

# APPLICATION REPORT - PA/342978/19

Planning Committee, 5 June, 2019

**Registration Date:** 15/03/2019  
**Ward:** Royton South

**Application Reference:** PA/342978/19  
**Type of Application:** Full Planning Permission

**Proposal:** Erection of commercial units to be used for a purpose that falls within either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution uses)

**Location:** Moss Lane Industrial Estate, Moss Lane, Royton, OL2 6HR  
**Case Officer:** Hannah Lucitt

**Applicant:** Howarth Brothers Ltd  
**Agent :** Mark Jones Planning Consultancy

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## THE SITE

Moss Lane Industrial Estate is an industrial and commercial estate, located within the built up area of Royton.

Part of the estate directly adjoining the existing industrial units and the land to the south-west are used as shared car parking areas. Land to the north is used as a haulage yard and trailer parking area. There are two access points from the industrial estate to Moss Lane.

The application site itself is located to the north of the site in an area that is presently used as a haulage yard. Along the north boundary of the site is a landscaped bund with a timber acoustic barrier enclosing the entire northern boundary of the site.

To the north of the application site there are the residential streets of Clarence Street and Hebron Street.

## THE PROPOSAL

This application proposes the erection of a block of commercial units to be used for either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution) uses.

The proposed units would each measure 185m<sup>2</sup> and would be sited between the existing landscape bund to the north and a large commercial building to the south. The new building will extend to 7.2m in height allowing the units to be occupied by different businesses. The proposed units would be externally clad in metal sheets.

Each unit will have two designated car parking spaces, with eight additional spaces being shared. Directly in front of each unit will be a service yard.

Paladin fencing, 2.4m in height, is also proposed to the periphery of the site.

The site access would remain as existing.

The proposed development would operate 24 hours a day 365 days a year.

## RELEVANT HISTORY OF THE SITE:

No relevant planning history.

## **CONSULTATIONS**

Greater Manchester Police  
Architectural Liaison Unit  
Highway Engineer

Any comments will be included on the late list.

Environmental Health

No objection, subject to the inclusion of conditions addressing the need for a cycle store and travel plan.

LLFA

No objection, subject to the inclusion of conditions addressing floodlighting and landfill gas.

United Utilities

No comment.

Arborist

No objection, subject to the inclusion of a drainage plan.

No objection, subject to the inclusion of a condition addressing the need for adequate tree protective fencing.

## **REPRESENTATIONS**

This application was publicised by way of a site notice, press notice and neighbour notification letters. One letter of objection was received by virtue of this notification process, which commented that the proposed development would cause unacceptable noise and disturbance, an increase in localised crime, and an unacceptable impact on visual amenity.

## **PLANNING CONSIDERATIONS**

The main issues to consider are:

1. Land Use;
2. Parking and highway safety;
3. Amenity and design;
4. Landfill gas, and drainage.

### **Land Use**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 within the National Planning Policy Framework (NPPF) reiterates this requirement.

In this case the 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham. It contains the Core Strategies and Development Management policies used to assess and determine planning applications.

The application is located within a 'Business Employment Area' as allocated by the Proposals Map associated with this document. Therefore, the following policies are considered relevant:

Policy 1 - Climate Change and Sustainable Development;  
Policy 9 - Local Environment;  
Policy 13 - Employment Areas;  
Policy 14 - Supporting Oldham's Economy; and,  
Policy 20 - Design.

The guidance within the National Planning Policy Framework (NPPF) is also a material planning consideration.

DPD Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings and development on 'previously developed land' prior to the use of greenfield sites.

The application site is previously developed land, evident by the hard landscaping and existing use.

DPD Policy 14 states that it is important Oldham has a range of sites to support the local economy. Employment areas are spread across the borough. They provide land for existing firms to expand and for new firms to locate here, so providing for job opportunities.

As the application site proposes a mixed use B1/B2/B8 facility, the proposed development complies with Policy 14 and the principle of the proposal is therefore satisfactory. The industrial units provide a wide mix of sizes to accommodate the needs of a variety of businesses. The benefit of anticipated full time job roles that would be created by virtue of the proposed development is acknowledged.

### **Parking and highway safety**

The proposed development is located within an existing and well established commercial area.

Two parking spaces per unit will be provided within the site with an additional eight spaces for visitors. The Highway Engineer has been consulted, and is satisfied that the development is situated such a distance away from the adopted highway within the site that any additional parking demand will take place within the site and not on the highway. There is existing infrastructure in place and it is not considered that the addition of five small units will have any significant impact on the local highway network.

The Highway Engineer raises no objection to planning permission being granted for highway safety reasons

Therefore, the proposed development is considered to be in compliance with DPD Policy 9 in this regard.

### **Amenity and Design**

DPD Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity, whilst Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

The nearest dwellings to the proposed development are at 48-58 Hebron Street.

The proposed boundary treatment would be sited 22m from the nearest dwelling at the pinch point, beyond an existing landscaping bund. The proposed units would be sited a further 1m from the existing dwellings. The top 4.5m of the proposed development would be visible beyond the landscaping bund from the first floor rear windows of the dwellings at 48-58 Hebron Street.

This separation distance is considered to mitigate against any significant impact in regard to noise and disturbance. Further, the Environmental Health team have raised no objection in regard to noise impacts.

The design of the industrial units is typical of the industrial sites within the area. Whilst this is not of particularly high architectural merit, it would be partly screened by a landscaping bund, and is both functional and appropriate to its setting.

The proposed development is considered to have a neutral impact on the streetscene and the character of the wider area.

There is no evidence to show that the proposed development would lead to an increase in localised crime. Greater Manchester Police Architecture Liaison Unit are yet to comment.

The Environmental Health team have requested the inclusion of a floodlighting condition.

Given the above, the impact on residential amenity and design is considered acceptable, in accordance with DPD Policies 9 and 20.

### **Landfill gas, and drainage**

The Environmental Health team have requested the inclusion of a landfill gas pre-commencement condition.

The application site lies in an area susceptible to surface water flooding. A condition has also been included within the recommendation to address surface water drainage on site. The Drainage team have been consulted in regard to this application, and have made no comment.

The applicant has confirmed that they are happy for the pre-commencement conditions to be included within the decision.

### **Conclusion**

The proposed development would be acceptable in principle, the benefit of anticipated full time job roles that would be created by virtue of the proposed development is acknowledged. The proposal would have no significant impact on highway safety and amenity, residential amenity, and would be acceptable in terms of design. The application is recommended accordingly.

### **RECOMMENDATION**

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications:

- Drawing no. P-03 received 26th February 2019
- Drawing no. P-04 received 26th February 2019
- Drawing no. P-05 received 26th February 2019

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

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

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

4. 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 report and recommendations have been submitted to and approved in writing 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 250m of a

former landfill site.

5. The erection of fencing for the protection of the trees to be retained shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within these areas shall not be altered, nor shall any excavations be made.

Reason - In order to avoid damage to trees/shrubs within the site, which are of important amenity value to the area.

6. No development shall commence unless and until a detailed drainage scheme has been submitted to and approved in writing by the Local Planning authority. The scheme shall then be completed in accordance with the approved plans and maintained thereafter.

Reason - To reduce the risk of flooding.

7. 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 to 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

