

APPLICATION REPORT - PA/344381/20

Planning Committee, 13 May, 2020

Registration Date: 16/01/2020
Ward: Chadderton Central

Application Reference: PA/344381/20
Type of Application: Full Planning Permission

Proposal: Proposed development comprising of Class B1, B2 or B8 units, associated parking, landscaping and infrastructure.

Location: Land to the west of Greengate, Oldham, M24 1SE

Case Officer: Dean Clapworthy

Applicant Royal London Mutual Insurance Society Ltd
Agent : Hourigan Connolly

THE SITE

The proposal relates to a 3.3 hectare site bounded by the M60 motorway at the south, Greengate (B6393) to the east, Blackley Golf Club to the west and an area of open land containing trees and grassland, beyond which are a number of commercial and employment units to the north. The site access forms part of a traffic light controlled junction with Greengate (B6393) with pedestrian and cycle crossing provision. Greengate is a main vehicular arterial route linking the areas of Middleton and Chadderton with the motorway network and Manchester to the south.

There is currently access to the site via an underpass, accessed from an unnamed service road, however this is height restricted and is limited to use by small vehicles only.

Boundaries to the site are generally formed by a combination of palisade and weldmesh security fencing.

The site is within an area allocated as Business Employment Areas and was previously occupied by BAE Systems PLC and is presently used for car storage purposes.

The relatively flat site predominantly comprises hard surfacing associated with the car park areas and there are some areas of scrub, scattered trees and marshy grassland. An electricity pylon is enveloped by the site.

THE PROPOSAL

The proposal is for a development of employment units across the site comprising of unrestricted Class B1, B2 or B8 use units, associated parking, landscaping and infrastructure. The principal elements would comprise the following:

- 14 employment units of varying sizes (up to a maximum floor space of 2,958 sq.m and 13.7m height) and set out as 3 detached units and adjoining clusters of 3 and 8 smaller units, giving a total combined gross floor space of 13177 sq. m. These would be clad in various shades of grey/silver profiled and non-profiled metal sheeting with green reveals. Solar PV panels would be installed to roofs.
- 159 car parking spaces (including 15 for disabled persons), 5 motorcycle spaces, 50 cycle parking/storage spaces and 3 trailer spaces
- Reconfiguration of the existing traffic signal control junction into the site to allow right turn entry and exit and pedestrian crossing facility and new service roads within the site
- Landscaping mainly around the site boundaries and framing the junction and hard

landscaping and new 2.4m high palisade and paladin fencing. Existing fencing to the boundaries would be retained

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

RELEVANT HISTORY OF THE SITE:

PA/343147/19: 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). Associated parking, landscaping and infrastructure. Approved July 2019.

NMA/342928/19: Non material amendment to PA/341476/18 for alterations to external elevations. Approved March 2019.

PA/341476/18: Proposed drive-through café/restaurant (Use Class A3), public house/restaurant (Use Class A4), 3 industrial units (Use Classes B1, B2 or B8), associated parking, landscaping & infrastructure. Approved September 2018.

PA/330635/11: Extension of time relating to PA/54397/07 Erection of 15 no. office units (class B1) totalling 8,562 square metres; fast-food restaurant 245 square metres; associated access, servicing and landscaping arrangement. Approved July 2011.

PA/054397/07: Erection of 15 no. office units (class B1) totalling 8,562 square metres; fast-food restaurant 245 square metres; associated access, servicing and landscaping arrangement. Approved September 2008.

PA/049156/05: Outline application, (including demolition of existing buildings) for mixed use development comprising business uses within Class B1, B2 and B8 (including trade counter), hotel (Class C1), public house (Class A4), 2 no. fast food restaurants (Class A3), car dealership, associated car parking and highway works. Siting, design (for units A, B and C only) and access to be considered, all other matters reserved. Approved March 2006.

RELEVANT PLANNING POLICIES & GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004, reiterated in NPPF Paragraph 2, requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham.

The site falls within the Greengate/Broadgate Business Employment Area (BEA 3) on the Proposals Map pertaining to the Local Plan. The following policies are relevant to the determination of this application.

Joint Development Plan Document (DPD)

Policy 1: Climate Change and Sustainable Development
Policy 5: Promoting Accessibility and Sustainable Transport Choices
Policy 9: Local Environment
Policy 13: Employment Areas
Policy 14: Supporting Oldham's Economy
Policy 18: Energy
Policy 19: Water and Flooding
Policy 20: Design
Policy 21: Protecting Natural Environmental Assets
Policy 25: Developer Contributions

Saved Unitary Development Plan Policies

Policy D1.5: Protection of Trees on Development Sites

National Guidance

National Planning Policy Framework (NPPF)

CONSULTATIONS

Highway Engineer	No objection, subject to conditions relating to vehicle parking and access arrangements, the provision of secure cycle parking and the development of a travel plan.
Environmental Health	No objection, subject to conditions relating to electric vehicle charging points and ground conditions.
Coal Authority	No objection
Environment Agency	No objection
Lead Local Flood Authority (LLFA)	No objection.
Greater Manchester Ecology Unit (GMEU)	No objection, subject to biodiversity mitigation close to the site via a Section 106 contribution and conditions relating to the protection of nesting birds and the management of invasive plant species.
Greater Manchester Police	No objection, subject to a condition requiring implementation of the physical security specifications set out in the Crime Impact Statement
The Ramblers Association Tree Officer	No objection No objection, subject to conditions requiring implementation in accordance with the submitted tree protection measures and replacement tree planting.
Natural England	No objection
United Utilities	No objection, subject to conditions relating to drainage.
Highways England	No objection
Transport for Greater Manchester	No objection
G M Archaeological Advisory Service	No objection

REPRESENTATIONS

The proposal has been advertised by Press and Site Notices and direct neighbour notification. No representations have been received.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of development
- Access and highway safety
- Design and amenity
- Other matters (Contaminated land, landfill gas, and drainage)

Principle of development

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 previous and existing uses.

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 proposed employment units would provide a 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.

Furthermore, the planning history, of which some permissions are extent, establishes such uses.

Access and highway safety

DPD Policy 5 states that the Council will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals. Policy 9 states that local environmental quality and amenity will be protected and/or improved by ensuring development minimises traffic levels and does not harm the safety of road users. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Access to the proposed development would be taken from the existing traffic signal controlled junction at the access road with Greengate which also serves the premises to the east. A highway improvement would be carried out to the junction to facilitate movement into and out of the site for vehicles, cyclists and pedestrians.

The site is in a sustainable location with excellent links to public transport and opportunities for walking and cycling. Conditions are recommended to ensure that more sustainable modes of travel are promoted in the form of the provision of cycle storage facilities and a Travel Plan

A Transport Assessment was submitted with this application. It was found that the amount of traffic likely to be generated by the current proposal will be less than that of previously approved schemes. Traffic modelling of the existing traffic signal controlled junction was also undertaken, and after the addition and clarification of some information, Transport for Greater Manchester is satisfied that the junction will continue to operate within capacity, and that the traffic generated by the proposed development will have no significant or adverse impact on the local highway network.

The Council's Highway Officer has no objection.

Therefore, the proposed development is in compliance with the above policies and the NPPF.

Design and amenity

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in policies 9 and 20. Furthermore, Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity.

There are no dwellings within close proximity to the application site, which is framed by the motorway, the robust landscaped boundary of the golf course and further employment sites. Therefore, the proposal will have no significant impact on amenity.

The proposed units are of a utilitarian form, design and materials which would be compatible with the prevailing character of the Business Employment Area. Landscaping around the site boundary and entrance would provide a more verdant character to the site, which is currently hard landscaped.

The proposal would therefore accord with the above Local Plan policies.

Other matters

Ground Conditions

The Environmental Health Officer has confirmed that it would be appropriate to reapply ground contamination and gas conditions previously applied to the most recent extant planning permission at the site.

Drainage

The Lead Local Flood Authority does not object to the proposal and United Utilities have recommended the attachment of conditions.

Ecology and trees

The Greater Manchester Ecology Unit has highlighted that there are some areas of scrub, scattered trees and marshy grassland of local nature conservation value and that the landscape proposals do not include for the creation of any new marsh or wet grassland. As the scheme would result in a net loss of local biodiversity, it is recommended that appropriate mitigation is made through the provision of a contribution for biodiversity net gain elsewhere. The applicant is agreeable to such being secured via a Section 106 legal agreement. They have also recommended conditions to protect birds and to prevent the spread of Japanese Knotweed.

The Council's Tree Officer recommends that retained trees are protected for the duration of the construction of the development and agrees to the proposed landscaping proposals.

Energy

The proposal is required to achieve the energy efficiency targets indicated in DPD Policy 18. The submitted Energy and Sustainability Statement confirms that a 15% saving can be achieved through the installation of roof mounted PV systems and a condition is recommended that would secure these energy savings, along with the introduction of electric vehicle charging points.

Conclusion

The proposed development would deliver a major employment scheme at a previously developed site identified for such development. Subject to appropriate conditions and Section 106 agreement, the proposal would not have any unacceptable adverse impacts on traffic and highway safety, visual, neighbouring and general amenity, ecology and biodiversity, drainage and would not be at risk from contamination.

The proposal therefore complies with the relevant Oldham Local Plan policies and the NPPF.

RECOMMENDATION

It is recommended that Committee resolves:

1. To grant planning permission subject to the conditions set out below and to a Section 106 obligation being secured to provide a contribution of £9,800 for biodiversity mitigation and net gain.
 2. To delegate authority to the Director of Economy to issue the decision notice upon satisfactory completion of the planning obligation.
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 following approved plans:

Location Plan (Drawing No. 17022_PL201)
Proposed Site Plan (Drawing No. 17022_PL202 E)

Unit A - Proposed GA Floor Plans & Roof Plans (Drawing No. 17022_PL203 C)
Unit A - Proposed Elevations & Section (Drawing No. 17022_PL204 B)

Unit B - Proposed GA Floor Plans (Drawing No. 17022_PL205 C)
Unit B - Proposed GA Roof Plan (Drawing No. 17022_PL206 A)
Unit B - Proposed Elevations & Section (Drawing No. 17002_PL207 B)

Unit C - Proposed GA Floor & Roof Plans (Drawing No. 17022_PL208 C)
Unit C - Proposed Elevations & Section (Drawing No. 17002_PL209 B)

Unit D - Proposed GA Floor & Roof Plans (Drawing No. 17022_PL210 C)
Unit D - Proposed Elevations & Section (Drawing No. 17002_PL211 B)

Unit E - Proposed GA Floor & Roof Plans (Drawing No. 17022_PL212 C)
Unit E - Proposed Elevations & Sections (Drawing No. 17022_PL213 B)

Proposed Site Sections (Drawing No. 17022_PL214 B)

Levels and Drainage Plan (Drawing No. 17-066/300 P6)

Landscape Layout (Drawing No. 101 C)

Proposed Hard Landscaping Plan (Drawing No. 17022_PL215 C)

Planting Plan (Drawing No. 201 A)
Planting Plan - Sheet 1 of 3 (Drawing No. 201 B)
Planting Plan - Sheet 2 of 3 (Drawing No. 202 B)
Planting Plan - Sheet 3 of 3 (Drawing No. 203 B)

Tree Retention Removal (Drawing No. 102 A)

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

3. No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentation.

Reason - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

4. The development hereby approved shall not be brought into use unless and until the access and car parking spaces have been provided in accordance with the approved plan (Drawing No. 17022_PL202 Rev E). Thereafter the parking spaces and turning areas 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 having regard to Policy 5 and 9 of the Oldham Local Plan.

5. The following full design and construction details of the required improvements to the Greengate Access Arrangements shall be submitted to and approved in writing by the Local Planning Authority and thereafter completed in full before any part of the development is occupied:

- How the scheme interfaces with the existing highway alignment and details of the carriageway markings and lane destinations
- Full signing and lighting details
- Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards)
- An independent Stage Two Road Safety Audit (taking account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

Reason - To ensure that the means of access to the application site is acceptable to the Local Highway Authority in terms of highway safety and the continued efficient operation of the local highway network having regard to policies 5 and 9 of the Oldham Local Plan.

6. Secure cycle parking facilities shall be provided within the site prior to the first occupation of any part of the development hereby approved, 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 having regard to policies 5 and 9 of the Oldham Local Plan.

7. Within three months of the first occupation of any individual part of the development hereby approved, a travel plan for that part shall be submitted for the written approval of the local planning authority. The approved travel plans for each part shall be implemented within six months of occupation of that part of the development.

Reason - In order to promote sustainable means of travel having regard to policies 5 and 9 of the Oldham Local Plan.

8. The recommendations within the site investigation and assessment in relation to the landfill gas risk (Phase I/II Geo-environmental Site Assessment by TRC Companies Limited and dated December 2019) shall be undertaken in accordance with the approved details. 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 having regard to Policy 9 of the Oldham Local Plan.

9. The recommendations within the site investigation and assessment to identify the extent of land contamination which has been carried out ((Phase I/II Geo-environmental Site Assessment by TRC Companies Limited and dated December 2019) shall be undertaken in accordance with the approved details. 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 and the environment having regard to Policy 9 of the Oldham Local Plan.

10. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason - To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site having regard to Policy 9 of the Oldham Local Plan.

11. Before the first occupation of any part of the development hereby approved, electric vehicle charging points for that part of the development shall be provided in accordance with a scheme and timetable which has previously been submitted to and approved in writing with the Local Planning Authority. The electric vehicle charging points shall be retained for that purpose thereafter.

Reason - To enable the use of alternative fuels for transport purposes such as electric vehicle charging stations in order that sustainable travel alternatives needs are supported and promoted within the development in accordance with Policies 5 and 9 of the Oldham Local Plan.

12. All hard and soft landscape works, including fencing, shall be carried out in accordance with the approved plans (Landscape Layout (Drawing No. 101 C), Proposed Hard Landscaping Plan (Drawing No. 17022_PL215 C), Planting Plan (Drawing No. 201 A), Planting Plan - Sheet 1 of 3 (Drawing No. 201 B), Planting Plan - Sheet 2 of 3 (Drawing No. 202 B), Planting Plan - Sheet 3 of 3 (Drawing No. 203 B)).

Hard landscaping shall be implemented before any part of the development is occupied and soft landscaping within the first available planting season following the occupation of any part of the development or in accordance with a programme agreed in writing with the local planning authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity having regard to Policies 9, 20 and 21 of the Oldham Local Plan and Saved Unitary Development Plan Policy D1.5.

13. All existing trees that have a retention value of B or greater, shall be protected by protective fencing in accordance with BS5837:2012 and as detailed in the submitted Tree Survey and Constraints Report by TPM Landscape and 'Tree Constraints Plan' (Drawing No. TR-01 V1). The protection measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

Reason - To protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

14. The identified invasive plant species at the site shall be treated in full accordance with the Japanese Knotweed Management Plan dated 25/03/20 (Job No. IPM 17 1107).

Reason - To prevent the spread of an invasive species having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.

15. No works to trees or vegetation clearance shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably qualified person has been carried out immediately prior to clearance and written confirmation

provided that no active bird nests are present, which has been agreed in writing by the Local Planning Authority.

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

16. As far as is practicable, the development shall be carried out in accordance with the recommendations contained within the Crime Impact Statement by Design for Security dated 12/02/2018 (Ref. URN: 2018/0545/CIS/01).

Reason - To create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion in accordance with Policy 20 of the Oldham Local Plan.

17. A surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 50 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan and the NPPF.

18. Foul and surface water shall be drained on separate systems.

Reason - To secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

19. No development comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local plan Policy 18 and shall detail how a target area has been determined; and how the development will meet this target.

The development shall be carried out in accordance with the approved scheme phasing arrangements and retained as operational thereafter.

Reason - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

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General Notes

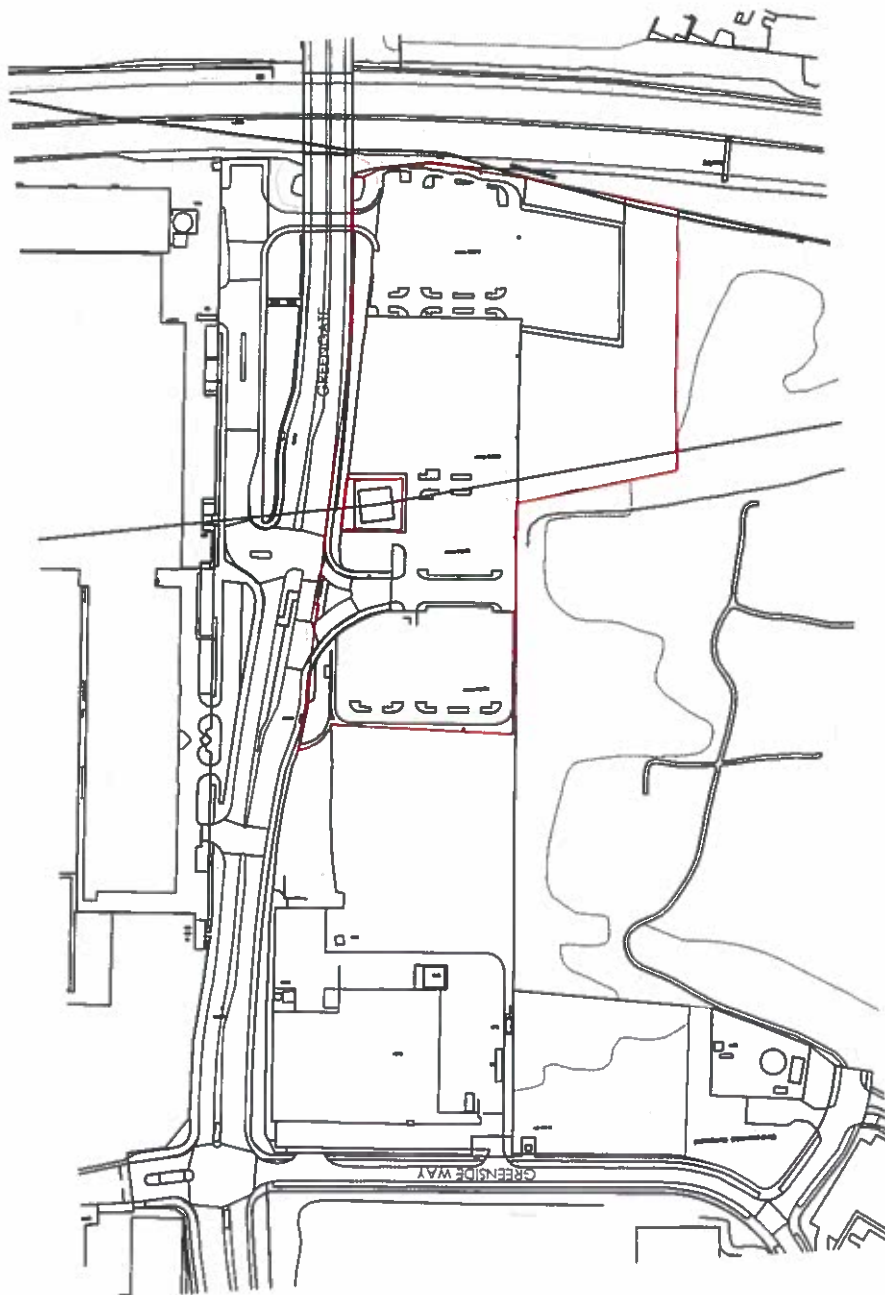
All site dimensions shall be verified by the Contractor on site prior to commencing any work.

Do not take from this drawing.

Only work to written dimensions.

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— Site Boundary
Site Area: 3.3Ha



Revision: 1.000003
Scale: 1:2000
Drawn by: PJL/ABC
Checked by: AL
Date: 16.11.19

Client:
Royal London
Mutual Insurance Society Ltd
Address:
Greengate Chadderton

Drawing Description:
Location Plan

Drawing No: 17022_PL201 Rev: 1

fletcher rae
Architectural & Planning Services

488 Quayle 5, Junction Street, Manchester, M15 4PT
T: +44 (0)161 242 1100
F: +44 (0)161 242 1141
E: info@fletcher-rae.com

PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT APPLICATIONS

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 Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.

