

**APPLICATION REPORT - FUL/348308/22**  
**Planning Committee 8<sup>th</sup> June 2022**

Registration Date: 13th January 2022  
Ward: Royton South

Application Reference: FUL/348308/22  
Type of Application: Full Application

Proposal: Retrospective application for erection of storage building  
Location: Bee Mill, Shaw Road, Royton, Oldham, OL2 6EH

Case Officer: Matthew Taylor  
Applicant: W Lynock  
Agent: Mr David O'Connor

## **INTRODUCTION**

The application is referred to Planning Committee for determination since it is a Major development proposing the creation of over 1,000m<sup>2</sup> of industrial floorspace.

## **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

## **THE SITE**

The application site comprises Bee Mill and its associated curtilage. The site is located to the south east of Shaw Road and to the south west of Lion Mill. The south eastern boundary of the site adjoins the residential curtilages of properties on Penthorpe Drive.

The site is currently used for Injection Moulding and Plastic Moulding falling within Use Classes B2 ((General Industrial) and B8 (Storage and Distribution). The site comprises one large building, one smaller scale steel portal frame type warehousing unit, staff parking, a large service yard, and a number of silos.

Access to the site is via Shaw Road and is enclosed by 2 metre (or above) boundary fencing/gates and mature planting along the north and southwest boundaries.

The buildings provide large open floor areas for warehousing, office space associated with the administrative side of the business and loading areas.

The site is allocated for business/employment use within the Local Plan and is in a Coal Standing Advice Area.

## THE PROPOSAL

Retrospective planning permission is sought for the retention of a new storage building within the existing yard area.

The building measures approximately 60m by 20m, is 5.8m to eaves level and attains an overall height of 9.5m. The structure has insulated PVC covers, 40mm insulated wall panels and bolts down to the existing yard surface.

## RELEVANT PLANNING HISTORY

PA/336535/15 - Double portal frame industrial unit: 36m x 32m – Granted, 22/05/2015

CL/052044/06 - Use of premises for industrial purposes (Class B2) between the operating hours of Monday 06:00 to Saturday 13:00 (continuous 24 hour operation) Sunday 06:00 to 13:00 – Granted, 01/02/2007

## RELEVANT PLANNING POLICIES

The following policies are relevant to the determination of this application.

### Joint Development Plan Document

Policy 01 - Climate Change and Sustainable Development;  
Policy 09 - Local Environment;  
Policy 13 - Employment Area;  
Policy 14 - Supporting Oldham's Economy;  
Policy 19 - Water and Flooding;  
Policy 20 – Design; and,  
Saved UDP Policy D1.5 - Protection of Trees on Development Sites

National Planning Policy Framework

### Statutory and Internal Consultees:

Highways Engineer	Does not object to planning permission being granted for highway safety reasons.
Environmental Health	No objection.
Coal Authority	No objection.

## REPRESENTATIONS

0 **support** comments have been received.  
0 **neutral** comments have been received  
7 **objection** comments have been received

## **SUMMARY OF OBJECTIONS:**

- Close to adjoining properties
  - Increase of pollution
  - Loss of privacy
  - Noise nuisance
  - Over development
  - Affect local ecology
  - Not enough info given on application
  - More open space needed on development
  - Residential Amenity
  - Increase in traffic
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- Concerns that an area of trees to the rear of the building will have no access and as a result will be left unattended and will become unkempt and an eyesore to immediate residents.
  - Since the building was erected, there has been an increase in machinery noise to the area which can be clearly heard from neighbouring properties and gardens.
  - Concerns that should the noise from the mill and the machinery used will have a negative impact on my peace and enjoyment of neighbouring properties and gardens
  - Building has been erected too close to neighbouring properties and if allowed to stay will open up applications for further expansion close to the borders, causing further noise nuisance and disruption.
  - The mill creates excessive noise and light pollution at various times of the day, sometimes beginning early morning and ending late evening, at times I've had to close my windows and it can still be heard inside neighbouring property.
  - The spotlights/security lights are often kept on throughout the night and shine directly into neighbouring windows.
  - The local residents have previously raised concerns with the mill owners and some progress has been made but they have not fulfilled all they said they would.
  - Additional storage has just increased the issues above and will continue to do so.
  - The fact that retrospective planning permission is being applied for shows a lack of care from the business about the constant noise and light pollution it is causing to the local residents, this should have been applied for before the buildings were built, not after.
  - There is constant noise from the yard 24/7, plus lights switching on and off and loading up during the night.
  - The letter regarding this retrospective planning application should have also gone to all the surrounding residents not just selected ones so all affected residents were aware of it.
  - Environmental footprint of this factory is immense with expanding increased noise and light pollution from premises seven day a week already.

- illegal and inadequate fencing currently surrounds the premises and offers no sound barrier to neighbours.
- The Company have no social impact policy and our lives have been affected with constant noise and light pollution for long enough.
- Previous complaints upheld by OMBC have yet to be dealt with.
- The yard is an eyesore, the forklift trucks bounce over uneven ground which then produces loud metallic clanking sounds, covers, wrappings and other detritus blows everywhere and litters the surrounding area which is a local natural amenity.

## **PLANNING CONSIDERATIONS**

The main issues to consider are:

- Principle of the proposed development;
- Design;
- Residential amenity;
- Highway safety;
- Trees; and,
- Ground conditions

### **Principle of the development**

Policy 1 seeks to ensure the effective and efficient use of land and buildings, promote economic prosperity, and meet the needs of existing and new businesses, and to promote high quality and sustainable design. Policy 14 states that it is important that Oldham has a range of sites to support the local economy for both existing and new firms within the area.

It is considered that the application is acceptable in principle as the development would support local business and maintain an employment generating use on a brownfield site. It is therefore considered compliant with the aims and objectives of Policy 14.

### **Design**

Policy 20 requires such proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

The building is considered to be appropriate in scale and massing in relation to the adjoining industrial building on site. Furthermore, the unit has a functional design using a simple palette of materials.

In this context it is considered that the development accords with the design principles set out in Policy 20.

### **Residential Amenity**

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant

harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security and noise.

The Council's Environmental Health section have raised no objection to the application in terms of impacts on residential amenity.

The closest neighbouring properties to the building are those located on Turfland Avenue and Shaw Road. Given the scale of the unit and its position within the original service yard and separated from the closest neighbouring residential properties by a linear path and mature planting, it is considered that the impact on the amenity of the occupiers these neighbouring properties would be minimal.

### **Highway safety**

The development does not alter the existing access to the site nor does it create any additional parking provision. The development is not considered to impede the ability of service vehicles for the existing industrial unit to safely manoeuvre. Therefore, it is not considered that the proposed development will generate any additional significant traffic or demand for on street parking to the detriment of highway safety, and does not conflict with the requirements of Policy 9 or Paragraph 111 in the National Planning Policy Framework

### **Trees**

Saved UDP Policy D1.5 'Protection of Trees on Development Sites', states the following:

*'In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:*

- a) the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and*
- b) development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas.*

*In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission for the development.*

There are trees to the rear of the site in close proximity to the retrospective development. The supporting BS5837 Tree Survey & Arboricultural Impact, by Peter Jackson, notes that these trees did not require removal to facilitate the development and would not be affected directly by it as there were no changes in ground levels within the root protection zones. In addition, access to the site was via the existing driveway and, as such, plant and machinery did not need to pass the retained trees.

Therefore, it is considered that no long-term impacts are likely to have resulted from the construction of the building and the scheme accords with the requirements of saved UDP Policy D1.5.

### **Ground conditions**

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report, December 2021, are sufficient for the purposes of the planning system and meets the requirements of NPPF paras. 183 and 184 in demonstrating that the application

site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

## **CONCLUSION**

Having regard to the scale and nature of the proposed development, the location of the site and the general pattern of development in the area, it is considered that the development would not lead to any significant adverse impact on the character of the area and neither would it lead to unacceptable adverse impact on the amenity of the occupiers of neighbouring properties.

The building supports the continued viability of the established business, thus helping retain/create new employment opportunities thereby boosting the local economy. The development therefore complies with the relevant provisions of the Local Plan Policies and National Planning Policies Framework.

## **RECOMMENDED CONDITIONS**

1. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

**SITE LOCATION PLAN (NOT TO SCALE)**

