

**APPLICATION REPORT – FUL/351542/23**  
**Planning Committee 24<sup>th</sup> January 2024**

Registration Date: 25<sup>th</sup> August 2023  
Ward: Chadderton South

Application Reference: FUL/351542/23  
Type of Application: Full

Proposal: Erection of a new unit for storage (B8) and offices (E(g)(i)) with associated external works for compound and parking  
Location: Land adjacent Junction 22 Business Park, Tweedale Way, Chadderton.

Case Officer: Abiola Labisi  
Applicant: Mr. S. Bentley  
Agent: Mr Lee Hollinworth

## **1. INTRODUCTION**

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation since it is a Major planning application.

## **2. RECOMMENDATION**

- 2.1 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.

## **3. SITE DESCRIPTION**

- 3.1 The site is located on the south side of Tweedale Way, Chadderton, and is adjacent to a bend in the road. It is within a predominantly commercial area characterised by commercial uses of various types. The site is undeveloped land fronting onto Tweedale Way and to its south are existing business premises.
- 3.2 The site forms part of land allocated for business and employment use within the Oldham Local Plan, hence the commercial character of the area.

## **4. THE PROPOSAL**

- 4.1 The application proposes the erection of a new unit for storage (B8) and offices (E(g)(i)) with associated external works for compound and parking. The building would be three-storey in height with the ground floor being proposed for storage use while the upper floors would be in office use.
- 4.2 The building would be rectangular in shape, covering an area of approx. 135m x 18m with an overall height of approx. 11m. In terms of external finish materials, the building would be built using a combination of Kingspan cladding and bricks for the wall with Kingspan cladding for the roof.

4.3 A total of 32no. car parking spaces and a cycle storage facility would be provided within the site. Whilst the site fronts onto Tweedale way, access would however be off an existing driveway off Tweedale Way.

## 5. PLANNING HISTORY

5.1 The site forms part of the parcel of land which was approved for development comprising the erection of two 3 storey office buildings and Industrial warehouse with parking and landscaping under planning ref. PA/052011/06.

## 6. RELEVANT PLANNING POLICIES

6.1 The relevant document within the adopted Development Plan is the Joint Core Strategy and Development Management Policies DPD (Local Plan). The site is allocated in the Proposals Map associated with this document as Business and Employment land. As such, the following policies are considered relevant to the determination of this application:

- Policy 1 - Climate Change and Sustainable Development;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 9 - Local Environment;
- Policy 14 - Supporting Oldham's Economy; and,
- Policy 20 – Design.

## 7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. Raised no objection subject to conditions relating to the implementation of a watching brief to monitor potential land contamination and a site investigation relating to landfill gas.
Drainage	Formal comments received from United Utilities and no objection was raised subject to the submission of details relating to a sustainable surface water drainage scheme.
Highways	Formal response received. No objection subject to conditions relating to submission of construction details for the access and parking areas as well as cycle storage facilities.
GMEU	No response received. Any representations will be reported on the Late List.

## 8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.

- 8.2 In response, one representation was received raising an objection to the proposal on the grounds that the proposed building would have an overbearing impact (addressed under para 11.1 below).

## **ASSESSMENT OF THE PROPOSAL**

### **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The application site is allocated as Business and Employment land under the Proposals Map associated with the Local Plan, and is located adjacent to existing commercial uses of similar nature. Policy 14 of the Local Plan indicates that office and storage uses, which are the proposed uses of the building, are acceptable on land allocated for Business and Employment use.
- 9.2 The site is also subject of a previous planning application reference PA/052011/06 for a similar development, which is a material planning consideration, and which establishes the acceptability of the site for an employment use.
- 9.3 Having regard to these considerations, the principle of development is acceptable.

### **10. RESIDENTIAL AMENITY**

- 10.1 The site is located within land allocated for business and employment use in the Local Plan and as a result of the allocation, the neighbouring uses are all commercial. The distance between the proposed development and the nearest residential property would ensure that the proposal does not have any significant adverse impact on the residential amenity of the occupiers of the residential property.
- 10.2 With regard to the potential impact on the amenity of the occupiers of neighbouring properties, it is considered that having regard to the commercial nature of the neighbouring properties, the proposal would not detract significantly from the amenity of the occupiers of the neighbouring properties given the similarity in the nature of use of the neighbouring properties and the proposed.

### **11. DESIGN AND INTEGRATION WITH LOCAL CHARACTER**

- 11.1 The proposed building would be of a similar design as some others within the vicinity. The scale as well as overall massing is not considered to be likely to detract from the character of the area having regard to the scale and massing of neighbouring properties. The external finish materials are in keeping with the commercial character of the area.
- 11.2 With regard to the nature of the proposed use, it is noted that the area is characterised by uses that are similar in nature to the proposed. As such, the proposal would be in keeping with the character of the area in so far as land use is concerned.
- 11.3 Having regard to the above, it is therefore considered that the proposed development would be compatible with neighbouring uses and would not detract from the character of the area to a significant degree.

## **12. HIGHWAY SAFETY**

- 12.1 Vehicular access to the site is taken from an existing drive off Tweedale Road. It is considered that the access would be acceptable in terms of driver visibility and as a result, the proposal would not lead to a severe impact on highway safety.
- 12.2 In addition, the scheme includes the provision of 32no. car parking spaces and there would be a turning area to ensure that vehicles leave the site in forward gear. This would minimise any potential for off-street parking and any associated hazards.
- 12.3 The business park within which the site is located is well served by a good network of roads and the nature and scale of the proposal are not considered to be such that would generate a volume of vehicular traffic that would have a severe impact on the capacity of the road network.
- 12.4 Importantly, the highway engineer has assessed the proposal and has raised no objections subject to the imposition of conditions requiring the provision of the access and parking area, as well as details relating to the construction of the access and parking area. Furthermore, a condition requiring the provision of the secure cycle storage facility has been recommended.

## **13. IMPACT ON ECOLOGY**

- 13.1 The site is currently grassed, vacant land and the application has been referred to Greater Manchester Ecology Unit for comments. However, no comments have been received at the time of this report. Notwithstanding this, consideration has been given to the fact that the proposal does not include the demolition of existing buildings that may cause unacceptable harm to any protected species, and neither does the site fall within any ecological designation that could make the scheme unacceptable.
- 13.2 It is considered that a condition requiring the submission of a landscaping scheme to soften any potential visual impact and to mitigate any loss of ecology should be attached to any grant of permission.

## **14. LAND CONTAMINATION/LANDFILL GAS**

- 14.1 The site is located within 250m of a former landfill site and hence, there is a potential for landfill gas issues. Accordingly, the proposal has been referred to the Council's Environmental Health Unit for assessment regarding potential landfill gas / land contamination issues on the site and they have recommended a condition relating to the implementation of a watching brief to monitor potential land contamination during the construction phase and a condition requiring a site investigation for landfill gases.
- 14.2 It is considered that with the conditions recommended by the Environmental Health officers, the issue of land contamination/landfill gas can be satisfactorily addressed.

## **15. SURFACE WATER DRAINAGE**

- 15.1 Notwithstanding drainage details submitted by the applicant, United Utilities have recommended a condition requiring the submission of a sustainable surface water drainage strategy. The submission and implementation of a sustainable surface water drainage strategy would address any potential drainage issue.

15.2 This issue can be addressed via relevant planning conditions.

## **16. RESPONSE TO ISSUE RAISED IN LETTER OF OBJECTION**

16.1 The main issue raised in the letter of objection was overdevelopment of the site as a result of the height of the building. However, the proposed height, as well as the footprint is not considered to be likely to lead to overdevelopment of the site given the plot size. In addition, the scale would be in keeping with the pattern of development in the area as there are existing buildings of a similar height in the area.

## **17. CONCLUSION**

17.1 The proposed development is considered acceptable in principle given that it is on land allocated for business and employment use and the scale and design would not detract from the character of the area. The proposal would also not lead to any significant adverse impact on the amenity of occupiers of neighbouring properties, neither would it lead to any severe detrimental highway issues. Furthermore, the proposal would enhance the local economy through the creation of employment opportunities.

17.2 Therefore, it is recommended that the application be approved, subject to the following conditions.

## **18. RECOMMENDED 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 Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those indicated on the approved plans. REASON - To ensure that the appearance of the existing building is acceptable having regard to Policy 20 of the Oldham Local Plan.
4. The development hereby approved shall be implemented in accordance with the crime prevention details set out in the Crime Impact Statement (VERSION A: 03.11.23, Ref. 2023/0440/CIS/01) prepared by the Greater Manchester Police. REASON - To ensure safe form of development in accordance with Policy 9 of the Oldham Local Plan.
5. The development hereby approved shall not be brought into use unless and until details of facilities for the storage and removal of refuse and waste materials have been submitted to and approved in writing by the Local Planning Authority and the agreed scheme has been fully implemented. Thereafter approved facilities shall at

all times remain available for use. REASON - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area.

6. Notwithstanding the storage use hereby approved on the site, there shall be no storage of materials on site except within the building hereby approved unless the prior approval of the Local Planning Authority has first been obtained for such external storage of materials. REASON – In the interest of amenity, in accordance with Policy 9 of the Oldham Local plan.
7. No development shall take place until full details of both hard and soft landscape works with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size. REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.
8. A watching brief shall be maintained on site during the construction phase of the development hereby approved. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. REASON – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety.
9. 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.
10. The development hereby approved shall not be brought into use until the access to the site, car parking spaces and servicing areas have been provided in accordance with the approved plan and with the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning

Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles. REASON - To ensure adequate off-street parking and servicing 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 Policies 5 and 9 of the Oldham Local Plan.

11. The use of the building hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter. REASON – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
12. Within three months of the occupation of the development a Green Travel Plan should be submitted to and approved in writing by the local Planning Authority. All measures contained within the approved Travel Plan shall be implemented monitored and retained thereafter REASON - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.
13. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts as well as details of the management of construction management traffic, delivery and storage of materials and parking for construction workers during the construction period. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, which shall be maintained for the duration of the construction works. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.
14. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5 l/s;
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development. REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.



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

