

APPLICATION REPORT - PA/048578/04

Planning Committee, 29 June, 2005

Registration Date: 29/12/2004
Ward: Shaw

Application Reference: PA/048578/04
Type of Application: Outline Planning Permission

Proposal: Demolition of existing building and outline application for the development of supermarket with associated car parking, service area and associated works, and erection of workshop. Siting and means of access to be considered, all other matters reserved.

Location: Dawn Mill, off Eastway, Shaw, Oldham
Case Officer: Stephen J Hughes

Applicant Asda Stores Ltd
Agent : Drivers Jonas

THE SITE

This application relates to Dawn Mill located off Eastway in Shaw. The application seeks consent in outline form for the demolition of the existing mill and the development of a new supermarket with associated car parking and service area and the erection of a separate workshop. The application seeks to establish the siting of the store and the means of access to the development with all other matters relating to design, external appearance and landscaping being reserved for later consideration.

Given the issues involved in such a scheme, the report will be divided into the following sections:-

1. Introduction/Procedural matters
2. Background and description of Site and Proposals
3. Comments on Consultations
4. Appraisal of Planning and Retail Assessment
5. Appraisal of Transportation Assessment
6. Appraisal of Employment Land report
7. Appraisal of Environmental Noise Assessment
8. Recommendation

1. INTRODUCTION/PROCEDURAL MATTERS

The purpose of this section of the report is to outline to Members the procedures that will

need to be followed in considering this particular application.

The application will need to be referred to the Secretary of State who may decide to 'call in' the application for his own determination under one of the following Directions: -

The Town and Country Planning (Shopping Development) (England and Wales) (No.2) Direction 1993. This Direction requires any application for retail development with a gross floorspace of not less than 2,500 square metres which will exceed 20,000 square metres when aggregated with other retail permissions within a 10 mile radius of the application site.

The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999. This Direction requires certain planning applications which do not accord with the provisions of the relevant Development Plan, and which the Local Planning Authority (LPA) do not intend to refuse, to be notified to the Secretary of State.

Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 requires LPA's to publicise departure applications by way of site and press notices. The application site is allocated as Primary Employment Zone in Oldham's Adopted Unitary Development Plan (AUDP) and as such the proposal for a large retail store is clearly a departure from the Plan and has been advertised accordingly.

2. BACKGROUND AND DESCRIPTION OF SITE AND PROPOSALS

The application site is located to the east of Shaw District Centre situated between Eastway, the River Beal and the Shaw to Manchester rail line. The site itself is dominated by Dawn Mill which is a large scale four storey mill building currently occupied by a clothing distributor. The other uses present within the application site itself consist of Shaw Tyre and exhaust towards the northern end of the site, a vacant unit to the south and a row of vacant terraced residential properties along the western boundary fronting onto Eastway.

Beyond the application site, the area consists of a number of commercial/industrial uses with residential properties being present along Dawn Street and Duke Street to the north and along Greenfield Lane, Moss Hey Street and Leach Street to the South.

The site is also located in close proximity to the boundaries of the District Centre as shown on the proposals map of the AUDP.

In terms of the history of the application site, the LPA have considered two previous schemes for retail development, the characteristics of which can be summarised as follows: -

Outline planning permission was originally granted by the LPA for the siting and means of access of a 4,645 sq.m 'Class A1' retail store in January 2000 (Ref: PA/038548/99). The layout for this development showed the store positioned close to the Eastway frontage with the main parking area located to the rear with access to the site being taken off Greenfield Lane. The net sales area of this store measured 2,601 sq.m with the remaining area being used for storage. This particular permission lapsed in 2003.

Following on from this, a subsequent outline planning application was submitted to the LPA in 2001 for the erection of a 6,782 sq.m 'Class A1' retail store with all matters reserved (Ref: PA/040421/00). Again the submitted layout for this scheme showed a larger store sited along the Eastway frontage with parking to the rear and access being gained from Greenfield Lane, however this was for illustrative purposes only. This application was approved subject to a Section 106 legal agreement, however was subsequently withdrawn by the Applicant in January 2003.

Both of these applications involved a larger site area than the current scheme and were both referred to Government Office for the North West (GONW) for consideration under the

procedures outlined above. In both instances, the Secretary of State chose not to 'call in' the applications for his own determination.

Turning to the current application, outline planning permission is sought for the siting and means of access of a 5,481 sq.m gross floorspace retail store with all other matters reserved. The net retail sales area of the proposal would measure 3,252 sq.m which would be split into 2,044sq.m of convenience floorspace e.g. food, newspapers, non durable household goods and 1,208 sq.m of comparison goods floorspace e.g. clothing and footwear, audio-visual equipment, books etc.

The submitted layout plan shows the store positioned towards the back of the site with a parking area providing a total of 305 parking spaces (including 18 disabled and 8 parent and child bays) being located along the Eastway frontage. A new vehicular access/egress to the car park would be created off Eastway with the servicing yard being positioned to the north of the store adjacent to Hill Street. Access to the service yard would be taken off Dawn Street which is currently a one way system. As part of the application it is proposed to widen the carriageway to accommodate two way traffic flow.

The main pedestrian access to the site would run from Eastway along a designated route linking to the store itself. Moving in the other direction this route would be further extended beyond the application site area in the form a pedestrian crossing over Eastway linking into an improved pedestrian route along Newtown Street feeding into the primary shopping area of the District Centre.

A number of traffic calming measures are also proposed along the carriageway of Eastway itself in order to manipulate as much as possible the flow of traffic from the site, however this will be dealt with in more detail as part of the appraisal of the Transport Assessment.

In addition to the above, the site layout also makes provision for recycling facilities and cycle parking stands close to the entrance of the store.

3. COMMENTS ON CONSULTATIONS

Pollution Control	Detailed comments in respect of the submitted Noise Assessment are set out in Section 7 of this report
Traffic Section	Detailed comments in respect of the Transport Assessment are set out in Section 5 of the report
Strategic Planning Policy and Information Team	Detailed comments in respect of the Retail Study and Employment Land report are set out in Section 4 and 6 of this report respectively
Regeneration Department	Recommend approval - Further comments set out in Section 6 of this report
United Utilities Water	No objections
Greater Manchester Ecological Unit	Recommend conditions
Greater Manchester Architectural Liaison Unit	Police No objections
Environment Agency	Recommend conditions

GMPTE	Recommend conditions
Lancashire Wildlife Trust	No comments received
Shaw & Crompton Parish Council	<p>Recommend approval in principle subject to traffic issues being thoroughly assessed and regard to be given to following points: -</p> <ul style="list-style-type: none"> • Traffic levels and directions of Asda waste disposal should be available • The applicant should be encouraged to provide public toilets • Concerns over access arrangements and volume of traffic, servicing arrangements etc
Rochdale MBC	No comments received
Tameside MBC	No objections
Manchester City Council	No objections although the point is raised that the application is a Departure from the Adopted Unitary Development Plan
GM Ecological Unit	Recommend conditions
Neighbour consultations	<p>A substantial public consultation exercise has been undertaken as part of this application, including individual letters, site and press notices. As a result of this publicity a considerable number of comments have been received both objecting and supporting the current scheme.</p> <p>In terms of letters of objection 10 letters have been received from a combination of local residents and local businesses. Points of objection can be summarised as follows: -</p> <ol style="list-style-type: none"> 1. Concerns about the impact that a store of this size an type will have on the District Centre and the existing businesses that operate within the centre. This will have an adverse impact on the vitality and viability of the District Centre 2. Traffic congestion within the area is already a major problem. A development of this scale will make the situation even worse. The site is not capable of coping with the level of traffic that would be generated by the proposal 3. If the site is to be redeveloped then it should be for a mixed use scheme combining leisure facilities and a smaller foodstore as opposed to a larger national retailer 4. The increased vehicular traffic associated with the store could effect performances at the nearby Playhouse theatre. They have recommended that the access be moved to reduce the impact on this property

5. The servicing yard and associated wagons will have an adverse impact on the occupiers of properties along Dawn Street. The proposal will also take away parking areas for these residents
6. The development would be built over a large sewer running through the site

In addition to the above points, objections have also been received from Agents acting on behalf of Somerfield Stores Ltd, Sainsbury's and Iceland foods Ltd. Further details of these comments and responses to them will be addressed in Section 4 of this report.

In terms of the level of support for the scheme, 88 individual letters have been submitted in support of the application. Grounds for supporting the application can be summarised as follows: -

1. Local people in Shaw currently have to go to other stores outside of Shaw to do their main shopping and the new store would provide a much needed facility in the area
2. The proposal will create a significant amount of jobs
3. The proposal will help to regenerate the area
4. The store will help to attract more people to the Shaw area and will have benefits for the District Centre
5. It will reduce the need for people to travel elsewhere
6. It will encourage other private investment into the Centre

Finally, the Applicants have also undertaken their own public consultation exercises consisting of informal meetings with both Ward Councillors and Shaw and Crompton Parish Council, a public exhibition and the distribution of a consultation leaflet via the local newspaper. All of the responses to these consultations have been collated and assessed by a company called Dialogue Communicating Planning. Overall a total of 820 feedback forms have been received with 82% of the responses in favour of the proposal.

4. APPRAISAL OF RETAIL AND PLANNING STATEMENT

Retail Policy

The application has been supported by a Planning and Retail Statement. Prior to analysing the assumptions and conclusions of this report it is important to understand the policy framework under which the application should be assessed against.

The most relevant policy within Oldham's Adopted Unitary Development Plan (AUDP) is Policy S1.9. This policy relates to proposals for retail development outside recognised Town and District Centre and essentially aims to encourage such developments to locate within established centres, and where this is not possible to protect the vitality and viability of any nearby centres. However, the AUDP was adopted in April 1996 and the retail policies within the Plan have been superseded by changes in National Planning Policy in respect of Retail and the formal review of the Development Plan for the Borough.

The Replacement Unitary Development Plan (RUDP) for the Borough is currently under review and has been the subject of a Public Local Inquiry. The relevant retail policy within the RUDP relating to this particular application is Policy S1.7 which again relates to the assessment of retail/leisure development outside Town and District Centres. However this policy has been the subject of objections and as the Inspectors report into the outstanding objections to the RUDP will not have been submitted to the LPA in time for the determination of this application, very little weight can be attached to the relevant replacement policies.

The most recent and up to date Government guidance relating to retail development is in the form of Planning Policy Statement 6 : Planning for Town Centres (PPS 6). This statement was issued in March 2005 and replaced Planning Policy Guidance Note 6: Town Centres and Retail development (PPG 6).

Given that the relevant retail policies in the AUDP have been superseded and the outstanding objections in relation to the policies in the RUDP, the retail aspects of this development should be assessed against the provisions of PPS 6.

PPS 6 states that the government's key objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres and promoting and enhancing centres by focusing development in such areas encouraging a wide range of services in a good environment accessible by all (Paragraph 1.3).

The statement goes on to outline other objectives for main town centre uses, including retail development which can be summarised as follows: -

- enhancing consumer choice which allows genuine choice to meet the needs of the entire community;
- supporting an efficient, competitive and innovative retail sector;
- improving accessibility;
- creating additional employment opportunities and improved physical environment;
- the promotion of economic growth; and
- to deliver more sustainable patterns of development.

Other wider objectives which should also be taken into account include physical regeneration, employment, economic growth and social inclusion.

PPS6 sets out the considerations that should be taken into account in both allocating sites for new retail development as well as assessing applications for such development, namely:

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- (i) Whether a need for the retail development has been demonstrated.
- (ii) Appropriateness of scale of the proposed development.
- (iii) Whether there are any sequentially preferable sites.
- (iv) The impact of the proposed retail development on the vitality and viability of nearby centres.
- (v) Accessibility of the location.

PPS6 outlines that the key considerations above should be applied to retail proposals in an edge-of-centre or out-of-centre location and which are not in accordance with an up-to-date development plan. As a general rule developments should satisfy all of these considerations.

As previously mentioned, the Application has been supported by a Planning and Retail Statement, which was prepared by Drivers Jonas and dated December 2004. This study aims to address the key considerations outlined above as the application site is classed as edge-of-centre. This study was originally prepared prior to the publication of PPS 6, however as part of the on-going assessment of the study, the Agents have re-visited the report to reflect the updated guidance.

A number of third party representations have been received on behalf of other interested retailers within the Borough, making comments on the submitted study. These particular points will be addressed within this section of the report.

Prior to assessing the findings of this study itself, I think it is important at this stage to comment on the parameters that have been established to inform the assumptions contained in the study. As part of the application process, LPA officers have been involved in extensive discussions with the Agents to ensure that the assumptions that underpin the retail study are robust. In summary, discussions have centred on the following key elements: -

- defining the study/catchment area that the retail proposal will serve
- agreeing the size and content of a household questionnaire survey to establish current shopping patterns within the catchment area
- population projections - agreeing a static population for the study area (approximately 30,000)
- turnover of the new store
- special forms of trading e.g. retail expenditure through the internet, mail order etc - these have been deducted from the retail study
- sales densities have been updated
- floorspace of existing stores - some anomalies that were present in the original study have now been addressed

The outcome of the above work is that the LPA now feel confident that the assumptions that have been used in order to inform the retail study are robust for the purposes of undertaking an assessment of a retail proposal of this size and type serving the Shaw area of the Borough.

Turning to the key considerations for assessing retail proposals I will address each one of these as follows: -

RETAIL NEED

In assessing the need for additional retail or leisure floorspace, PPS 6 requires Applicants to demonstrate that there is a quantitative and qualitative need for such a development.

Quantitative need

PPS 6 advises that greater weight should be attached to quantitative need for additional retail floorspace and outlines the following factors to be taken into account: -

- existing and forecast population levels
- forecast expenditure for the class of goods to be sold
- forecast improvements in productivity in the use of floorspace.

The Retail Statement has addressed these factors and has provided information for both convenience and comparison goods using forecast-based growth rates.

The RA has provided details of the levels of current and projected growth in expenditure on convenience and comparison goods within the study area. It has also identified the level of outflow of expenditure leaking out of the study area. It is clear from the RA that there is sufficient growth in both convenience and comparison goods expenditure to accommodate the amount of new retail floorspace proposed as part of this application and that there are significant levels of retail expenditure leaking out of the study area to other competing facilities. The proposed store would claw back a significant proportion of this outflow of expenditure back into the study area. I am therefore satisfied that the submitted study adequately demonstrates that there is a quantitative need for the proposed development.

Qualitative need

In assessing qualitative need, PPS 6 states that a key consideration for a LPA will be to provide for consumer choice by ensuring that:

- an appropriate distribution of locations is achieved.
- provision is made for a range of sites which allow genuine choice to meet the needs of the whole community.

The LPA have previously acknowledged that there is a gap in the retail provision in Shaw through the approval of the previous planning applications at the site. This gap has now been long established and clearly still exists today. The proposed store will assist in filling the gap and will ensure that the geographic spread of retail units in the Borough is more appropriately distributed than is currently the situation. The Retail Statement indicates that the existing shopping provision in Shaw mainly fulfils a top up shopping role and therefore the proposed store provides an opportunity to satisfy the main food shopping requirements of shoppers by improving the retail offer in the Shaw locality. The LPA consider that the provision of a large scale national retailer in Shaw will not only contribute towards a more sustainable pattern of shopping in the area locally but will provide clear and demonstrable benefits to Shaw itself.

APPROPRIATENESS OF SCALE

PPS6 indicates that the scale of developments should be directly related to the role and function of the centre within the wider hierarchy and the catchment area that it serves. Shaw and Royton District Centres are in the second tier of the retail hierarchy after Oldham Town Centre.

It is generally accepted that both District Centres are without a large, major retailer to act as an anchor for the centre. Aldi and Iceland provides limited qualitative offer and a Tesco Express that fulfils a predominantly top-up shopping role rather than a main food shopping function are currently represented in Shaw District Centre. Royton District Centre is represented by small Co-op and Somerfield stores which again fulfil more important top-up shopping functions.

I am therefore of the opinion that the scale of the proposed development is appropriate because a superstore of a sufficiently large scale will be required if the claw back of leakage identified earlier is to be achieved.

SEQUENTIAL APPROACH

When undertaking an assessment of alternative sites, PPS6 advises that the sequential approach requires that locations are considered in the following order:

- (i) Firstly locations within appropriate existing centres where suitable sites or buildings for conversion are, or are likely to become, available;
- (ii) Edge-of-centre locations, with preference given to sites that are or will be well connected to the centre; and then
- (iii) Out-of-centre sites, with preference given to sites well served by a choice of means of transport and which are close to the centre and have a high likelihood of forming links with the centre.

PPS6 also indicates that when assessing alternative sites that developers should be able to demonstrate flexibility about their proposed business model. Other key considerations in assessing alternative sites are whether they are available, suitable and viable. To a certain extent, this particular site has already been identified as an appropriate location as part of the previous planning approvals. However given the length of time that has passed between the last application and the current scheme, it is necessary to re-visit this particular issue.

The defined centres within the study area are the District Centres of Shaw and Royton. Therefore, the sequential approach should be limited to an assessment of sites within or on the edge of these centres.

The Retail Assessment has considered the following sites; in Shaw, the Greensway Centre and land at Kershaw Street east and Westway, and in Royton the site that is currently occupied by Royton Assembly Hall and adjacent car park. The RA concludes that none of these sites would satisfy the PPS 6 tests of availability, suitability or viability. The LPA accept that none of these sites would not be able to accommodate a store capable of providing facilities of a sufficiently large scale to be able to claw back the level of leakage identified earlier and as the application site is defined as an "edge-of-centre" location, then it is in the next sequentially preferable location and therefore the LPA would not wish to raise any objection to the proposal on this basis.

IMPACTS

In assessing sites, PPS 6 states that LPA's should consider the impact of the proposal on the vitality and viability of existing centres , in particular taking into account the following factors: -

- the extent to which the development would put at risk the spatial planning strategy for the area and the strategy for a particular centre, or alter its role in the hierarchy;
- the likely effect on future public and private investment;
- the likely impact of the development on trade/turnover and on the vitality and viability of centres within the study area;
- changes to the range of services in the centres that could be affected;
- likely impacts on vacancies in the primary shopping area; and
- potential changes to the quality, attractiveness, physical condition and character of the centre and to its role in the economic and social life of the community.

The RA has addressed all of these considerations and the LPA would provide further comments on each issue as follows;

In terms of the spatial planning strategy, The RUDP retail strategy includes the objective to maintain the vitality and viability of the Borough's District Centres. The study area only includes Shaw and Royton District Centres. Shaw District Centre is acknowledged as being without a large national retailer superstore to anchor the Centre – it has a limited quality offer from Aldi and Iceland and the smallest type Tesco, an Express, which performs a mainly top-up shopping role. The application site is adjacent the District Centre. The size of the proposed store – approx 5,000 sqm – is comparable to District Centre stores elsewhere in Oldham, i.e. ASDA at Chadderton, but it is still smaller than the replacement Sainsburys on the edge of Oldham Town Centre's primary shopping area and so will not result in a movement of Shaw District Centre up the retail hierarchy.

In terms of public and private investment the proposed development will represent a major investment into the general area of Shaw District Centre. Given the location of the store and the provisions made to improve pedestrian links with the existing centre, there is the potential to increase the overall level of activity and visitors to the District Centre which may have beneficial effects for existing retail and non-retail commercial uses, but also encourage additional public and private investment.

In terms of impact on the trade/turnover of the centre, it is necessary to look at how stores/centres are currently performing, and to be aware that a negative impact on a store/centre that already is over-trading may simply be pulling it back towards its company average position. The RA has shown trade diverted, impacts and store/centre turnover (both notional company average and that based on the household survey). The percentage impacts for the District Centres within the study area are: Shaw 14% for convenience goods and 6% for comparison goods; and Royton 12% for convenience goods and 5% for

comparison goods. The overall impacts for these District Centres are Shaw 11% and Royton 9%. The LPA consider that this level of impact is acceptable given the trading performance of these centres generally and within the context of the wider regeneration and sustainability benefits that the proposal will bring.

In light of the above findings, again the LPA do not consider that the proposed development will result in a significant increase in the level of vacancies within the primary shopping area.

On the final issue of the attractiveness and physical condition of the centre, as already mentioned the development itself represents a substantial investment in the Shaw area and with it will provide significant physical and environmental improvements to a site which is currently occupied by a large unattractive mill suffering disrepair. The submitted application states that the development will result in 450 new jobs being created and proposes significant improvements to linkages with the District Centre itself. It is hoped that this will result in substantial spin off benefits for the District centre. Indeed in the supporting text to Policy S1.10 of the AUDP, the LPA recognise that retail proposals on sites immediately adjacent to established centres will often support rather than detract from these centres provided that pedestrian flows and links are safe and attractive. The LPA are confident that the measures put forward as part of this application will encourage linked trips between the new store and the District Centre to help strengthen and maintain the vitality and viability of the District centre. In addition to this, the Applicants are willing to enter into a Section 106 Agreement to provide a commuted sum payment of £200,000 towards physical improvements within the District Centre such as public realm improvements, street furniture, shop front improvements, public art etc, to strengthen and maintain its attractiveness and role alongside the new development.

On a final note, a number of objections have been submitted on behalf of other interested retailers within the Borough, namely Sainsburys, Iceland Foods Ltd and Somerfields Stores Ltd. The points of objection relate to the lack of a quantitative/qualitative need being demonstrated for the proposal, the methodology used, the impact on the spatial planning strategy for the Borough and the fact that the proposal would be a departure from the Development Plan.

In terms of the points raised in relation to the retail study, the LPA would point out that the Agents have re-visited the Retail Assessment in light of comments outlined earlier in this section of the report and the LPA are satisfied that the application has adequately met the tests set out in PPS 6 and that the RA represents a robust study of the retail implications of such a development. In terms of the current allocation of the site, this point will be addressed in Section 6 of the report.

ACCESSIBILITY

The application has been supported by a Transportation Assessment (TA) dealing with this particular issue, which will be dealt with in the following section of the report.

Therefore, in light of all the above points, I am satisfied that the submitted Retail Assessment has demonstrated that there is both a quantitative and qualitative need for the proposed development, that the development is of an appropriate scale and that there are no sequentially preferable sites than the current application site. In addition, the LPA consider that the Applicant has adequately demonstrated that the impacts on nearby Centres are acceptable.

In addition to the above, a major difference between the current application and those previously considered by the LPA is that a large national retailer - ASDA- has been identified as the end user of the store, whereas the previous applications were speculative in their nature. The LPA therefore feel that there is greater level of certainty that the long established gap in the retail provision of Shaw will be filled as a result of this application.

The LPA are therefore satisfied that the proposal would accord with the relevant tests for retail development set out in PPS 6.

5. APPRAISAL OF TRANSPORTATION ASSESSMENT

The application has been supported by a Transportation Assessment (TA) prepared by Denis Wilson Partnership, in order to address the traffic and accessibility issues that a development of this nature will have in this location. Following the submission of the original report, a supplementary report has been submitted responding to comments raised by the Greater Manchester Transportation Unit (GMTU). These issues will be addressed within this section of the report.

Policy RV2.2 of the AUDP requires development proposals to make adequate provision for access, parking and servicing to meet their operational needs. PPS 6 also requires LPA's to consider the impact on car use, traffic and congestion i.e. whether the proposal would have an impact on the overall distance travelled by car and the effect on local traffic levels and congestion, and the accessibility of the proposed development by other modes of transport in addition to the car i.e. public transport, walking and cycling. These considerations are consistent with the objectives set out in Planning Policy Guidance Note 13: Transport (PPG 13).

Car use, traffic and congestion

As outlined earlier vehicular access to the car park would be gained from Eastway approximately 60 m south of its junction with Dawn Street. On the section of Eastway between the site car park entrance and Beal Lane it is proposed to introduce some speed reduction measures within the highway and also incorporate a signalised pedestrian crossing near to the site entrance.

Access for deliveries and servicing is to be from Dawn Street, which is currently a one-way street. The operation of the servicing access will depend on the current one-way traffic regulation order being rescinded, to allow two-way traffic flow. In order to accommodate two-way traffic on this street the following measures are proposed; to widen the carriageway, improve the kerb radii and sight lines at its junction with Eastway and incorporate a turning head at the cul-de-sac end of the street. It is also proposed to provide parking lay bys in front of the residential properties on Dawn Street. The proposals also include for the pedestrianisation of Newtown Street to improve the pedestrian links between the store and the District centre.

In addition to the above measures, further works are proposed for a number of signalised junctions within the vicinity of the application site and the District Centre. These can be summarised as follows:

- High Street/ Crompton Way junction: introduction of traffic signals and a facility for vehicles to turn right at this junction, which currently does not exist. The junction will include pedestrian crossing facilities, which will enable the nearby existing pedestrian crossing on Crompton Way to be removed.
- Crompton Way/Rochdale Road junction: incorporation of an additional lane on the approach to the junction along Crompton Way to enable dedicated right turn and left turn lanes to be provided with the centre lane accommodating the straight-on traffic. The timings of these signals would also be linked into those at the nearby Market Street/Rochdale Road/Milnrow Road/Beal Lane junction to improve the flow of traffic between the two junctions.

The TA considers the potential traffic flows that would be generated by the new store and its

effect on the highway network in the Shaw District Centre area. The standard method generally adopted to analyse the effect of new development traffic on the highway network involves the use of data of existing traffic flows and the anticipated level of traffic generated by the new development, estimated by the use of national data for similar type developments, being added together. An allowance is made in the volume of development traffic known as 'pass-by trips' i.e. the traffic that accesses the development which would already be on the highway and is therefore already included as part of the existing traffic flow. Computer programmes, developed by the Department of Transport, are then used to assess the projected traffic flows at the key junctions to establish the likelihood of traffic queues and delays.

The proposed figures for the new store and the traffic flow figures at the key junctions contained within the TA have been assessed independently, on behalf of the Council, by GMTU and the Greater Manchester Urban Traffic Control Unit (GMUTC). As previously mentioned a number of comments have been raised in respect of the original TA, to which Denis Wilson have responded through the submission of a Supplementary Report. As a result, the LPA are satisfied that the assumptions made in the report provide a robust assessment for analysing the traffic flows within Shaw District Centre and from the proposed development.

Traffic surveys have been undertaken at all of the existing road junctions together with on-site observations. Both of these measures have identified that the two junctions of Crompton Way with Rochdale Road and Market Street/Milnrow Road with Rochdale Road/Beal Lane can, at certain times, result in significant queuing levels of traffic. In order to address this issue, the TA has suggested a number of measures to mitigate against the effect of the additional traffic generated by the new store on these particular junctions. The measures have been designed to encourage as much traffic as possible to access the site without travelling through the District centre. The proposed measures are broken down as follows: -

High Street/Crompton Way Junction

Currently this is a priority junction with movement from High Street into Crompton Way restricted to a left turn south-bound route only. To improve the capacity of the junction in order to accommodate the additional traffic generated by the development and to allow traffic from High Street to access Crompton Way towards the north, it is proposed that the junction be re-modelled and signalised, incorporating pedestrian crossing facilities.

The TA includes a layout which accommodates pedestrian crossing facilities, replacing the nearby pelican crossing, which will be removed. The LPA are satisfied that the introduction of a signalised junction at this location will not lead to such queue lengths that will affect the operation of other junctions in the locality or congestion during the evening peak or peak times of the store. This improvement can be accommodated within the existing highway boundary and would not involve the acquisition of any land from a third party. The works would be enabled by the use of a Section 278 Agreement under the Highways Act 1980.

Crompton Way/Rochdale Road Junction

The analysis of the existing situation at this junction has indicated that there are situations, particularly during the evening peak hour when there is some localised congestion, which also involves the nearby junction of Market Street with Rochdale Road.

When development flows are added on to the existing situation, it is accepted that the level of congestion in this location would be exacerbated. The TA has assessed the potential for linking the traffic signals within an urban traffic control system in order to address this particular problem. This is a well-used technique operating within many town centres which co-ordinates the cycle time of each set of signals to better accommodate traffic flows. The linking of traffic signals is analysed using the TRANSYT computer programme and the

analysis has indicated that, even by linking the signal timings, there would be arms of the junction where significant queuing would continue.

In order to overcome this problem, a highway improvement scheme is proposed for this junction, which, whilst not entirely removing the congestion that can occur, at times, will accommodate the additional traffic without making the existing situation any worse. When the TRANSYT analysis is run it shows improvements when compared to the analysis of the existing queuing situation. The scheme would involve the creation of an additional lane on the southern Crompton Way approach to the junction to provide three lanes, one for left turning traffic, one for right turning traffic with the centre lane for straight-on traffic. Again, this improvement can be accommodated within the existing highway boundary and would not involve the acquisition of any land from a third party. This would be covered by the use of a Section 278 Agreement.

The LPA would mention at this stage that when the new pedestrian crossing facility across Crompton Way at the junction is called during every cycle of the signal sequence the queuing on the approaches could exceed the capacity of the junction. However, on occasion this already occurs and despite the proposed improvements will continue to occur following the development.

Eastway

Along Eastway itself (which is the road that would directly serve the new development) the TA proposes a signalised pedestrian crossing immediately to the north of the entrance to the store car park. This will be of benefit to pedestrians accessing the store from the District centre. It is also proposed to introduce measures within the section of Eastway between the store entrance and Beal Lane to reduce traffic speeds. This could, possibly, be achieved with the enhancement of the pedestrian crossing facility to incorporate a ramped approach and the introduction of an entrance treatment at the junction of Eastway with Beal Lane. However the precise details of such measures would be the subject of further consultation. In addition to the above, it is also proposed to alter the priority for traffic at the Eastway/Greenfield Lane junction. This would enable Eastway to have priority with traffic on the eastern section of Greenfield Lane giving way.

Car Parking

The submitted plans indicate an overall provision of some 305 car parking spaces. A minimum of 18 spaces are to be marked out for the use of the disabled with 8 spaces identified for parent and child use only. The Council's Interim Car Parking Standards introduced following the publication of the revised PPG13 sets out the maximum parking provision for developments. The standards for A1-Food retail are a maximum of 1 space per 14 sq. m. with non-food retail consisting of 1 space per 20 sq. m. For the size of development proposed this equates to an overall maximum provision in the region of 309 spaces. The LPA are therefore satisfied that the number of proposed car parking spaces (disabled spaces do not count towards the provision) accord with the maximum parking standards contained in the RUDP. In addition to this the Applicant is in agreement with a condition being imposed whereby the car park can be on a shared use basis to allow some short stay parking for shoppers to link their trip with the District Centre.

Accessibility

In terms of retail developments, PPS and PPG 13 aim to ensure that people have easy access to shops by a choice of means of transport, particularly by walking, cycling and public transport. They advise local authorities to adopt policies that seek to maintain and improve choice for people to use non-car modes of transport and the Council's Development Plan reflects these objectives.

The site is located on the edge of the District Centre in close proximity to the central

shopping core. The LPA feel that through the use of improvements to pedestrian links between the Centre and the new store that the development could promote linked trips between the two. The promotion of single trips for both purposes assists in the aim to reduce the overall need to travel.

Indeed, it is clear from the results of the Retail Assessment that a number of people within the catchment/study area are currently travelling further a field to carry out their shopping and as such the location of the proposed development would represent a more sustainable location.

Walking

The site is located adjacent to the boundary of Shaw District Centre and in close proximity to the central shopping core. Through the improvements to the pedestrian links between the centre and the site and the provision of a pedestrian crossing facility, the LPA consider that the development would be readily accessible for people walking to the store. The submitted layout plan also now shows an indicative pedestrian route between the store and the nearby railway station which further improves the pedestrian links to the store and the wider catchment area.

Cycling

The location of the site is such that it is easily accessible by a large catchment area for cyclists. Again, the submitted layout plans indicate that cycle storage/parking facilities would be provided at the site to encourage people to cycle to the store. These facilities can be secured by way of an appropriately worded planning condition.

Public Transport

The LPA feel that the site is well placed for customers using public transport. There are a number of bus services that run along Market Street itself and it is hoped that the new pedestrianised route down Nettown Street will encourage shoppers to make use of the bus services in visiting the application site. The GMPTE have also indicated that a local circular bus service operates along Eastway. In order to make the most effective use of this circular service, the submitted layout plans have indicated a notional bus stop along Eastway to encourage local residents within the catchment area to use this service when visiting the store. In addition, the site is accessible from the train station located to the north east of the site on Beal Lane. As previously mentioned, the scheme shows a pedestrian route from the station to the store itself.

Travel Plan

PPG 13 advocates the development of Travel plans to help achieve sustainable transport objectives. The submitted TA does not make any specific provision for such a Plan as part of this application, however the LPA feel that the Applicant should be actively encouraged to identify and introduce management measures to ensure an ongoing commitment to access by non-car modes. This will be dealt with through a note on any decision notice issued as part of the application.

In conclusion, the LPA recognise that a development of this size and nature will have significant implications in terms of traffic flows. The LPA also acknowledge that given the location of the site within a busy District Centre that it would have implications in terms of the operation of the highway network in the area. However, the submitted TA has identified these particular issues and has put forward a number of mitigation measures to try and ensure that the development will be accommodated within the area without having an adverse impact on the local highway network. The LPA accept that whilst the development may not eradicate all of the problems that currently exist within the area i.e queuing at the Rochdale Road/Crompton Way junction during peak traffic periods, it should be borne in

mind that at other times traffic conditions will improve as a result of the proposed mitigation measures.

In addition to the above, the LPA recognise that the development would be located in close proximity to an established District Centre. It is noted that the car currently represents the dominant travel mode for food shopping and this is likely to remain the case. Nevertheless, it is considered that the development will be genuinely accessible by all means of transport.

In order to ensure that the measures outline above are implemented on site, it will be necessary to impose a number of planning conditions and for the Applicant to enter into a Section 106 legal agreement to cover the following: -

- The Council's administrative costs involved in the revocation of the One-Way Traffic Regulation Order for Dawn Street.
- The works involved in the pedestrianisation of Newtown Street
- The works involved in the speed reduction measure on the northern section of Eastway
- The initial maintenance of the traffic signal installations at the junction of High Street with Crompton Way and the pedestrian crossing on Eastway

The LPA therefore consider that the proposal would accord with national policy contained in PPS 6 and PPG 13 and Policy RV2.2 of the AUDP and therefore on balance see no overriding reason to resist the proposal on highway grounds.

6. APPRAISAL OF EMPLOYMENT LAND REPORT

The application site is allocated as a Primary Employment Zone (PEZ) within both the AUDP and RUDP (Revised Deposit Draft). The LPA recognise that PEZ's perform an important role in generating significant levels of employment within the Borough. They represent the most suitable location for economic development, as they reduce the need to develop open land and can allow existing or new businesses to expand.

The current proposal would result in the loss of Dawn Mill which is currently occupied by DTS logistics who as I understand it are a clothing distributor. In addition to the loss of this site, First Stop Tyre and exhaust would also be relocated.

Policy B2.1 of the AUDP outlines the type of uses that will normally be permitted within a PEZ, however this does not allow for large scale retail development. As such, the current proposal would be classed as a departure from the Development plan. In order to try and justify the loss of this employment land the application has been supported by an Employment Land report prepared by Drivers Jonas.

The report considers a number of issues relating to the site and the proposal relating to the impact that the loss of this land would have on the level of employment land available within the Borough and whether the current site is unsuitable for modern employment uses outlined in the PEZ policies. In summary the report concludes that the loss of this employment site will not harm the provisions of the Development Plan, concluding that the existing site is unsuitable for other industrial or business uses given its location and current condition and that the new retail development by creating approximately 450 jobs, will support the purpose of PEZ's in generating significant levels of employment.

Section 38 (6) of the Planning and Compulsory Act 2004 requires applications to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. As noted already, the proposed scheme would not accord with either the AUDP or RUDP for the Borough.

It is clear that the submitted scheme is a departure from the Development Plan. However, in acknowledging this fact the LPA consider that there are a number of material considerations to be weighed against the sites allocation within the Plan.

The LPA and the GONW have previously accepted the loss of this employment land as part of the previous applications for retail development at the site. It was accepted as part of the previous applications that a large scale retail development in this location would in itself generate a significant level of employment, with a current estimate of 450 new jobs at the store itself as well as an element of indirect employment i.e. as a result of the additional expenditure by new employees and their supplier organisations as well as temporary construction works. The Employment land report states that the level of jobs created would support the purpose of PEZ's of contributing to employment levels and that these would outweigh the loss of jobs that may occur as a result of the loss of the mill. However, in order to maximise the benefit that the new jobs will provide for the local area, the LPA consider that it would be reasonable to require the Applicant to enter into a Section 106 Agreement to operate a local employment initiative.

Following on from this, the LPA accept that the mill itself does not lend itself to be efficiently redeveloped for business or industrial purposes and the site is characterised by a number of abnormal constraints. Equally, although the redevelopment of the site would require existing businesses to relocate, the LPA are aware that the current occupiers of the mill, DTS Logistics, are seeking to relocate within the Borough and that the scheme itself proposes to relocate the occupiers of First Stop Tyre and Exhaust on a site adjacent to the new store. As such, the proposal will result in a redistribution of employment uses as opposed to a specific loss which the LPA feels is an important consideration in the determination of the application.

Finally, and probably most important of all, the LPA recognise that a retail development of this size and nature is likely to result in significant regenerative benefits for the Shaw area, which would be unlikely to be achieved if the site were to remain in its current use and condition. The presence of a modern, large scale retail offer in an area with a recognised gap in retail provision together with the clawback of expenditure will help to improve the quality, attractiveness and physical condition of the District Centre.

Therefore on balance, the LPA consider that the above material considerations are sufficient to outweigh the potential disbenefits of the scheme and the loss of potential business/industrial land and justify a departure from both the AUDP and RUDP. The LPA do not consider that by allowing this departure that it will have an adverse impact on the spatial planning strategy for the Borough.

7. APPRAISAL OF ENVIRONMENTAL NOISE ASSESSMENT

Planning Policy Guidance Note 24: Planning and Noise (PPG 24) provides advice on how the planning system can be used to minimise the adverse impact of noise on the local environment. PPG 24 makes it clear that the impact of noise can be a material consideration in the determination of planning applications.

Turning to the current proposal the most sensitive element of the scheme relates to the positioning of the proposed service yard in close proximity to existing residential properties located along Dawn Street and at the end of Duke Street.

In response to this, an Environmental Noise Assessment has been prepared by Paragon Acoustic Consultants. This report has made an assessment of the impact of noise levels at the nearest residential properties in the context of the proposal to build a new retail store at the site.

In terms of the proposed servicing arrangements of the site, the report has recommended the following mitigation measures:

- enclosing the service yard area
- restriction of servicing hours of the store

The report suggests that by enclosing the service yard, noise from activities taking place within this area could be adequately controlled. The report has assessed the impact of the servicing yard on the most exposed residential property and has concluded that noise levels produced from the servicing yard would be marginally higher than existing ambient noise levels and as such would not result in any loss of amenity. The report suggests that as the assessment has considered for the most exposed residential property, that the impacts on other residential dwellings would be lower.

In addition to the above constructional mitigation measures, the report also proposes to limit the servicing hours of the store to between 07.00 and 22.00 hours.

The Council's Environmental Protection Section has reviewed the submitted report and is satisfied that subject to the mitigation measures proposed being implemented and other conditions controlling the operation of the store, that the proposed development could be accommodated at the site without causing undue harm to the occupiers of nearby properties in terms of noise disturbance. However, in terms of the servicing hours, it is recommended that these be further restricted to the hours of 10.00 and 17.00 on Sundays.

In light of all the above points, I am satisfied that the proposal would accord with national guidance contained in PPG 24.

In reaching the above conclusion, the LPA accept that the retail store will have an impact on the occupiers of nearby residential properties in terms of residential amenity. However, this needs to be balanced against the existing land uses present at the application site including the large mill. A modern retail store is considered to be less imposing than the existing land uses and could result in a net improvement for local residents by significantly improving the appearance of the site and allowing conditional control over the operation of the development which currently is not possible. I am therefore of the opinion that the proposal would be an acceptable land use within the area.

8. RECOMMENDATION

This application has been assessed against both local and national policy and has been considered against its impact on the local environment, retail and planning policy, traffic and noise. The LPA also feel that appropriate weight has been attached to all representations that have been raised as part of the application process.

The LPA are of the opinion that the proposal would accord with national retail policy contained in PPS 6 in that a need has been demonstrated for the development, it would be of an appropriate scale, is located within a sequentially preferable site and that the impacts on the District Centre would not adversely affect its vitality and viability. It has been demonstrated that the development would be accessible by a choice of modes of transport in addition to the car and that the impact on the local highway network together with the proposed improvement works would be acceptable. Whilst the LPA accept that a development of this size could have an impact on the occupiers of nearby properties, given the historical use of the site and through the use of appropriate planning conditions, the LPA feel that this impact can be adequately addressed.

The LPA feel that the arrival of such a development within this area will not only address a long established gap in the retail provision of Shaw but will have positive regenerative benefits and will significantly improve the local environment.

With all the above points in mind I would recommend that Members be minded to approve the application subject to the Applicant first entering into a Section 106 legal agreement covering the following points:

- financial contribution of £200,000 towards physical improvements in Shaw District Centre
- secure the provision of toilets, including those whose mobility is impaired, baby changing

facilities

- operate a local employment initiative
- management of the car park to ensure its availability for short stay parking for users of the District centre
- the Council's administrative costs involved in the revocation of the One-Way Traffic Regulation Order for Dawn Street.
- the works involved in the pedestrianisation of Newtown Street
- the works involved in the speed reduction measure on the northern section of Eastway
- the initial maintenance of the traffic signal installations at the junction of High Street with Crompton Way and the pedestrian crossing on Eastway

The application will need to be referred to the Secretary of State as a Departure from the AUDP and under the Shopping Directive. In the absence of intervention, the Executive Director of Environmental Services, in consultation with the Chairman and Vice-Chairman of the Planning Committee, be authorised to grant permission, subject to the Applicants first entering into a Section 106 agreement covering the points outlined above and the following conditions:-

1. Prior to the commencement of the development hereby approved application shall be made to the Local Planning Authority for the approval of details of the following reserved matters:
 - a) the design and external appearance of all buildings and structures;
 - b) the landscaping of the site including hard and soft landscaping, walling and fencing and final site levels.

NO DEVELOPMENT SHOULD TAKE PLACE UNTIL WRITTEN CONSENT FOR ALL THE ABOVE MENTIONED RESERVED MATTERS HAS BEEN OBTAINED)

Reason - The application is for outline permission only and details of the development are reserved for subsequent approval.

2. Application for the approval of reserved matters shall be made not later than the expiration of THREE years beginning with the date of this permission and the development hereby permitted shall be begun not later than whichever is the later of the following dates:-
 - a) the expiration of FIVE years from the date of this permission;
 - b) the expiration of TWO years from the approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason - In pursuance of Section 92(2) of the Town and Country Planning Act 1990

3. The development hereby approved shall be fully implemented in accordance with the amended plans and specifications, received on 21st April 2005 which are referenced as follows; Drawing No.100 Rev 'N' unless otherwise agreed in writing by the Local Planning Authority.

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

4. The gross floorspace of the retail unit shall be limited to a maximum of 5,481 square metres.

Reason - To protect the vitality and viability of nearby Town and District Centres.

5. The net retail floorspace of the retail unit shall be limited to a maximum of 3,252 square metres. The retail sale of convenience and non-convenience goods shall be limited to a maximum of 2,044 and 1,208 square metres respectively of the total net retail floorspace at all times.

Reason - To protect the vitality and viability of nearby Town and District centres

6. There shall be no mezzanine floor created within the retail unit.

Reason - To protect the vitality and viability of nearby Town and District centres

7. The retail unit shall be occupied by a single retail operator at all times and shall not be sub-divided into separate retail units without the prior written approval of the Local Planning Authority.

Reason - Division of the premises would create additional units which could harm the vitality and viability of nearby Town and District Centres.

8. No development shall take place unless and until a detailed scheme(s) of the works involved in the improvements of the following junctions, including any necessary installation/modification of traffic signals and road signing, have been submitted to and approved, in writing, by the Highway Authority: -

- i) Crompton Way/High Street
- ii) Crompton Way/Rochdale Road
- iii) Eastway/Greenfield Lane
- iv) The linked co-ordination of the Crompton Way/Rochdale Road and Milnrow Road/Beal Lane traffic signal installations

Thereafter, the works that form the approved scheme(s) shall be implemented and a Certificate issued by the Highway Authority to confirm their satisfactory completion before the development is brought into use.

Reason - To ensure that the means of vehicular access to the application site is of a standard acceptable to the Highway Authority in the interests of highway safety.

9. No development shall take place unless and until a detailed scheme of the works involved in the improvements of: -

- i) Dawn Street (including provision of parking bays and turning head)
- ii) Signalised pedestrian crossing on Eastway
- iii) Bus stop facility in Eastway

have been submitted to and approved, in writing, by the Highway Authority. Thereafter, the works that form the approved scheme shall be implemented and a Certificate issued by the Highway Authority to confirm their satisfactory completion before the development is brought into use.

Reason - To ensure that the means of vehicular access to the application site is of a standard acceptable to the Highway Authority in the interests of highway safety.

10. The development hereby approved shall not be brought into use unless and until the access and the servicing and parking areas have been constructed, hard-surfaced, drained and marked out to enable all vehicles to enter and leave the application site in forward gear in accordance with the approved plan and specifications received on 21 April 2005 (Ref. 100/Rev N) and thereafter the servicing and parking area shall not be used for any purpose other than the parking, loading and unloading and manoeuvring of vehicles.

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

11. No development shall take place unless and until detailed schemes of the works involved in the following:-

(i) The provision of cycle and pedestrian routes to and through the site, including signing; and

(ii) The provision of adequate secure cycle storage facilities

have been submitted to and approved by the Local Planning Authority. Thereafter, the development hereby approved shall not be brought into use unless and until the alterations have been completed in accordance with the approved scheme(s) to the satisfaction of the Local Planning Authority.

Reason- To ensure adequate pedestrian, cycling and cycle storage facilities are available to users of the development

12. Sight lines measuring 4.5 metres by 45 metres to the northern side and 4.5 metres by 70 metres to the southern side of the junction of the car park access with Eastway shall be provided and maintained free of all obstruction exceeding 0.6 metre in height within the splay area so formed on land under the applicants' control.

Reason - To facilitate the intervisibility of users of the development and Eastway in the interests of highway safety

13. G01 - Landfill Gas Investigation Required

14. G02 - Contamination Investigation Required

15. Prior to the retail unit hereby approved first being occupied an enclosure over the proposed servicing yard shall be constructed in accordance with a scheme to be agreed beforehand in writing with the Local Planning Authority.

Reason - To protect the amenities of the occupiers of nearby properties

16. All loading and unloading activities to the retail unit shall take place in a dedicated dock. The docking bays(s) shall be constructed in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority.

Reason - To protect the amenities of the occupiers of nearby residential properties

17. The cumulative noise levels from all fixed plant, equipment and machinery shall not exceed a rated noise level of 34dB(A) 5 minutes. The rated noise level shall be determined at a distance of 3 metres from the nearest noise sensitive premises.

Reason - To protect the amenities of the occupiers of nearby properties

18. No bulk headed mounted diesel vehicles refrigeration units shall be operated within the site boundary of the retail unit outside the hours of 07.00 and 22.00 Monday to Saturday and 10.00 and 17.00 on Sundays, Bank and Public holidays.

Reason - To protect the amenities of the occupiers of nearby residential properties

19. No service vehicles shall enter, leave, be loaded or unloaded within the site boundary of the retail unit outside the hours of 07.00 and 22.00 Monday to Saturday and 10.00 and 17.00 hours on Sunday, Bank and Public Holidays.

Reason - To protect the amenities of the occupiers of nearby properties

20. The development hereby approved shall not commence unless and until a scheme for recycling facilities has been submitted to and approved in writing by the Local Planning Authority. The agreed recycling facilities shall be provided before the development is opened to the public.

Reason- To ensure that adequate customer facilities are provided within the site in line with the Council's commitment towards energy efficiency and recycling.

21. 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 airbourne and structure bourne noise and vibration. 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 amenities of the occupiers of nearby properties.

22. The use of the retail store shall not be open to customers outside the following times:-

Monday to Saturday - 08.00 to 22.00

Sunday and Bank/Public Holidays - 10.00 to 16.00.

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

23. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning authority. The scheme shall be completed in accordance with the approved plans.

Reason - To reduce the risk of flooding.

24. No development shall take place until a scheme for the boundary treatment adjacent

to the watercourse has been approved by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans.

Reason - To protect and enhance the habitat interest of the river corridor.

25. No development approved by this permission shall be commenced until a scheme to protect River Beal from building materials during construction has been approved by the Local Planning Authority. Such a scheme shall be implemented in accordance with the approved plans.

Reason - To prevent pollution of River Beal.

26. No development shall take place until the applicant has undertaken an industrial archaeological survey of Dawn Mill prior to its demolition, in accordance with a written specification submitted by the applicant and approved in writing by the local planning authority. The survey record is to incorporate, as a minimum, floor plans, general photographs of the interior and exterior of the mill, detailed photographs of key architectural features, and a written description of the building accompanied by a short history. The survey is to be undertaken by a professional architectural historian or archaeologist.

Reason- To create an archival record of the mill.

PLANNING COMMITTEE INFORMATION ABOUT BACKGROUND PAPERS

REPORT OF THE EXECUTIVE DIRECTOR ENVIRONMENTAL SERVICES - PLANNING AND ADVERTISEMENT APPLICATIONS

WHAT ARE THE 'BACKGROUND PAPERS'?

The Local Government Act 1972 provides that the public are entitled to the agendas, minutes and papers of meetings of the Council which are held in public and some access to the "background papers" relating to reports. Papers, agendas and minutes of meetings must generally be available five clear days prior to the date of the meeting. The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

THE BACKGROUND PAPERS

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. **Background papers additional to those specified in 1 or 2 above or set out below.**

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Environmental Services Department, Level 12, Civic Centre, West Street, Oldham during normal office hours, i.e. 8.40 am to 5.00 pm or on the Council's internet at www.oldham.gov.uk/decision_recording.htm

Any person wishing to inspect copies of background papers should contact Mrs Barbara Hodgson, Planning Administration Manager or Mrs Nicola Robinson, Senior Planning Administrator, telephone no. 0161 911 4171 or by email planning@oldham.gov.uk

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REVISIONS	
A	Recycle bins added.
B	Recycle bins relocated.
C	Pedestrian route and island added. Also cycle spaces increased and recycle bins included.

22/03/05	ASR
24/03/05	ASR
18/04/05	ASR

Note
Surrounding area to site based on OS info
Final layout to be subject to consent
from planning authority.
Size of recycle bins to be

PROJECT MANAGERS • INTERIOR DESIGNERS

PROJECT
FOOD STORE
EAST WAY
SHAW

CLIENT
ASDA STORES LTD

TITLE
SITE PLAN

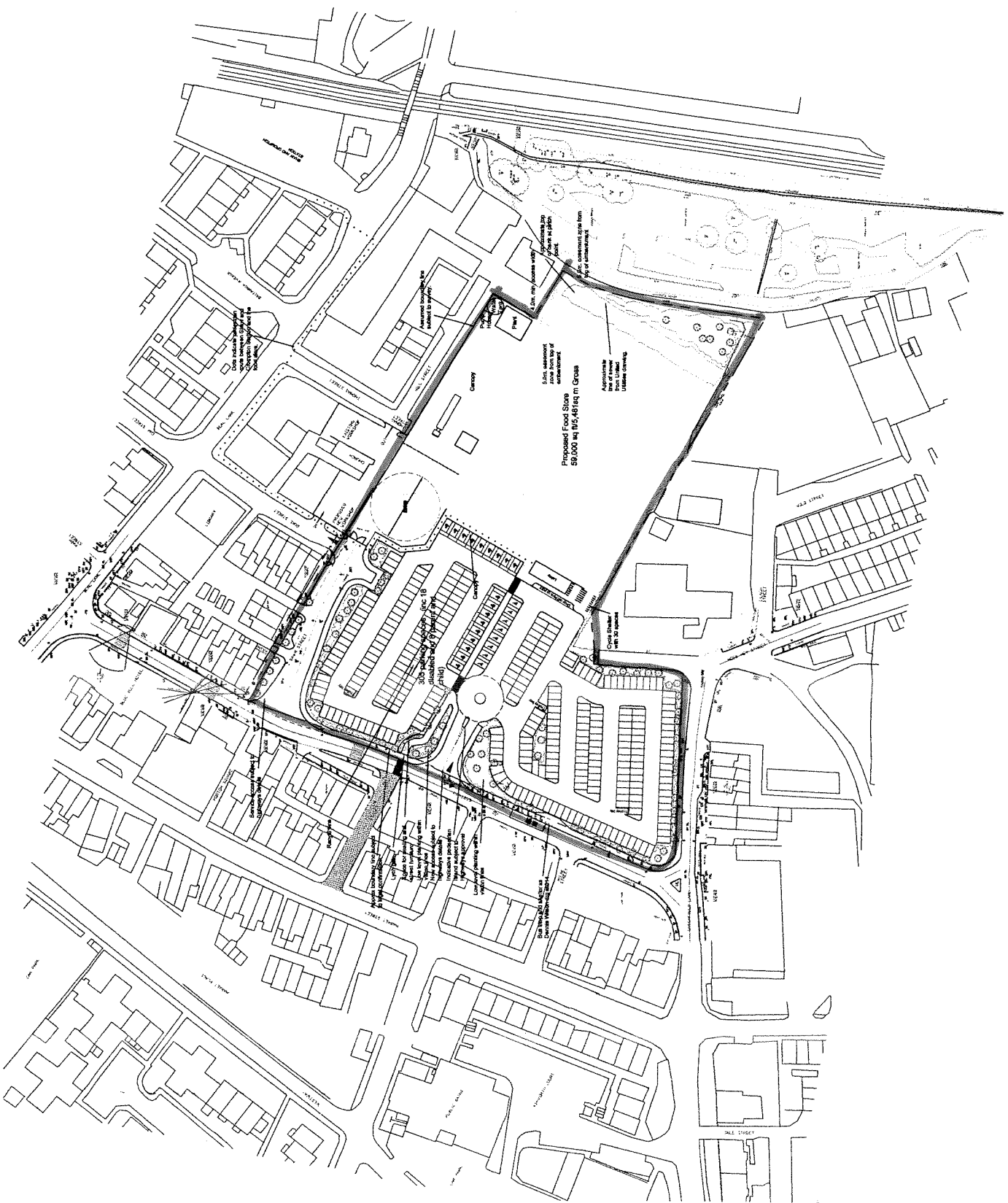
DRAWING NO	7051	REVISION	N
DATE	APRIL 2005	SCALE	1:1000 @ A2
DRAWN	ASR	CAD FILE REFERENCE	J1



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ARCHITECTS
48578
21 APR 2005

UNWEAVED PLANS



Option A