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5 August 2013

Ms T. McKee
Oldham MBC
Environmental Services Directorate
Planning Services
Civic Centre Level 12
PO Box 30
West Street
Oldham OL1 1UQ

Our ref: JDWM2001

E: abickerdike@turleyassociates.co.uk

Dear Tessa,

SECTION 73 APPLICATION FOR THE VARIATIONS OF CONDITIONS ATTACHED TO PLANNING PERMISSION FOR THE DEVELOPMENT OF A NEW PICKFACE WAREHOUSE, JD WILLIAMS, BEAL LANE, SHAW, OLDHAM (APPLICATION REF MMA/331905/12)

Further to our recent discussions, I have pleasure in enclosing an application for the approval of a series of minor material amendments to the above approved development and the associated variation of conditions. The application is submitted electronically via the Planning Portal.

The application seeks planning permission for the formal variation of Conditions 2, 6, 9, 12, 15 and 26 to enable the scheme to be delivered in accordance with an alternative set of architectural and landscape plans. The application also seeks permission to vary Conditions 3, 24 and 25 to enable alternative details relating to materials, surface water drainage and flooding attention for Phase II of the development to be submitted and approved at a future point in time.

Overview of proposed changes

JD Williams has carried out a full review of the previously permitted development, working alongside newly appointed architects Fletcher Rae. The objective of the review has been to identify where improvements to the scheme could be made to enhance its design and efficiency to and to meet the operational needs of the business.

A number of alternative design options have been considered through this process. These included the potential reorientation of the pickface warehouse, albeit this option was discounted at a relatively early stage in the assessment process.

The submitted represents the optimum solution in response to the brief. This strikes a balance between achieving the desired operational and efficiency enhancements to the scheme whilst also ensuring that perceptible changes are limited as far as possible. The result is a development which is

similar in scale, design and character to the previously approved scheme. The following points are of particular relevance in illustrating this:

- The revised scheme will provide less overall floor space than the consented scheme
- The height, width and length of buildings proposed as part of the revised scheme are no greater than the consented scheme
- The proposed pickface warehouse occupies the same location as the previously consented scheme whilst the size of the building's footprint has been reduced
- The means of accessing the site remains the same as the consented scheme
- The servicing strategy remains the same as the consented scheme
- The level of car parking proposed is the same as the consented scheme
- The level of traffic generated by the revised scheme will not increase as a result of the changes proposed.

The proposed changes to the scheme can be summarised as follows:

- Reduction in size of ground floor of pickface warehouse
- The number of external stair cores has been reduced from six to four
- The proposed welfare and office accommodation has been relocated to the northern elevation of the pickface warehouse to the transition wedge building adjacent to the existing Lilac Mill
- The length of the pickface warehouse has been reduced reducing, restricting the need for demolition works to the existing building/canopy structure
- Plant area to the ground floor of pickface warehouse has been relocated from the northern elevation, to the eastern elevation, located with external walls facing to the undercroft area
- The extent of the service yard has been increased to allow the accommodation of a bailer adjacent to the building
- The width of the link building connecting the pickface warehouse to the existing Lilac Mill building has been significantly reduced
- The access road to/from the eastern car park has been widened to allow two way traffic to pass along its full length. There is therefore no requirement for traffic signals to control traffic flow within this area as a result.

Individually the proposed changes are considered to be non-material in scale and character. However, cumulatively they are considered to represent a minor material change to the previously approved scheme. Accordingly, and as agreed during our pre-application discussions, a Section 73 application is the appropriate means of securing approval for the changes.

Scope of application

The application comprises completed application forms and certificates and a series of replacement plans/documents set out below.

A check to the value of £197 payable to Oldham Council has been issued to you separately in the post as the requisite planning application fee. Due to a technical error, it has not been possible to upload any plans onto the Planning Portal. A CD of all plans has been issued to you in the post.

As you will be aware, the approved development is being delivered in two phases. Phases 1 involves the development of a new surface car park and security lodge within the northern part of the site. This development has now been completed. As a result, a number of the previously approved plans (i.e. those relating to Phase 1) remain up to date. Whilst the Phase 1 plans have already been approved, they have been resubmitted as part of this application for completeness.

The following plans/documents form part of the submission:

Condition 2:

- Site Location Plan (reference 2298/010)*
- Existing Masterplan Site Layout (reference 13009_PL100)
- Proposed Masterplan Site Layout (reference 13009_PL102)
- Proposed Ground Floor Site Plan (reference 13009_PL103)
- Proposed Ground Floor Plan (reference 13009_PL110)
- Proposed security and boundary treatments (reference 13009_PL104)
- Proposed First Floor Plan (reference 13009_PL111)
- Proposed Second Floor Plan (reference 13009_PL112)
- Proposed Fourth Floor Plan (reference 13009_PL114)
- Proposed Fifth Floor Plan (reference 13009_PL115)
- Proposed Roof Plan (reference 13009_PL122)
- Proposed Sections A-A and B-B (reference 13009_PL130)
- Proposed East and North Elevations (reference 13009_PL120)
- Proposed South and West Elevations (reference 13009_PL121)
- Proposed tree works – northern extent of site (reference 562.200 Rev C)*
- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape proposals – northern extent of site (reference 562.300 Rev D)*
- Landscape proposals – southern extent of site (reference 562.301 Rev E)
- EX/PR plans and elevations – security lodge (reference 2310/610)*

*denotes a plan which is unchanged from the previous planning permission.

The following previously approved plans are superseded by the above:

- Proposed master site layout plan (reference 2328/102 Rev Q)
- Proposed ground floor site plan (reference 2328/103 Rev E)
- Proposed security and boundary treatments (reference 2328/104 Rev E)
- Overlooking and privacy plan (reference 2328/105 Rev E)
- Proposed east and north elevations (reference 2310/120 Rev J)
- Proposed south and west elevations (reference 2310/121 Rev J)
- Proposed sections A-A and B-B (reference 2310/130 Rev F)
- Proposed roof plan (reference 2310/112 Rev F)
- Ground floor plan (reference 2310/110 Rev E)
- First floor plan (reference 2310/111 Rev E)

- Ground floor plan – sorter layout (reference 2310/501 Rev C)
- Upper floor plan/Section A-A/Section B-B (reference 2310/130 Rev F)
- PR Ground Floor Plan Engineering Layout (reference 2310/531 Rev C)
- PR First floor plan engineering layout (reference 2310/532 Rev C)
- Landscape proposals – southern extent of site (reference 562.301 Rev C)
- Proposed tree works – southern extent of site (reference 562.201 Rev C)

Condition 6

- Proposed tree works – northern extent of site (reference 562.200 Rev C)*
- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape proposals – northern extent of site (reference 562.300 Rev D)*
- Landscape proposals – southern extent of site (reference 562.301 Rev E)
- Landscape details report by Woolerton Dodwell (July 2013)

*denotes a plan/document which is unchanged from the previous planning permission

The following previous approved documents are superseded by the above:

- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape proposals – southern extent of site (reference 562.301 Rev C)
- Landscape details related to PA/058754/10 by Woolerton Dodwell Associates dated June 2011

Condition 9

- Proposed tree works – northern extent of site (reference 562.200 Rev C)*
- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape details report by Woolerton Dodwell (July 2013)
- Tree Protection Plan – southern extent of site (reference 562.501 B)

*denotes a plan/document which is unchanged from the previous planning permission

The following previously approved documents are superseded by the above:

- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape details related to PA/058754/10 by Woolerton Dodwell Associates dated June 2011

Condition 12

- Provision for Pedestrian Routes/Cycle Store (reference 13009_PL131)

The following previously approved documents are superseded by the above:

- Drawing reference 2310/131 Rev A

Condition 15

- Proposed Masterplan Site Layout (reference 13009_PL102)
- Landscape proposals – northern extent of site (reference 562.300 Rev D)*
- Landscape proposals – southern extent of site (reference 562.301 Rev E)

*denotes a plan/document which is unchanged from the previous planning permission

The following previously approved documents are superseded by the above:

- Proposed master site layout plan (reference 2328/102 Rev Q)
- Landscape proposals – southern extent of site (reference 562.301 Rev C)

Condition 26

- Proposed tree works – northern extent of site (reference 562.200 Rev C)*
- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape proposals – northern extent of site (reference 562.300 Rev D)*
- Landscape proposals – southern extent of site (reference 562.301 Rev E)
- Tree Protection Plan – southern extent of site (reference 562.501 B)
- Landscape details report by Woolerton Dodwell (July 2013)

*denotes a plan/document which is unchanged from the previous planning permission

The following previously approved documents are superseded by the above:

- Proposed tree works – southern extent of site (reference 562.201 Rev E)
- Landscape proposals – southern extent of site (reference 562.301 Rev C)
- Tree Protection Plan – southern extent of site (reference 562.501)
- Landscape details related to PA/058754/10 by Woolerton Dodwell Associates dated June 2011
- Plan references 562.400; 562.500 and 562.700

Conditions 3, 24 and 25

Conditions 3, 24 and 25, were included on the original planning permission (planning permission reference PA/058754/10 dated 18th March 2011 relates) as pre-commencement conditions, requiring the submission and approval of details relating to materials, surface water drainage and flood attenuation prior to the commencement of development. These conditions were subsequently discharged by the Council following the submission of the requisite information. This is reflected in the wording of the equivalent conditions on the January 2013 permission which refer to the subsequently approved details rather than a requirement to submit the requisite details prior to commencement of development.

The appointed contractor will now be responsible for providing the details previously reserved by these conditions insofar as they relate to Phase 2 of the development. Accordingly, this application seeks to

vary these conditions such that they require Phase 1 to be developed in accordance with the previously approved details, reflecting that this phase is now complete, and require the submission and approval of details for Phase 2 prior to the commencement of this phase of the development.

The amended conditions would read as follows:

Condition 3:

The construction of the external surfaces of the approved security lodge hereby permitted are to be in accordance with the following sample material:

- *Ibstock Chester Red Blend Brick (ref 3596)*

No development shall take place on the erection of the pick-face warehouse and link building unless and until samples of the materials to be used in the construction of all the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

Condition 24:

The development of the Phase 1 car park area shall not be brought into use unless and until the scheme to regulate surface water run-off has been fully implemented and subsequently maintained in accordance with the information received on 13th June 2011 referenced as:

- *Stormwater Drainage Philosophy – Clancy Consulting – report ref DM/18819*
- *Assessment of Flow – Clear Environmental Consultants Ltd – report ref CL858/05/01*
- *Drawing No. 1/8819-MJWT01 rev P1 – Clancy Consulting*
- *Drawing No. 1/8819-08-600 rev P1 – Clancy Consulting*

The development of the Phase II – BDC Pick Warehouse Area shall not be commenced until such time as a scheme to regulate surface water run-off has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Condition 25:

The development of the Phase 1 car park area shall not be brought into use unless and until the scheme for flood resilient measures to control overland flows has been fully implemented and subsequently maintained in accordance with the information received on 13th June 2011 referenced as:

- *Stormwater Drainage Philosophy – Clancy Consulting – report ref DM/18819*
- *Assessment of Flow – Clear Environmental Consultants Ltd – report ref CL858/05/01*
- *Drawing No. 1/8819-MJWT01 rev P1 – Clancy Consulting*
- *Drawing No. 1/8819-08-600 rev P1 – Clancy Consulting*

The development of the Phase II – BDC Pick Warehouse Area shall not be commenced until such time that a scheme of flood resilient measures to control overland flows has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Environmental Statement

The original development comprised EIA development and an Environmental Statement accompanied the planning application. In our view, the above amendments are minor in nature do not alter or affect the conclusions of the Environmental Statement (ES). The original ES was produced in September 2010 and it is considered that the prevailing baseline conditions have not changed to warrant any further reappraisal. It is concluded therefore that the original work undertaken to assess the significant environmental effects arising from the development remains valid and, that no material changes in the conclusions it reached are likely. Therefore, the original ES is a suitable basis on which to judge the likely significant environmental effects of the development.

In respect of the amendments proposed through this application, it is considered that these do not generate any significant environmental effects outside which were previously assessed (and the conclusions identified) and this application does not warrant a further Environmental Impact Assessment.

In light of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, I would be grateful if you could confirm in writing that the Local Planning Authority has considered this application in light of Regulation 7 and that a further Environmental Impact Assessment is not required.

I also confirm that the applicant agrees that the Local Planning Authority can respond to this request within 3 weeks of the date of this letter.

I trust you are in receipt of all documents required to register and determine the planning application. However, please do not hesitate to contact me if you require anything further at this time.

Yours sincerely

A black rectangular redaction box covering the signature of Andrew Bickerdike.

Andrew Bickerdike

Senior Planner

Enc.

cc.	Jameson Bridgwater	Oldham Council
	Joe Fisher	JD Williams
	Richard Harris	Clancy Consulting
	John Clarke	Fletcher Rae
	Matthew Quinton	Fletcher Rae