

**APPLICATION REPORT – FUL/353720/24**  
**Planning Committee 13<sup>th</sup> August 2025**

Registration Date:	16 <sup>th</sup> December 2024
Ward:	Chadderton South
Application Reference:	FUL/353720/24
Type of Application:	Full Application
Proposal:	New warehouse development comprising of 10 no. units.
Location:	Land adjacent to Gorse Mill, Gorse Street, Chadderton, Oldham, OL9 9RJ.
Case Officer:	Matthew Taylor
Applicant:	Mr. Peter Kashem
Agent:	Mr. Martyn Postlethwaite

**1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee since it relates to a proposal for Major application.

**2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

**3. SITE DESCRIPTION**

- 3.1 The application site is a car park adjacent Gorse Mill, Gorse Street, Chadderton.
- 3.2 The site sits in an area identified as a Business Employment Area (BEA3).
- 3.3 The site is effectively surrounded to the north, east and west by commercial uses and buildings of an industrial scale. Residential properties are situated approximately to the south of the proposed buildings.

**4. THE PROPOSAL**

- 4.1 The application seeks full planning application for a warehouse development comprising 10no warehouses.
- 4.2 The warehouses will sit across the north of the site in a row and they will be the same in scale and size.
- 4.3 Units 1-6 will sit attached together on the site, the development will then be split by a grassed area and then will continue with units 7-10 attached together, it should be noted that units 7-10 would sit higher on the site than Units 1- 6. The overall height of

units would be 9.2m, the depth of all the units would be the same at 15.2m, in terms of width, from units 1-6, the width would be 42.7m and units 7-10 would be 28.6m.

- 4.4 The frontage of the proposed buildings will incorporate a turning area for vehicles and a ramp, which will provide vehicular access across the site to the relevant units. Bin storage facilities are proposed to the south of the site and provision for motorcycle storage and bicycle storage is made fronting the grassed area between the proposed buildings.

## **5. PLANNING HISTORY**

PA/345266/20 - Proposed new warehouse development comprising of ten number units (use classes of B1 / B2 / B8) - Approved 22/03/2021

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 As such, the following policies are considered relevant to the determination of this application:

### Places for Everyone

Policy JP-S1: Sustainable Development  
Policy JP-S4: Flood Risk and the Water Environment  
Policy JP-G7: Trees and Woodland  
Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity  
Policy JP-P1 Sustainable Places  
Policy JP-C8: Transport Requirements of New Development

### Core Strategy

Policy 1: Climate Change and Sustainable Development  
Policy 5: Promoting Accessibility and Sustainable Transport Choices  
Policy 9: Local Environment  
Policy 14: Supporting Oldham's Economy  
Policy 19: Water and Flooding

## **7. CONSULTATIONS**

Highways Officer	No objections raised
Environmental Health	No objection subject to conditions
United Utilities	No objection subject to a condition
Drainage	No objections raised
GM Ecology Unit	No objections raised, subject to biodiversity enhancement condition.
GM Police	No objections raised

## **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 display of a site notice, 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 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.
- 9.2 The application is considered acceptable in principle, as the development would support local businesses and retain an employment-generating use on a brownfield site within the Greengate Business Employment Area. It is therefore in compliance with the aims and objectives of Policies 1 and 14 of the Local Plan.

### **10. DESIGN AND LAYOUT**

- 10.1 Policy JP-P1 within the PFE Joint DPD outlines that we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places.
- 10.2 Whilst Policy 1 within the DPD states that the Council will ensure that development proposals respect Oldham's built environment.
- 10.3 Further, the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process

should achieve, and that permission should be refused for development that is not well designed.

- 10.4 The proposed buildings are of an appropriate scale and massing in relation to the adjoining industrial building onsite. Furthermore, the units are of a functional design using a simple palette of materials.
- 10.5 It is noted they are of the same design and layout as the previous development of 10no. industrial units on site (ref: PA/345266/20).
- 10.6 In this context it is considered that the development accords with the design principles set out above.

## **11. AMENITY ISSUES**

- 11.1 Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development is not located where it would be adversely affected by neighbouring land uses and does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users. This includes impacts related to safety, security, and noise.
- 11.2 With regard to other potential amenity impacts, Environmental Health has raised no objection to the proposed development.
- 11.3 Given the scale of the unit and its location within a business employment area, it is considered that the impact on the amenity of neighbouring occupiers would be minimal, particularly given the 45-metre separation distance to the nearest residential dwellings on Whitegate Lane.
- 11.4 However, it is noted that Environmental Health, having reviewed the previous application, recommended a number of conditions due to the proximity of the development to residential properties. These included:
  - The site shall not operate above a noise level of 35 dB outside the hours of 07:00–22:00.
  - Floodlighting must be approved by the Local Planning Authority prior to installation to ensure there is no unacceptable light spillage onto nearby residential properties.
  - Vehicular movements at the site shall be restricted to between 07:00–22:00. Additionally, a condition will be imposed requiring that all activities associated with each unit be conducted within the building and not outside.
- 11.5 Therefore, given that the current scheme maintains the same layout and use as the previous application, it is considered appropriate to impose the same residential amenity planning conditions, having regard to Policy 9.

## **12. HIGHWAYS ISSUES**

- 12.1 Policy 5 of the Local Plan requires that developments do not compromise pedestrian or highway safety and Policy 9 of the Local Plan states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users.

- 12.2 Crucially, NPPF paragraph 116 requires that, in considering planning applications, *“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.”* This therefore provides the key test for considering this (and other) proposal in relation to highway safety.
- 12.3 It is noted the TfGM and the Highways Engineer raised no objection to the previous approval. It is considered the proposed development is in a sustainable location with links to public transport and opportunities for walking and cycling. There will be no significant additional traffic generation or demand for parking to the detriment of highway safety.
- 12.4 In terms of parking, the proposal is to replace a 144 car park spaces with 10 commercial units, which demonstrates provision for 43 parking spaces. The car park is not dedicated to any particular use in the area and does not appear to be heavily used and therefore, no objections are raised to the application on these grounds.
- 12.5 On the basis of the above, the development complies with the NPPF, together with Policies 5 and 9, 13 of the Local Plan.

### **13. ECOLOGY**

- 13.1 Policy 6 and Policy 21 of the Oldham LDF Joint DPD are concerned with protecting, conserving and enhancing our local natural environments.

#### *Biodiversity Enhancement*

- 13.2 It is expected development of this scale include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the National Planning Policy Framework. Therefore, to address this matter, an appropriately worded planning condition has been agreed with the applicant prior to determination and is attached to the recommendation.

#### *Biodiversity Net Gain*

- 13.3 Greater Manchester Ecology Unit have considered the development and raised no concern with the applicant's statement in the forms that the development is subject to the de minimis exemption, as the development does not impact a priority habitat and impacts less than 25 square metres of on-site habitat such as hedgerows
- 13.4 Therefore, it is accepted that the proposal is exempt from BNG under the de minimis rule.

### **14. DRAINAGE**

- 14.1 Policy 19 of the Oldham LDF Joint DPD is concerned with ensuring that new developments do not result in an unacceptable flood risk or increased drainage problems by directing developments away from flood risk areas.
- 14.2 In line with good practice, a pre commencement condition to ensure that details of a

drainage strategy are submitted and agreed with the Local Planning Authority prior to the commencement of development has been attached. This will ensure that surface and foul water is appropriately considered as part of the development.

## **15. GROUND CONDITIONS**

- 15.1 Paragraph 187 of the NPPF states where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 15.2 The Council's Environmental Health team have been consulted and recommended it is appropriate to impose conditions which relate to intrusive site investigations for landfill gas and contaminated land. These are attached to the recommendation.

## **16. CONCLUSION**

- 16.1 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 neither would it lead to unacceptable adverse impact on the amenity of the occupiers of neighbouring properties. The proposal would enhance the viability of the established business employment site on site and would help to retain /create new employment opportunities thereby boosting the local economy. The proposal would therefore be in accordance with relevant provisions of the Local Plan Policies.

## **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. Notwithstanding the details shown on the approved plans, no development comprising the erection of any external walls shall take place until a specification of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. 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 1 of the Oldham Local Plan and Policy JP-P1 within the PFE Joint DPD.
- 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 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.

5. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination 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 - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
6. 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, having regard to Policy 9 of the Oldham Local Plan.
7. 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, having regard to Policy 19 of the Oldham Local Plan.

8. No floodlights shall be attached to the building or erected within the car park unless and until a scheme indicating their height, position, type of shields and the level and intensity of illumination has been submitted to and approved in writing by the Local Planning Authority. Thereafter any floodlights/security lights and security cameras shall be erected entirely in accordance with the approved scheme. REASON - To protect the amenity of occupiers of nearby residential properties having regard to Policy 9 of the Oldham Local Plan.
9. The level of noise emanating from the site shall not exceed 35dBA LAeq(10) outside the hours of 07:00 to 22:00, Monday to Saturday and at any time on Sunday or Bank Holidays and Public Holidays, as measured from any point on the boundary of the curtilage adjoining the residential premises on Whitegate Lane. REASON - To ensure the protection of the occupants of nearby premises having regard to Policy 9 of the Oldham Local Plan.
10. The roller shutter doors hereby approved shall not be brought into use unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing their design and operation. Thereafter the arrangements forming the approved scheme shall at all times remain in place. REASON - To ensure that the level of noise produced by the operation is not excessive and detrimental to the amenity of nearby residents having regard to Policy 9 of the Oldham Local Plan.
11. No vehicle movements to and from and/or within the site shall take place outside the hours of 07:00 to 22:00, Monday to Saturday and at no time on Sunday or Bank Holidays and Public Holidays. REASON - To protect the amenities of occupiers of nearby premises having regard to Policy 9 of the Oldham Local Plan.
12. The use hereby permitted shall be restricted to the envelope of the building. The open areas of the site shall not be used for the storage of goods, waste materials and equipment at any time other than in closed containers, the location of which has previously been approved in writing by the Local Planning Authority. REASON - In order to protect the amenity and appearance of the area having regard to Policy 9 of the Oldham Local Plan.
13. The use of the buildings 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.
14. A scheme for the Biodiversity Enhancement Measures, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the construction of any buildings hereby approved. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter. REASON - To ensure positive enhancement of the site having regard to Policy 21 of the Oldham Local Plan.



SITE LOCATION PLAN (NOT TO SCALE)

