

From:
To: [DCAdmin](#)
Subject: Objection to Planning Application number 2021/90163 provided by Bear Leisure Limited of Sude Hill Mill, Sude Hill, New Mill HD9 7BL
Date: 26 February 2021 16:09:17
Attachments: [imagea41966.PNG](#)

Objection to Planning Application number 2021/90163 provided by Bear Leisure Limited of Sude Hill Mill, Sude Hill, New Mill HD9 7BL

This objection, and the submissions set out below, are provided by Bear Leisure Limited which is the freehold owner of Sude Hill Mill and the nearest neighbour of the premises the subject of the application.

Background

Bear Leisure has owned Sude Hill Mill since 2015. Prior to Bear Leisure's ownership of Sude Hill Mill, the property had been vacant, left to disrepair and saw businesses working within it close down.

At its own substantial cost, Bear Leisure has transformed a large redundant building into a beautifully conserved and restored building that is now a vibrant community and home to 12 residential apartments and six small businesses that have each created new employment in the local area and made a long term base at Sude Hill Mill.

The owner of Bear Leisure has established three of these businesses itself, each of which is now growing exponentially, providing new employment opportunities and putting monies back into the local economy by working with other local businesses.

In short, a significant investment has been made, and is being made, to ensure Sude Hill Mill plays an important role in the residential, commercial and heritage conservation efforts of the area. This must not be overlooked, or impacted, by the proposed development especially in the current Covid-19 climate.

It is also worth noting that in obtaining its own planning permission, Bear Leisure made further investment in the local area by contributing to the cost of certain public transport improvements.

Objections

-

It is in view of the above important background that Bear Leisure makes the following comments on the planning application.

These comments are made for itself as freeholder, and as landlord for and on behalf of its residential and commercial tenants on whom there is material cause to be concerned at the potential impact of the proposed development. In short, there are a significant number of

people and businesses that Bear Leisure considers will be materially adversely affected by this proposed development.

Bear Leisure's comments are as follows:

- There is a general lack of information within and attached to the planning application which prevents, amongst others, Bear Leisure being able to properly assess the development and its potential consequences. It is noted in particular that the application provides no heritage assessment, no noise assessment, no detailed assessment on the impact on highways/traffic or parking from the scheme and provides no justification for the loss of industry to the area from the closure of the current steel works;
- Bear Leisure notes that in its own planning submissions, the above assessments were matters requiring detailed reports and surveys in order to explain the proposed development and to explain any potential impacts on neighbours/the wider community. The applicant here must be put to the same requirement, not least because the output from a number of these assessments will overlap with our wider concerns with the proposed development as set out below (for example: the impact of the proposed development on the manufacturing and commercial activities continuing within Sude Hill Mill);
- A detailed assessment of the boundary of the proposed development must be undertaken. Bear Leisure is concerned the plan submitted with the planning application may suggest the development, and the construction of the development, will need to come onto and make use of Bear Leisure's property. The two buildings are separated by a thin path which is part of Bear Leisure's title and which is less than 8 feet wide at points. Whilst the owner of the proposed development has a right of way over this path, this does not allow any development onto the path, nor for this path to be in any way blocked or interrupted. The path between the buildings is a route used by tenants within Sude Hill Mill from parking areas/bin stores to tenanted units. This access route will be compromised at least during the construction of the proposed development given the need for construction to occur above and along the path;
- No development should be capable of overlooking or impinging on Bear Leisure's enjoyment and the use of its property. It is hard to see how some of the proposed development will be constructed and maintained without accessing Bear Leisure's land or without otherwise impacting Bear Leisure's use and enjoyment of its land and buildings given the western elevation of the development is at points less than 8 feet from Sude Hill Mill. We note that the application does not deal with these important matters and matters which will impact Bear Leisure and its occupiers considerably;
- It is noted that it is proposed that the roof profile of the neighbouring building will be changed as part of the proposed development. In particular, the height of the building will increase materially by 16%. Bear Leisure is concerned about the potential for this impacting its light and air flow. The majority of the windows in Sude Hill Mill are situated on the eastern side of the building that looks onto the proposed development site. Given the very close proximity of the two buildings, any change in roof profile will have a substantial impact on Sude Hill Mill's light and air flow;

- It should also be noted that the sun passes round over the top of the neighbouring building meaning that the proposed change in roof profile will also affect the level of sun received by Sude Hill Mill in the morning/early afternoon. With Sude Hill Mill's windows being predominantly on the eastern and southern aspects, the proposed development's higher and changed roof profile will have a materially adverse effect on the level of natural light received by Sude Hill Mill;
- In addition to the above, it is noted that the plans for the proposed development suggest that roof terraces/garden space will be created above ground level. The positioning of this terrace is unclear from the planning application – whilst showing to the eastern elevation, other drawings do not make clear whether this will extend beyond this elevation to the sides of the building. The concern for Bear Leisure here is that the terrace could have the effect of allowing users in the terrace/garden space to potentially be able to look into the windows of Sude Hill Mill and into commercially sensitive areas of a tenant's office spaces. Such is the short distance between the two buildings, the concern is that images on computer screens would be clearly visible and text on whiteboards would be capable of being easily read. This would be unacceptable;
- The concerns about the location of this proposed terrace/garden are, Bear Leisure, expects shared by the owners of properties directly opposite from the property which will be clearly overlooked by this terrace/garden;
- The points above in relation this proposed terrace/garden can clearly be added to by questioning the sense and safety of having this sort of feature directly above a major busy A road. Other garden or terrace spaces on Sude Hill have been set back from roads whereas this proposed terrace would look directly over the road. This creates a clear danger to pedestrians and vehicles;
- As above, the proposed new residential properties will be less than 8 feet from an active and busy factory. No thought or acknowledgement of this has been given in the planning application and this is clearly an essential element that must be considered. It is essential that the ability of the growing commercial businesses located within Sude Hill Mill are able to continue to work as normal and to prosper without interference and the proposed development puts this at substantial risk both during and after the construction phase;
- In particular, one of the businesses located in Sude Hill Mill is a light manufacturing business where its products have sensitive electronics built in tightly controlled clean environments. The potential for contamination to this manufacture from the development (especially during, but potentially after, construction) is significant. Damage to components or products could create significant cost and loss issues for the business, as well as clearly creating an adverse impact on the business's reputation. Further, this business creates noise in the manufacturing process. This is created from some of the manufacturing processes undertaken (such as drilling or use of hammers) as well as from the testing of the products themselves. Any noise is an unavoidable by-product of the commercial activities being undertaken. Further, at the lower elevations of Sude Hill Mill, and where Sude Hill Mill and the proposed development are physically

at their closest, there are windows and outlets for ventilation used by workshops of this commercial business. The potential then for noise, smells and extracted materials to pass between the two properties is significant;

- Further, other commercial tenants within Sude Hill Mill require cleanliness as an absolute requirement for their businesses. One produces products for human consumption and another produces high quality fabrics. Each creates smells and noise too. Any proposed development puts at risk their processes and products to an unacceptable extent;
- It is also noted that on this western elevation of the proposed development, it is planned to create double doors for access out onto the path between the buildings – this path being part of Bear Leisure’s land. Whilst there are doors at the point currently, these are fire doors for emergency use and the doors are chain locked on the outside. The change of use of the building to residential, and the allowing of an access (not just an exit) point on to Bear Leisure’s land, only further increases the concern for the commercial operations inside Sude Hill Mill being adversely impacted by the residents of the neighbouring building, or those neighbours preventing the current and proper business operations being undertaken in Sude Hill Mill. This would be via, for example, noise transfer, traffic and increased use of the pathway over Bear Leisure’s land, interference with Bear Leisure’s access and use of its land or through complaints;
- The proposed development puts at risk a substantial increase in on-street parking and therefore inconvenience to neighbours. It is noted that parking is expected to be internal to the building. Therefore where do third parties (for example visitors or trade people) park as there is insufficient room where the development proposes garages and no room to park to the east or front of the property? Bear Leisure’s concern here is that third parties will clearly (but wrongly) believe they can either use Bear Leisure’s private car park at the front of its building (given this car park is overlooked by the front of Moorhouse Steel), or they would park in front of Moorhouse Steel thereby blocking Bear Leisure’s parking area. In either scenario a negative impact and considerable inconvenience will be imposed on Bear Leisure and its tenants;
- A further ramification of the lack of off street parking at the proposed development will undoubtedly be that some third party visitors to Moorhouse Steel will seek to use the very limited on-street parking on Sude Hill, the majority of this space being set opposite Bear Leisure’s property. As a result the potential for Bear Leisure’s residential and commercial tenants to be further inconvenienced, or put at risk, will be increased. Sude Hill is already a busy road and the last thing the safety of the community needs is more pressure on the limited on-street parking and the number of vehicles needing to find regular parking increase;
- Respectfully, Bear Leisure disagrees with the findings of the Highways officer that the proposed development will not increase the level of traffic on the roads. Firstly, the property has not been busy for a long time and there are infrequent deliveries or HGV access to the property. There are no day-to-day workers in the building with the owners on site occasionally. Therefore it is wrong in the Highways statement to say the development will reduce traffic and improve safety. Changing the use to residential will

have the opposite effect with significantly higher day-to-day traffic to and from the property from the residents, visitor and other third parties;

- Highways also refer only to the unadopted road to the side of the proposed development. Again, respectfully, Bear Leisure would suggest the wrong highway is being reviewed here. It is the traffic to Sude Hill that should be considered as well as the impact on parking as noted above. Bear Leisure would request that Highways review this again and particularly in view of the point above that changing the use of the building to residential will have the opposite effect with significantly higher day-to-day traffic to and from the property from the residents, visitor and other third parties than the current commercial use creates;
- It is noticed that the proposed development will have windows overlooking the car park, storage area and bin area of Sude Hill Mill. No consideration has been given to this;
- It is noticed that the plans for the front (bordering Sude Hill) of the proposed development would site windows that would look out over and to a point up to a metre lower than the elevation of the car park of Sude Hill Mill and directly over the land of Bear Leisure that separates the two properties. This impact on privacy is a substantial issue. Whilst the current Moorhouse Steel property has windows, these are partially opaque and the impact on privacy for Bear Leisure is limited. A change of use to residential (and the type and number of windows in the proposed development) will have a material adverse change here and this has been ignored in the planning application;
- The car park and storage area has been expensively established and includes using a container to store commercially important items which cannot be stored elsewhere on or in Bear Leisure's property. This container is CCTV and fire alarm protected and must have access to power. At the time of creation, it was assessed (including with planning experts) where this might be best situated to ensure planning, security, HSE and insurance compliance and also to ensure it would not impact a neighbouring property. Its location away from Sude Hill Mill on its car park was the only safe location (for example against the risk of fire or vandalism impacting the building) this container could be placed and still allow use of electricity. Bear Leisure is concerned that the proposed development would, amongst other issues, put at risk its ability to retain this storage area, as well as putting at risk the security of this car park and storage area as it would be overlooked by the windows of the proposed development; and
- The same is true of the bin area for the commercial units at Sude Hill Mill with the bin store being located on this car park again for planning and fire hazard purposes. There is no other location on or in Bear Leisure's property where this could be located without increasing the risk to Sude Hill Mill from vandals. Likewise the bin storage area would be overlooked by the windows of the proposed development. Commercial tenants within Sude Hill Mill have already commented to Bear Leisure their concerns that the proposed development may impinge on their accessing the bins and storage areas on the property.

