

APPLICATION REPORT – FUL/351962/23
Planning Committee 21st February 2024

Registration Date: 20th November 2023
Ward: Chadderton South

Application Reference: FUL/351962/23
Type of Application: Full

Proposal: Demolition of all existing buildings and structures and the redevelopment of the site comprising the erection of commercial units within Use Class B2, B8 and Class E (g) (iii), associated parking, landscaping and infrastructure including the recladding of the existing party wall.

Location: Findel Complex – Land east of Greengate, Oldham M24 1UD

Case Officer: Graham Dickman
Applicant: The Royal London Mutual Insurance Society Limited
Agent: Mick Brookman

1. INTRODUCTION

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as a Major Development.

2. RECOMMENDATION:

2.1 It is recommended that the application be approved subject to the conditions set out in this report.

3. SITE DESCRIPTION

3.1 The site comprises approximately 5.7 hectares of land occupied by existing industrial buildings which overwhelmingly dominates the site area, with ancillary hardstanding to the remainder.

3.2 It is located off a spur road cul-de-sac accessed via a signal-controlled junction on the east side of Greengate. There are further industrial buildings to the north, the Manchester to Rochdale railway line to the east, and the southbound carriageway of the M60 motorway to the south.

3.3 The nearest residential properties are across the motorway further to the south.

4. THE PROPOSAL

4.1 The proposed relates to the erection of two industrial/warehousing units of 11,171m²

and 15,268m² gross respectively. The units will be served via a single access point leading to a central area within the site to be used for car parking and servicing.

- 4.2 The units will attain a height of approximately 15 metres incorporating ancillary two-storey office accommodation. The buildings will be faced with banded grey steel cladding, with lighter bands used to the upper levels.
- 4.3 The final users are not defined, however, to allow flexibility, the proposal seeks an approval which would allow usage for office, industrial and warehousing uses within Classes E (g) (ii), Class B2 or Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 4.4 Unrestricted operating hours are also required.
- 4.5 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. However, at 0.3 hectares it would not exceed the applicable threshold of 1 hectare, nor is the site located within any impact distance of a 'sensitive area' as defined in the Regulations. Consequently, an Environmental Statement is not required.

5. PLANNING HISTORY

- 5.1 There is no relevant planning history associated with the site.

6. RELEVANT PLANNING POLICIES

- 6.1 The Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan) is the relevant document for this type of proposal within the adopted Development Plan for Oldham. The site is allocated within a Business Employment Area on the Proposals Map associated with the Local Plan.
- 6.2 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 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; and,
 - Saved UDP Policy D1.5 – Protection of Trees on Development Sites.

7. CONSULTATIONS

Highways Officer	No objections subject to conditions for the submission of full details of the proposed amendments to the highway access, vehicle and cycle parking and a Travel Plan.
Environmental Health	Recommend conditions in relation to the need for further ground contamination and landfill gas investigations.
Highways England	No objections. Express the need to ensure that both demolition and construction works which may affect the adjacent motorway are carried out safely and in liaison with National Highways.
United Utilities	Request a detailed sustainable drainage plan prior to determination, or that permission is granted subject to a condition to require such a scheme.
G M Ecology Unit	No objections subject to conditions in relation to biodiversity net gain and bird nesting, along with an informative in relation to bar roosts.
G M Archaeological Unit	No further archaeological investigation is required.
Environment Agency	No objection subject to conditions in relation to submission of a ground remediation strategy and verification report.
Trees Officer	Requests the submission of updated arboricultural reports.
Coal Authority	Recommend conditions to require intrusive site investigations and remediation measures.
Network Rail	Measures should be in place to protect the railway during construction works.
Manchester City Council	No objections
Active Travel England	Recommend that consideration is

	given to ATE's standing advice.
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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 letter, display of site notices, and publication of a press notice.
- 8.2 In response, no representations have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The proposal involves the redevelopment of an established employment site within an area allocated for such purposes. It would therefore represent an appropriate form of development under Local Plan Policy 14.

10. DESIGN AND APPEARANCE

- 10.1 The proposed buildings will be of significant scale and have a presence on the street scene, most specifically when viewed from the M60, with secondary views from the adjacent railway line and Greengate.
- 10.2 Having regard to the location and its setting; it is not considered that the projected scale would be inappropriate or result in adverse impact on views towards the site or the amenity of neighbouring occupiers.
- 10.3 The layout incorporates central open areas and ancillary landscaping which will help to break up the built form.

11. HIGHWAY ISSUES

- 11.1 The application is accompanied by a Transport Assessment which examines the existing conditions and the effect that the development is likely to have on the local highway network.
- 11.2 Access to the proposed development will be taken from the existing traffic signal-controlled junction at the access road and Greengate. A highway improvement will be required at the junction to facilitate the movement into and out of the site for motorists, cyclists, and pedestrians.
- 11.3 There is also a section of adopted highway which will either require modification or Stopping Up. At the time of writing, a decision has not been made by the local Highway Authority about whether this short length of highway is required to be adopted. The design of this can be incorporated into the wider design of the junction

and details can be submitted as part of a later Condition Discharge application.

- 11.4 Transport for Greater Manchester have been consulted and requested additional information and clarification. TfGM has now confirmed that it has no objection to the revised information subject to provision of secure cycle parking.
- 11.5 The site is in a sustainable location with links to public transport and opportunities for walking and cycling. The Highways Officer has suggested that conditions are attached to ensure that more sustainable modes of travel are promoted in the form of the provision of cycle storage facilities and the provision of a Travel Plan.
- 11.6 The Council does not have specific parking standards. However, in this instance there would appear to be sufficient provision within the site layout.

12. AMENITY ISSUES

- 12.1 Acoustic and air quality impact assessments have been submitted with the application.
- 12.2 The closest residential properties are located approximately 60 metres to the south on the opposite side of the M60. Existing boundary fencing and a well-established landscape screen separate these properties from the motorway.
- 12.3 Consequently, it is not considered that there will be any adverse amenity impacts resulting from the development.

13. GROUND CONDITIONS AND DRAINAGE

- 13.1 There are 4 historical landfills within 250m of the development site and it is adjacent to several sites categorised as high risk.
- 13.2 The application is accompanied by a Phase 1 assessment of how any land contamination issues, including protection from landfill gas, can be dealt with. The Environment Agency and Environmental Health have requested conditions in relation to the need for intensive ground investigations to be undertaken.
- 13.3 The site is located within a Coal Mining Development High Risk Area, and therefore the Coal Authority has indicated that conditions should similarly be imposed to require intrusive site investigations and the implementation of any necessary remedial measures which may be necessary.
- 13.4 The site is within a Critical Drainage Area and a Flood Risk Assessment and Sustainable Drainage Strategy has been submitted.
- 13.5 United Utilities has indicated that conditions will be required for the submission of a detailed drainage scheme, and for its subsequent management/maintenance. The scheme will need to have regard to the presence of existing drainage infrastructure within the site.

14. ECOLOGY AND LANDSCAPING

- 14.1 There are no known protected ecological or arboricultural features on the site, although the railway corridor contains extensive tree cover and may act as a habitat for wildlife.
- 14.2 Existing trees within the site are proposed for retention, although additional clarification will be needed in relation to the trees on the railway boundary.
- 14.3 An Extended Phase 1 Habitat Survey has been submitted which includes an assessment of whether the buildings on site or adjacent land is used by protected species, including bats.
- 14.4 The survey concludes that any habitats are of limited value, including use by bats.
- 14.5 In accordance with paragraph 174 of the NPPF, the development will be expected to secure Biodiversity Net Gain, with priority to on-site provision.

15. ENERGY

- 15.1 In accordance with Local Planning Policy 18, the development submission should demonstrate a 15% increase on Part L of the Building Regulations 2013.
- 15.2 An Energy Statement has been submitted which makes recommendations for achieving the necessary targets. A condition to demonstrate that appropriate measures have been incorporated will be required.
- 15.3 Within the proposed on-site car parking provision, 67 bays with infrastructure for electric vehicle charging have been incorporated.

16. CONCLUSION

- 16.1 The proposed development involves the replacement of existing outdated industrial buildings with modern structures on an established industrial site with ready access to the strategic highway network.
- 16.2 No objections have been raised in principle in relation to highway, amenity, drainage, ecological or other implications subject to conditions requiring the submission of further details.
- 16.3 Ultimately the development will make a valuable contribution towards the provision of facilities to accommodate additional employment and investment in the borough.

17. 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. Prior to the commencement of any development comprising the construction of new buildings or hardstanding areas 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, arrangements for construction traffic routing and phasing, and a Construction Design Plan and Working Method Statement, having particular regard to impacts on the adjacent motorway and railway infrastructure. The approved scheme shall be implemented in full and shall be maintained for the duration of the construction works. REASON – In order to safeguard the amenities of the area and adjoining land uses having regard to Policy 9 of the Oldham Local Plan.
4. No development comprising the construction of new buildings or hardstanding areas hereby approved shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 - a) A site investigation scheme, based on the Phase I Geo-Environmental Assessment Report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - c) A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON – To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution having regard to Policy 9 of the Oldham Local Plan.

5. Prior to each building hereby approved being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. REASON - To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete having regard to Policy 9 of the Oldham Local Plan.
6. Piling or other foundation designs using penetrative methods shall not be carried

out other than in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. REASON - To ensure that the proposed activity does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework Position Statement J of the 'The Environment Agency's approach to groundwater protection' and having regard to Policy 9 of the Oldham Local Plan.

7. 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 written report and recommendation have been submitted to and approved 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 - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.
8. No development shall commence (excluding the demolition of existing structures and site clearance) until:
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full to ensure that the site is made safe and stable for the proposed development.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance. REASON - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and to mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

9. Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity. REASON - To mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.
10. 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:
 - a) 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;
 - b) 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);

- c) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- d) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and,
- e) 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 Systems (March 2015) or any subsequent replacement national standards. 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. REASON - To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding having regard to Policy 19 of the Oldham Local Plan.

11. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained, and managed in accordance with the approved plan.

REASON - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.

12. Each building hereby approved shall not be brought into use until the access to the site and car parking spaces associated with that building 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 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.

13. No development comprising the construction of new buildings or hardstanding

areas hereby approved shall commence until the developer has submitted the following full design and construction details of the required improvements to the Greengate access arrangements for the approval in writing of the Local Planning Authority. Such works that form part of the approved scheme shall be complete before any part of the development is brought into use. Details to be submitted are to include:

- a) How the scheme interfaces with the existing highway alignment with all carriageway markings and lane destinations;
- b) How the access interfaces with the existing adopted highway spur including the narrowing of the carriageway;
- c) Full signing and lighting details;
- d) Confirmation of full compliance with current Departmental Standards (DMRB) and Policies; and,
- e) 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 development is acceptable 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.

14. The use of the building hereby approved shall not commence until the secure cycle parking and associated facilities has been implemented in accordance with the approved plan. The facilities 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.
15. Within three months of the occupation of each building, a full travel plan for that building shall be submitted for the written approval of the Local Planning Authority. The approved travel plan shall be implemented within six months of the occupation of the development. REASON - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.
16. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing 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 - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
17. All hard and soft landscape works shall be carried out in accordance with the

approved Landscape Masterplan and Planting plans; prior to the occupation of any part of the development or in accordance with the programme agreed 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 unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

18. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist 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.
19. No construction of the buildings hereby approved shall commence until a scheme and timetable for the achievement of Biodiversity Net Gain through the implementation of environmental and ecological improvements on site, including the provision of bat boxes, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and timescale. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and paragraph 174 of the NPPF.
20. 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: (i) a target area has been determined; and, ii) 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.

SITE LOCATION PLAN (NOT TO SCALE)

