

PLANNING COMMITTEE ***Agenda***

Date Wednesday 24 January 2024

Time 6.00 pm

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services at least 24 hours in advance of the meeting.
 2. CONTACT OFFICER for this agenda is Constitutional Services Tel. 0161 770 5151 or email constitutional.services@oldham.gov.uk
 3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12 noon on Friday, 19 January 2024.
 4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

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Please also note the Public attendance Protocol on the Council's Website

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE PLANNING COMMITTEE

Councillors Akhtar, S. Bashforth, Cosgrove, Davis, Fryer, H. Gloster, Harkness, Hince, Hobin, Ibrahim (Vice-Chair), Iqbal, Lancaster, Surjan (Chair) and Woodvine

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 4)
The Minutes of the meeting of the Planning Committee held on 20th December 2023 are attached for Members' approval.
- 6 FUL/351542/23 - Junction 22 Business Park, Tweedale Way, Chadderton (Pages 5 - 14)
Erection of a new unit for storage (B8) and offices (E(g)(i)) with associated external works for compound and parking
- 7 FUL/350732/23 - Yew Tree Community School, Chadderton (Pages 15 - 20)
Installation of new lighting columns along with LED lighting to light existing 3G football pitch.
- 8 HOU/351882/23 - 1 Norfolk Crescent, Failsworth (Pages 21 - 28)
Erection of a two storey side extension, and single storey front and rear extensions.
- 9 Appeals Update Report (Pages 29 - 32)



PLANNING COMMITTEE
20/12/2023 at 6.00 pm

Present: Councillor Surjan (Chair)
Councillors Akhtar, Charters (Substitute), Davis, Fryer,
H. Gloster, Harkness, H. Harrison (Substitute), Hince, Ibrahim
(Vice-Chair), Iqbal, Lancaster and Woodvine

Also in Attendance:

Laila Chowdhury	Constitutional Services
Graham Dickman	Special Projects Development Lead
Alan Evans	Group Solicitor
Kaidy McCann	Constitutional Services
Peter Richards	Head of Planning

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S.
Bashforth, Cosgrove and Hobin.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting of the Planning
Committee held on the 15th November 2023 be approved as a
correct record.

6 **FUL/350293/22 - SITE OF BAILEY MILL, DELPH NEW
ROAD, DELPH**

APPLICATION NUMBER: FUL/350293/22

APPLICANT: R Gledhill & Sons Ltd

PROPOSAL: Redevelopment of former mill site to create 60 no.
dwellings comprising a mix of new build houses and apartments,
conversion of two existing buildings to houses and apartments,
along with demolition of selective listed buildings. Creation of
ancillary access roads, infrastructure and open space.

LOCATION: Site of Bailey Mill, Delph New Road, Delph

It was **MOVED** by Councillor Lancaster and **SECONDED** by
Councillor Harkness that the application be **APPROVED**.

On being put to the vote 12 VOTES were cast **IN FAVOUR OF**
APPROVAL and 1 VOTES were cast **AGAINST** with 0
ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report and the additional condition as outlined in the Late List.



NOTES:

1. That an Objector and the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.

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LBC/350294/22 - SITE OF BAILEY MILL, DELPH NEW ROAD, DELPH

APPLICATION NUMBER: LBC/350294/22

APPLICANT: R Gledhill & Sons Ltd

PROPOSAL: Conversion of retained West warehouse and office building, retention of chimney, along with demolition of the weaving shed, concrete link structure, Oldham Road warehouse, boiler house and remnants of the main mill, to facilitate the redevelopment of former mill site to create 60 no. dwellings and ancillary infrastructure and open space

LOCATION: Site of Bailey Mill, Delph New Road, Delph

It was MOVED by Councillor Harkness and SECONDED by Councillor Lancaster that the application be APPROVED.

On being put to the vote 12 VOTES were cast IN FAVOUR OF APPROVAL and 1 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report.

NOTES:

That an Objector and the Applicant attended the meeting and addressed the Committee on this application.

8

FUL/351514/23 - PHASE R4, FOXDENTON STRATEGIC SITE, LAND NORTH OF FOXDENTON LANE, CHADDERTON

Councillor Lancaster left the meeting during consideration of the item and therefore took no part in the discussion or vote thereon.

APPLICATION NUMBER: FUL/351514/23

APPLICANT: Jake Crompton

PROPOSAL: Residential development of 42 dwellings with main vehicular access onto Broadway (via Phase R5 and R6), pedestrian, cycle and emergency access onto Foxdenton Lane, car parking, roads, landscaping, associated engineering works and ancillary development.

LOCATION: Phase R4, Foxdenton Strategic Site, Land north of Foxdenton Lane, Chadderton

It was **MOVED** by Councillor Charters and **SECONDED** by Councillor Hince that the application be **APPROVED**

On being put to the vote 11 **VOTES** were cast **IN FAVOUR OF APPROVAL** and 0 **VOTES** were cast **AGAINST** with 1 **ABSTENTIONS**.

DECISION: That the application be **GRANTED** subject to the conditions as outlined in the report and the amended conditions as outlined in the Late List.

NOTES:

1. That an Objector and the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.

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FUL/351570/23 - OAF, BOUNDARY PARK, HILBRE AVENUE, OLDHAM

APPLICATION NUMBER: FUL/351570/23

APPLICANT: Oldham Athletic Football Club

PROPOSAL: Replacement of existing grass training pitch known as Little Wembley (and floodlights, means of enclosure and ball-catch fencing) with a new multi-sports 3G pitch with associated earth works / engineering operations / retaining structure (to provide a flat surface), ball-catch fencing, security and acoustic fencing, 8 column sports lights, 10 cycle parking spaces, and the erection of an ancillary single storey building to accommodate changing rooms, classroom / office, toilets and refreshments area,, a bin store and associated hard and soft landscaping. Access via the existing access from Hilbre Avenue.

LOCATION: Little Wembley training pitch, Oldham Athletic Football Club, Boundary Park, Hilbre Avenue, Oldham OL1 2PA

It was **MOVED** by Councillor Akhtar and **SECONDED** by Councillor Davis that the application be **APPROVED**, subject to an amendment to condition 10 that – the use of the pitch shall only take place between 09.00 and 21.00 hours on Monday to Friday inclusive, between 10.00 and 18.00 hours on Saturday,

and between 10.00 and 21.00 hours on Sunday and at no other times.



Oldham
Council

On being put to the vote 7 VOTES were cast IN FAVOUR OF APPROVAL and 6 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report, the amended and additional conditions outlined in the Late List and the amendment to condition 10 that the use of the pitch shall only take place between 09.00 and 21.00 hours on Monday to Friday inclusive, between 10.00 and 18.00 hours on Saturday, and between 10.00 and 21.00 hours on Sunday and at no other times.

NOTES:

1. That an Objector and the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.

10 **APPEALS UPDATE REPORT**

RESOLVED that the Appeals Update report be noted.

11 **LATE LIST**

RESOLVED that the information as contained in the Late List be noted.

The meeting started at 6.00 pm and ended at 8.00 pm

APPLICATION REPORT – FUL/351542/23 Planning Committee 24th January 2024

Registration Date: 25th 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

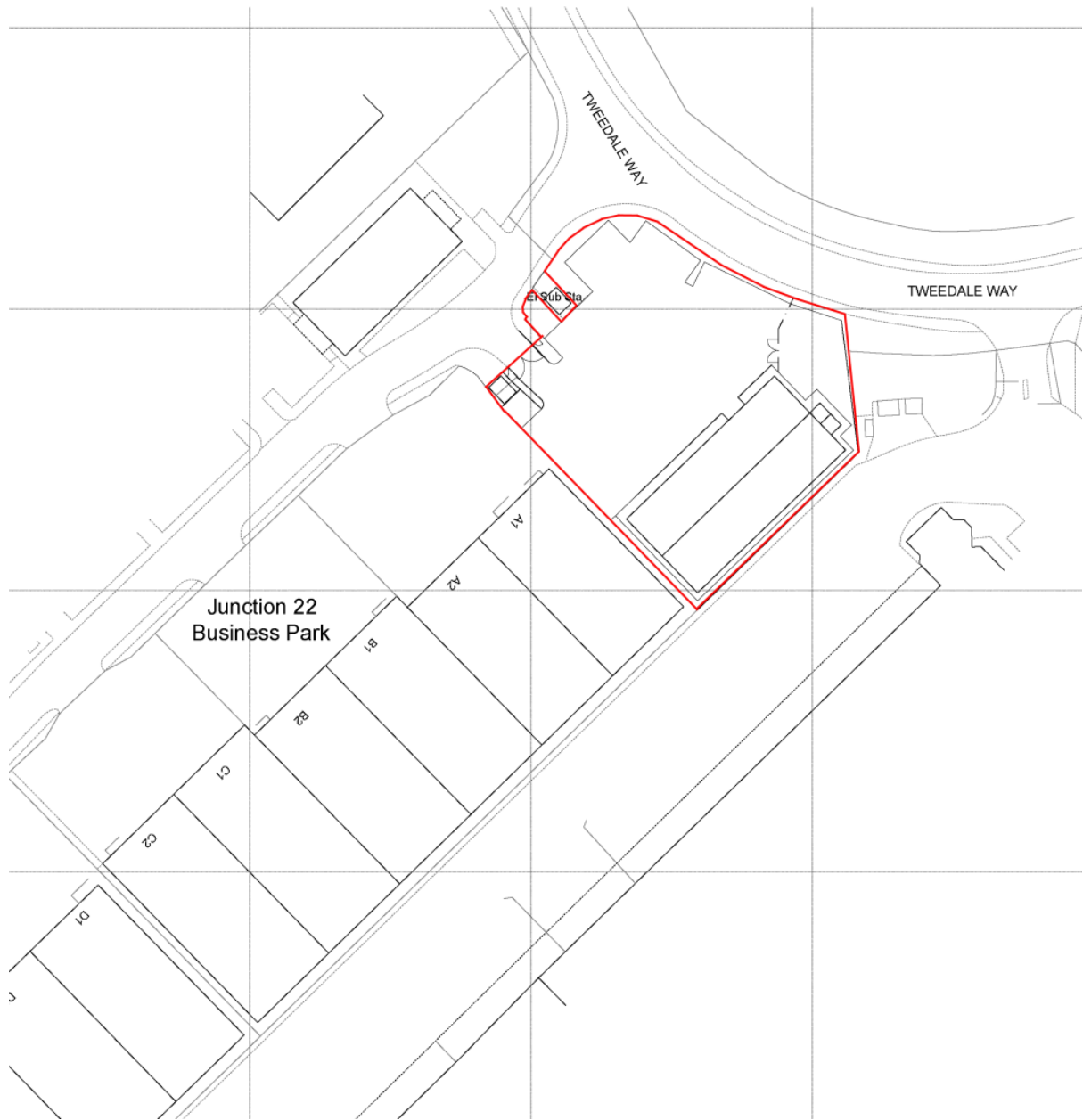
Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles. REASON - To ensure adequate off-street parking and servicing facilities are provided 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):



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APPLICATION REPORT – FUL/350732/23 Planning Committee 24th January 2024

Registration Date: 21st September 2023
Ward: Chadderton South

Application Reference: FUL/350732/23
Type of Application: Full Application

Proposal: Installation of new lighting columns along with LED lighting to light existing 3G football pitch.

Location: Yew Tree Community School, Alcester Street, Chadderton.

Case Officer: Abiola Labisi
Applicant: Yew Tree Community School.
Agent: Mr Michael Butterill

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation since the proposed development is on land owned by the Council and objections have been received to the application.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to conditions set out in this report and that the Head of Planning be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application site forms part of the Yew Tree Community School, Alcester Street, Chadderton, and is located to the south-west of the existing school buildings. The site is currently a football pitch. The school is within a predominantly residential area.

4. THE PROPOSAL

- 4.1 The proposal relates to the installation of six lighting columns, all fitted with LED lighting, to light the existing 3G football pitch.
- 4.2 Each of the lighting columns would be approx. 8m in height and would be approx. 0.09m in diameter. In terms of illuminance level, it is stated that the proposal has been designed to comply with the Football Association standard of 200 lux.
- 4.3 Furthermore, the applicant has stated that the floodlights have been designed to include floodlight shields, front cowls and positioning of the masts in order to reduce their potential impact on neighbouring properties. It is also stated that the floodlights would be required between 1700 hours and 2130 hours, Monday to Sunday.

5. PLANNING HISTORY

- 5.1 PA/341172/17 - Retrospective application for the construction of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field. This application was approved by the Planning Committee at their meeting on 17 October 2018 (decision issued 24 October 2018).

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 not allocated in the Proposals Map associated with this document. As such, the following policies are considered relevant to the determination of this application:

- Policy 1 - Climate Change and Sustainable Development;
- Policy 2 – Communities;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 9 - Local Environment;
- Policy 20 – Design; and,
- Policy 23 – Open Spaces and Sports.

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Following a review of the information provided by the applicant in relation to the positioning and operation of the floodlights, the Environmental Health Officer confirmed that the details provided were acceptable and therefore raised no objection to the proposal.

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 by neighbour notification letters and display of a site notice.
- 8.2 In response, 16 letters of objection were received and also received were 3 letters of support. A petition against the proposal, signed by 52 neighbours was also received. The material planning issues raised in the objections are summarised as follows:
- Inadequate parking facilities (addressed in para 12.1);
 - Light pollution (addressed in para 11.1);
 - Noise disturbance (addressed in para 11.2); and,
 - No need for the development due to hours of use conflicting with approved hours of use for the pitch (addressed in para 14.3)
- 8.3 Other issues raised in the objections, which are however not considered to be material planning issues, include devaluation of properties and anti-social behaviours such as use of foul language and urinating on the street.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 In recognition of the contribution of open spaces and sports to people's quality of life, Policy 23 (Open Spaces and Sports) of the Oldham Local Plan provides that the council will protect, promote and enhance existing open space in the borough, and will seek to secure new and improved well-designed open spaces where appropriate.
- 9.2 In the same vein, para 96 of the National Planning Policy Framework also enjoins planning policies and decisions to aim to achieve healthy, inclusive and safe places.
- 9.3 It is considered that the proposal would enhance sporting activities through facilitating the use of the existing football pitch also when it is dark. The proposal would accordingly contribute towards the promotion of healthy lifestyles and community wellbeing. Accordingly, the proposal is considered acceptable in principle.

10. DESIGN AND INTEGRATION WITH LOCAL CHARACTER

- 10.1 The proposed lighting columns are of the slimline type and with a height of approx. 8m, it is considered that the columns would not lead to any significant adverse impact on the character of the area. They would also not be very visible from the public road given their distance to the public road. Furthermore, the number of columns proposed is not considered excessive as to be harmful to the character of the area.
- 10.2 In relation to the proposed lighting, whilst there would be an impact on amenity, it is however considered that given the intensity of the lighting, the focus of the lights onto the playing pitch as well as the distance from the public highway, this element of the proposal would not detract significantly from the area's amenity.
- 10.3 Furthermore, the proposal would not change the established use of the site albeit it would facilitate the use over a longer period of time.

11. IMPACT ON RESIDENTIAL AMENITY

- 11.1 The football pitch is approx. 50m away from the nearest neighbouring dwelling. The design of the floodlighting is such that the bulk of the lighting would be focused onto the pitch and the submitted documents indicate that any spillage would be within the school grounds and not encroaching onto neighbouring gardens. Therefore, having regard to the separation distance between the pitch and neighbouring properties, as well as the design of the proposed floodlighting, it is considered that the proposal would not lead to any significant light nuisance.
- 11.2 In relation to noise, it is important to note that the installation of floodlights on its own would not generate any noise disturbance. However, it is noted that the established use of the site is such that could generate significant noise levels. The use of the pitch into late in the evening means noise levels could persist till late in the evening. However, it is considered that the separation gap between the location of the pitch and neighbouring residential areas is such that would diffuse the potential noise pollution and thereby reducing the significance of any potential noise disturbance.
- 11.3 Furthermore, the proposal has been reviewed by the Council's Environmental Health Officers and they have not raised any objection to the scheme.

- 11.4 In summary, the design of the lighting scheme and the separation distance between the pitch and neighbouring properties would respectively minimise any potential light and noise pollution.

12. HIGHWAY CONSIDERATIONS

- 12.1 The proposal on its own is not such that would lead to any significant increase in volume of vehicular traffic to the site. In any case, there is a car parking area within the school premises which is available for the users of the football pitch. As such, it is not considered that the proposal would lead to any severe highway issues.

13. OTHER MATTERS

- 13.1 Under the planning permission granted under reference PA/341172/17 (a retrospective application for the construction of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field) condition 3 of this permission states:

“For a temporary period of 12 months from the date of this permission the use hereby approved shall not operate outside of the following hours:

08.00 Hours - 19.00 Hours (Monday to Friday)

09.00 Hours - 13.00 hours (Saturdays)

10.00 Hours - 13.00 Hours (Sundays and Bank and Public Holidays)

Following the expiration of the 12-month period specified above, the permitted use shall thereafter be limited to use by pupils of Yew Tree Community School between the following hours:

08.00 Hours - 17.30 Hours (Monday to Friday)

Reason - The permission for a limited period will allow the Local Planning Authority to assess the impact of the use on the local area.”

- 13.2 The existing permission under which the MUGA operates has more restrictive hours than those proposed for the operation of the floodlights. However, this is not considered to form a sufficient reason to justify refusal of the current application, because irrespective of any approved hours for the use of the floodlights the pitch is still expected to be used in accordance with the relevant terms and conditions attached to PA/341127/17. As such, if the proposed floodlights are approved as recommended, this cannot have the effect of varying the condition attached to PA/341172 to extend the approved hours of use of the MUGA. This would require consideration under a separate planning application.

14. CONCLUSION

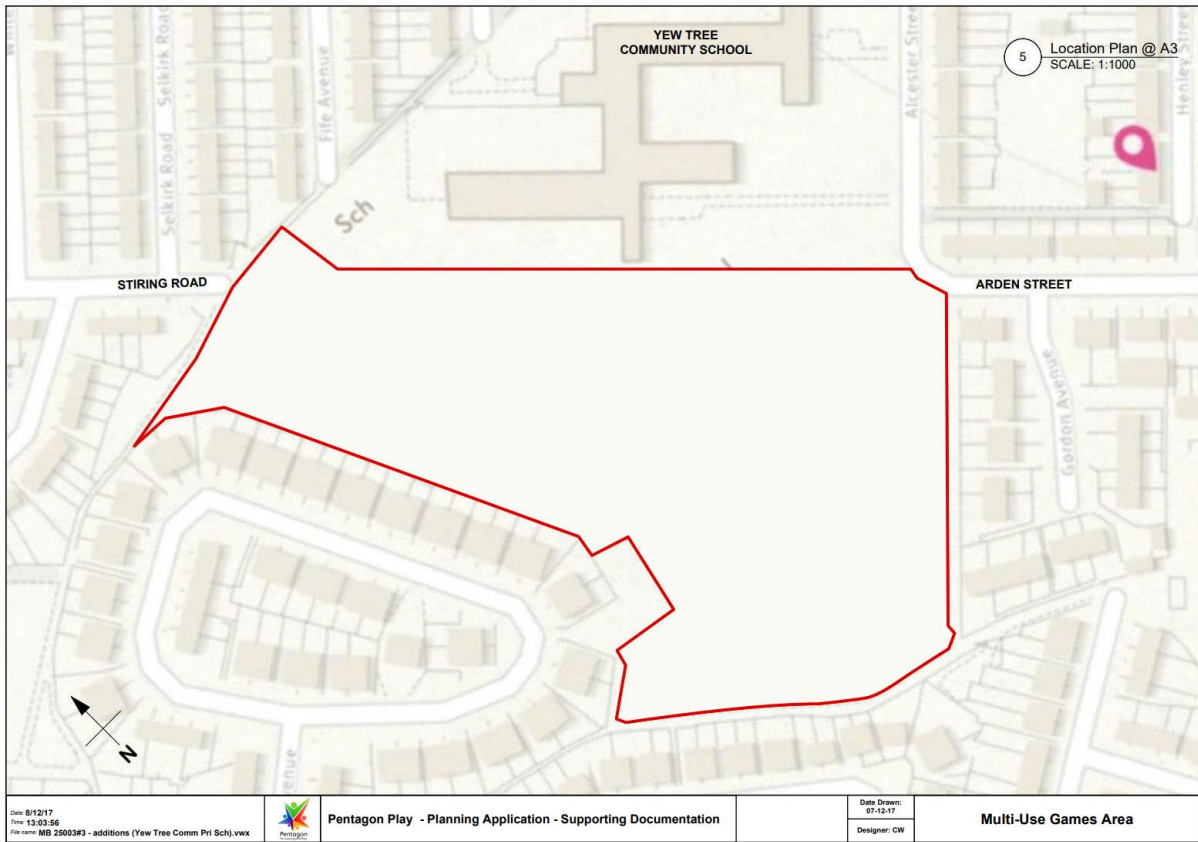
- 14.1 The proposed floodlighting scheme is considered acceptable in principle having regard to its scale, design, established use of the site and the separation distance between the development and neighbouring dwellings. The scheme is considered to be in accordance with relevant provisions of Oldham Local Plan Policies 1, 2, 9, 20 and 23 as well as relevant provisions of Section 8 of the NPPF.

14.2 Having regard to the above therefore, it is recommended that the proposal be approved, subject to conditions.

15. 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 illuminance level for the floodlights hereby approved shall not exceed 200lux. REASON – In the interest of the amenity of the area and that of residents, in accordance with Policies 9 and 20 of the Oldham Local Plan.
4. The floodlights shall only be used between 1700 hours and 2130 hours daily. REASON – In the interest of amenity having regard to Policy 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT - HOU/351882/23 Planning Committee 24th January 2024

Registration Date: 22nd November 2023
Ward: Failsworth West

Application Reference: HOU/351882/23
Type of Application: Householder

Proposal: Erection of a two storey side extension, and single storey front and rear extensions.

Location: 1 Norfolk Crescent, Failsworth, M35 0WG.

Case Officer: Sophie Leech
Applicant: Mr James Sherlock
Agent: Mr Ahmed Choudhry

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination following a councillor call in by ward councillor Sandra Ball due to the number of objections received towards the proposed development.

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 application relates to a two-storey semi-detached property located on Norfolk Crescent, Failsworth. The area is residential in character and the property benefits from one off road parking space to the front and there is a private garden to the rear.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of a two-storey side extension and single storey front and rear extensions.
- 4.2 The two storey side extension will measure approximately 2.6m in width, 6.8m in length and will have a ridge and eaves height to match the existing property.
- 4.3 The single storey front and rear extensions will match in depth, height and eaves height to the existing extensions.

5. PLANNING HISTORY

5.1 N/A

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). As such, in addition to relevant national policies as detailed in the National Planning Policy Framework (hereinafter referred to as the NPPF), the following policies in the Local Plan are considered relevant to the determination of this application:

Policy 9 - Local Environment; and,
Policy 20 – Design.

7. CONSULTATIONS

Consultee	Comments
Highway Engineer	No objections.

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 by means of neighbour notification letters.

8.2 In response to such publicity, 65 objections have been received with the following comments raised (summarised):

- Highway and parking issues;
- Work has already commenced on site;
- The property is to be a house in multiple occupation (HMO);
- The HMO will attract noise nuisance and waste issues;
- Loss of amenity to local residents;
- Overlooking issues to local residents;
- Over occupation of the property with 6 bedrooms;
- Encroachment onto other boundaries;
- Fire safety issues;
- Impact on local bus routes by parked cars; and,
- Children's safety issues.

8.3 The majority of the objections raised in relation to this application have focused on a concern that the property that is the subject of the application could be utilised as an HMO. The application is a household application for the extension of the property, not for the conversion of the property to an HMO. As such, objections related to any concern that the property may later be converted to an HMO cannot be considered in relation to this current application. In any event, residential dwellings (use class C3)

benefit from permitted development rights to convert to an HMO of up to 6 people (use class C4) without requiring planning permission. This matter is discussed further in section 12 of this report.

ASSESSMENT OF THE PROPOSAL

9 VISUAL AMENITY AND DESIGN

- 9.1 Development Management Policies 9 (Local Environment) and 20 (Design) recognise the contribution that high-quality design can make to regeneration and sustainable development. Specifically, Policy 20 requires such proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene. 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.
- 9.2 The proposed two-storey side extension will be flush with the existing front elevation and will have a ridge height and eaves height to match the existing property. This flush design is seen across the road and along Norfolk Crescent and Somerset Road and is therefore now reflects as the local character of the area.
- 9.3 The two storey side extension will be constructed on the boundary with no.72 Somerset Road which is a detached property sited at an angle facing both the entrance to Norfolk Crescent and Somerset Road. The resulting angle of the property and the application property results in no terracing impact from the extension, therefore acceptable on design grounds.
- 9.4 The single storey front and rear extensions will align with the existing depth of both single storey extensions present on site and as such would not cause any harm to the design or character of the proposed extensions as a whole or have any impact on the wider existing property.
- 9.5 All external materials and windows will match the existing property which is considered acceptable on design grounds.
- 9.6 Accordingly, the proposed development is compliant with Policy 20 in this regard.

10 RESIDENTIAL AMENITY

- 10.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.

Impact on 72 Somerset Road

- 10.2 This property lies to the west of the site and is a two storey detached property. A site visit confirmed there are no side facing windows that would be impacted by a two storey side extension and the first floor rear windows closest to this property have been amended to

bathroom windows to ensure there is no direct overlooking into the rear garden of this property. Furthermore, the two storey extension would not cause a significant loss of light or outlook to this property given its siting in relation to the extension. An objection has been raised by the local councillor that there would be encroachment onto this property for construction purposes but there is no reason to suggest this would be the case and, in any instance, this would be a civil matter. The proposed single storey front and rear extensions would not impact this property given their siting in relation to the property. As such, the impact of the proposed development on this property is acceptable.

Impact on 3 Norfolk Crescent

- 10.3 This property is the immediate adjoining semi-detached property. In terms of impact, this property would not be directly affected by any of the extensions in regard to a loss of light, outlook or privacy given the siting of the extensions are to the west of the application site. However, issues of noise and disturbance have been considered due to the number of bedrooms proposed at the property. The property will increase from a three bed to a six bed and therefore resultant noise may increase, however this is a household application whereby it can be occupied by one single family unit or six individuals. Any additional noise is considered acceptable in regard to a standard C3 residential use and is not considered would be over and above what a normal family unit or six individuals would create. As such, the impact of the proposed development on this property is acceptable.

Wider Impacts

- 10.4 The first floor rear bedroom windows have been amended to ensuite/bathroom windows to ensure there is no direct overlooking towards the rear garden of no's 70 and 72 Somerset Road. This change is acceptable as there is now no opportunity for a loss of amenity. A condition can also be added to ensure obscure glazing is fitted into these windows. As such, the impact of the proposed development on this property is acceptable.
- 10.5 An objector has raised that there would be a loss of privacy to properties directly opposite the site due to the number of bedrooms proposed at first floor and ground floor facing towards no's 2 and 4 Norfolk Crescent. Overlooking towards properties across the road would not normally be assessed as part of a household planning application, however for the benefit of the objections, the separation distance amounts to approximately 17.6m and would therefore result in no direct loss of amenity to residents across the road.
- 10.6 Several objectors have also raised concerns regarding the size of the rear garden and that there is no external rear access. Given this is a household application, the loss of external rear access is commonplace with two storey side extensions as bins can be stored within the front garden area. There is sufficient space at the front of the site to store waste bins (multiple bins if required) and to also retain the existing parking space, therefore this matter is considered acceptable.
- 10.7 Lastly, there will be sufficient external rear garden space to provide outdoor amenity for future occupiers.
- 10.8 As such, the impact of the proposed development is acceptable having regard to Policy 9.

11 HIGHWAY SAFETY

- 11.1 The property has existing off-road parking for one vehicle. Some objections state that there is a loss of parking, however a site visit confirmed that there is not sufficient space to the side of the property to park a vehicle, therefore this is not a valid off road parking space, therefore only the front space is considered and this will be retained.
- 11.2 In the absence of any adverse highway comments and having regard to Paragraph 111 of the NPPF which states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. It follows that the application would be equally compliant with Policy 9 in this regard.

12 OTHER MATTERS

- 12.1 A large proportion of objections raise that the property is to become a house in multiple occupation and the objections relate to this matter only. This view has been put forward by objectors due to the provision of 6 bedrooms shown on the proposed plans.
- 12.2 A property such as this can be occupied by one single family unit with the number of bedrooms required to suit the family or it can be occupied by six single individuals. In any case, if the property was to be used as a HMO at a later date for six individuals in six bedrooms, this would not require planning permission.
- 12.3 The proposed development has been submitted as a household application and therefore must be considered as a household application. Six bedrooms is considered acceptable as some families are large and is not a reason to recommend refusal of an application.
- 12.4 While issues have been raised regarding the potential for multiple vehicles at the address and for the potential for 11 occupants in 5 double rooms and 1 single room, the Council do not have parking standards to require further off road parking for household development or other types of development. The site is to retain one existing parking space which is acceptable. The site is located close to the number 25 bus route (Trafford Centre to Stockport) and it's a minutes' walk from the site. As such, the existing parking situation and sustainable location of the site concludes that the proposed development is in accordance with Policy 9.

13 CONCLUSION AND RECOMMENDATION

- 13.1 The proposal accords with the objectives of both the Local Plan and the NPPF and as such is recommended for approval, subject to the following conditions.

14 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 used in the existing building. REASON - To ensure that the appearance of the existing building is acceptable having regard to Policy 20 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



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Planning Appeals Update

Planning Committee Report of Head of Planning

DATE OF COMMITTEE
24 January 2024

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 20 December 2023. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between 1 December 2023 and 5 January 2024 which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
MMA/350017/22	149A Manchester Road Greenfield OL3 7HJ	Ongoing	08/08/2023	Variation of Condition 2 (approved plans) and 11 (obscured glazing) relating to approved application MMA/345170/20
HOU/348050/21	42 Wakefield Drive, Chadderton	Ongoing	26/09/2023	Single storey rear extension with roof terrace
LBC/349043/22	6 Thurstons, Ridge Lane, Diggle	Dismissed, 8/12/2023	12/09/2023	Add solar panels to the roof of the building
HOU/349997/22	6 Thurstons, Ridge Lane, Diggle	Dismissed, 8/12/2023	12/09/2023	Installation of solar roof panels
FUL/349483/22	Land Off Steadway, Greenfield	Ongoing	11/09/2023	Erection of 4 no. dwellings and associated works (Revised application to FUL/349331/22)
HOU/351033/23	116 Birch Avenue Chadderton Oldham	Dismissed, 18/12/2023	26/10/2023	Two storey side and rear extension (Revision of application HOU/350679/23)
HOU/351471/23	The Barn Ladcastle Road Uppermill	Ongoing	01/11/2023	Erection of 3 no. garages, stable and tack room.

FUL/349740/22	Roebuck Inn Brighton Road Strinesdale	Ongoing	02/11/2023	Change of use of land for extension to garden area, play equipment, lighting and boundary fence (retrospective)
TEL/350195/22	Croft Street Street Works Croft Street Oldham	Ongoing	07/11/2023	Proposed 5G telecoms installation: H3G 18m street pole and additional equipment cabinets.
HOU/351084/23	11 Carr House Road Springhead Oldham	Dismissed, 13/12/2023	08/11/2023	Single storey front and two storey rear extension.
FUL/351076/23	Sunfield Stables Diglea Diggle	Ongoing	23/11/2023	Siting of 5 Glamping Pods in agricultural field, formation of access track and new septic tank.
HOU/351119/23	2 Redcar Close Oldham	Ongoing	24/11/2023	Single storey side and front extension, amended application relating to HOU/348586/22.
OUT/350032/22	Westwood Medical Centre Winterbottom St Oldham	Ongoing	24/11/2023	Outline application for 16 storey apartment building for 120 flats with associated on-site parking and private gated site access, following demolition of existing building. Approval of Access, Layout, and Scale are sought. All other matters reserved.
HOU/351189/23	48 Cheviot Avenue Oldham	Ongoing	27/11/2023	Retention of a single storey front extension.
ADV/350956/23	Gable 423 Park Road Oldham	Ongoing	30/11/2023	Replacement of existing poster advertisement with digital display

FUL/350285/22	7 Parkgate Chadderton Oldham	NEW		Erection of a metal mesh canopy to front of building with a metal shutter to be locked at night, including metal pillars to hold the entire structure.
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RECOMMENDATION - That the report be noted.

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information as defined by that Act.

If any person has any questions regarding these appeals and decisions, they can request further information from the Planning Service by contacting Martyn Leigh (Development Management Team Leader) via planning@oldham.gov.uk

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