a scheme submitted to the Local Planning Authority. The lights shall not be brought into use unless and until the Local Planning Authority has approved the scheme in writing.

Reason - To protect the amenity of occupants of nearby premises.

8. The building and/or externally mounted plant and equipment shall be insulated in accordance with a scheme submitted to and approved by the Local Planning Authority before the development is first brought into use. Any work implementing the scheme shall be completed before use and shall be retained at all times thereafter.

Reason - To ensure the protection of nearby premises.

9. No vehicle movements to and from and/or within the site shall take place outside the hours of 22.00 and 07.00 Monday to Saturday and at no times on Sunday or Bank Holidays and Public Holidays.

Reason - To protect the amenities of occupiers of nearby premises.

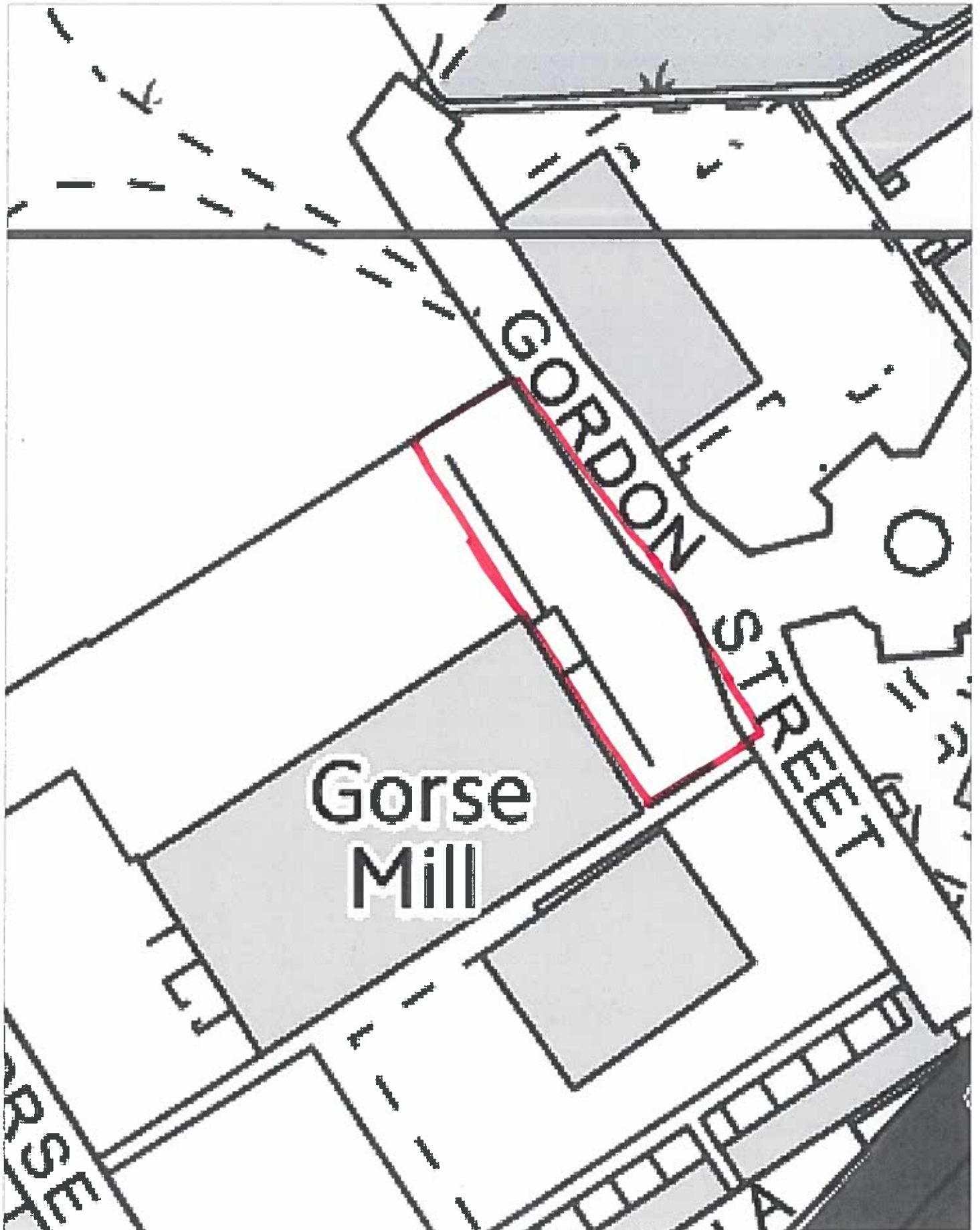
10. No development approved by this permission shall be commenced until details for the provision and implementation, of a surface water management/regulation scheme has been approved by the Local Planning Authority.

Reason - To ensure that the site is satisfactorily drained and avoidance of pollution of the environment and in accordance with Policy 19 of the Local Development Framework.

11. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, in accordance with details that shall first have been submitted and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason; To ensure adequate cycle storage facilities are available to users of the development.

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OLDHAM 
Metropolitan Borough 

Planning Services
Oldham MBC
PO Box 30
Civic Centre
West Street
Oldham
OL1 1UQ

Contact Us -
Phone: 0161 911 4105
Fax: 0161 911 3104
Email: planning@oldham.gov.uk
Web: www.oldham.gov.uk



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