

APPLICATION REPORT - PA/342449/18

Planning Committee, 13 March, 2019

Registration Date: 15/10/2018
Ward: Saint James'

Application Reference: PA/342449/18
Type of Application: Reserved matters

Proposal: Reserved matters application (for appearance, landscaping, layout and scale) pursuant to PA/338917/16 for 23 three and four-bedroom detached dwellings.

Location: Land off Haven Lane, Moorside, Oldham OL4 2QH

Case Officer: Graeme Moore

Applicant Cube Great Places Ltd
Agent : Euan Kellie Property Solutions

THE SITE

The application relates to an irregularly-shaped parcel of land measuring *circa* 0.91 hectares in area to the east side of Haven Lane. The site is characterised by rough grassland and extends in a north-easterly direction to the rear of semi-detached properties on Haugh Hill Road and in an easterly/south-easterly direction to the rear of detached houses on the cul-de-sac of Havenside Close. Ground level rises in a general easterly direction across the site where it abuts a wide expanse of open farmland to its eastern boundary. Adjoining land to the east falls within an area of Green Belt. The application site is, however, unallocated in the Local Plan.

The site boundaries are formed by a combination of dry stone walls to Haven Lane (west) and the rear of properties on Haugh Hill Road (north). A hedgerow runs along the boundary with the entrance to Havenside Close and continues in a fragmented form to the rear of nos. 1-5 Havenside Close backing onto the site. A row of mature trees are located on adjoining land flanking the southern boundary and screen the site from a single storey nursery building set on higher ground beyond. The eastern perimeter is marked by low post-and-wire fencing.

Surrounding uses are predominantly residential in character and include a mix of detached, semi-detached and terraced dwellings of various eras laid to different densities.

In addition, a development of 46 dwellings by Redrow is nearing completion on land to the east side of Haven Lane further to the south of the site close to the junction with Counthill Road. Whilst not on adjoining land, dwellings and garages to the eastern edge of this development are visible from the application site.

THE PROPOSAL

This is a reserved matters application pursuant to PA/338917/16 for the layout, appearance, scale and landscaping for 23 dwellings. The scheme was granted outline planning permission on appeal in November 2017. Costs were awarded against the council for unreasonable behaviour in refusing this application.

The type and number of the dwellings are:

- 1 x Type A, 3 bed, 6 person dormer bungalow;
- 3 x Type B, 3 bed, 5 person detached, two storey dwelling;

- 3 x Type C, 3 bed, 6 person detached, two storey dwelling;
- 9 x Type D, 4 bed, 7 person detached, two storey dwelling;
- 1 x Type E, 4 bed, 7 person detached, two storey dwelling; and
- 6 x Type F, 4 bed, 7 person detached, two storey dwelling.

The site is accessed via Haven Lane in accordance with the access layout that was approved under the original outline permission set out on plan ref. 2044-001C. The access plan shows the access leading to the proposed development and the proposed traffic calming measures which include both a raised table at the entrance to the development and speed cushions.

PLANNING HISTORY

- PA/338917/16 - Outline application for residential development of up to 23 dwellings (Use Class C3) with all matters reserved except access.

Following refusal of the application at Planning Committee, an appeal was submitted (APP/W4223/W/17/3175644) and an informal hearing was held on the 14th November 2017. Upon conclusion of the informal hearing the Inspector upheld the appeal and granted outline permission for 23 dwellings on the site in question. Costs were also awarded against the Council.

- PA/336309/14 – Outline application for the erection of 30 dwellings with access and layout to be considered. Appearance, landscaping and scale to be reserved – Refused 12th February 2015 for the following reasons:
 - *The proposed development would fail to secure a satisfactory level of affordable housing and public open space to adequately mitigate the impact of the development on the wider area, contrary to the NPPF and policies 10 'Affordable Housing' and 23 'Public Open Space' of the Oldham LDF Joint Development Plan Document.*
 - *The layout and density of the proposed development represent an overdevelopment of the site, which would result in an unacceptable impact on the street scene and the character of the surrounding area. As such, the development fails to promote high quality design and is thereby contrary to policy 9 'Local Environment' and 20 'Design' of the Oldham LDF Joint Development Plan Document, and the National Planning Policy Framework.*
- PA/336723/15 – Outline application for 29 no. dwellings. Access to be considered. All other matters reserved (Re-submission of PA/336309/14) – Refused 13th July 2015 for the following reasons:
 - *The density of the proposed development, having regard to the number of dwellings proposed, represents an overdevelopment of the site, which would result in an unacceptable impact on the street scene and the character of the surrounding area. As such, the development fails to promote high quality design and is thereby contrary to policy 9 'Local Environment' and 20 'Design' of the Oldham LDF Joint Development Plan Document, and the National Planning Policy Framework.*
 - *The development of this unallocated greenfield site does not satisfy the criteria for managing the release of housing land. As such the proposal is contrary to the requirements of Policy 3 in the Joint Development Plan Document which forms part of the Local Development Framework for Oldham.*

Appeals were submitted against the refusal of both applications (references APP/W4223/W/15/3130698 and APP/W4223/W/15/3134326). The Inspector dismissed both appeals in a combined decision letter dated 8 December 2015.

RELEVANT PLANNING POLICIES & GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the National Planning Policy Framework (NPPF 2018).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated by the Proposals Map associated with this document.

The following policies are relevant to the determination of this application.

Joint Core Strategy and Development Management Policies Development Plan Document adopted 9 November 2011 (the 'DPD')

Core Strategy

Policy 1 Climate Change and Sustainable Development

Development Management Policies

Policy 9 Local Environment

Policy 19 Water and Flooding

Policy 20 Design

Supplementary Planning Guidance

Oldham and Rochdale Residential Design Guide

REPRESENTATIONS

The application has been publicised on the Council's web-site, by press advertisement and by site notice. A total of 22 letters of objection have been received objecting on the following grounds:

- Impact of the properties on existing dwellings in relation to overlooking and loss of privacy;
- Impact of the scheme in relation to highway safety;
- Increased parking problems;
- Lack of infrastructure and facilities to accommodate the development;
- Lack of school places;
- Drainage problems to surrounding properties;
- Impact on wildlife; and
- Loss of rural image of Moorside.

Other, non-material objections were also raised, such as the impact on house prices and the loss of views of the open countryside.

CONSULTATIONS

Highways Officer - No objections to the scheme provided that it is carried out in accordance with the approved plans.

United Utilities - No objections.

Environmental Health - Request conditions in relation to landfill gas and contaminated land. However, these were established at the outline stage.

LLFA/Drainage - No objection.

PLANNING CONSIDERATIONS

1. Principle of the development
2. Design and Layout
3. Residential Amenity
4. Flood risk and drainage
5. Highways and Traffic

ASSESSMENT

Principle of the development

The principle of the development has already been established under outline approval PA/338917/16 following the outcome of the aforementioned appeal. The access to the site formed part of that approval and is therefore not open for re-assessment as part of this application. Therefore the only matters to be determined under this application are the layout, appearance, scale and landscaping for the 23 dwellings.

It is noted that a number of the objections reference the suitability of the site, including the access and availability of infrastructure and services. It must be reiterated that these are not issues open for further consideration at this reserved matters stage.

Design and Layout

Guidance within Section 12 of the NPPF is relevant, together with DPD policies 1, 9 and 20, which provide guidance on the design of new development. Further guidance is also given in the Oldham & Rochdale Residential Design Guide.

A group of eight detached dwellings are located on Havenside Close to the south. Five of these (nos. 1-5) back onto the site. Dwellings flanking the northern boundary include a pair of semi-detached houses (nos. 162-164 Haven Lane) to the north-west corner orientated at an angle to the northern boundary and a row of semi-detached dwellings on Haugh Hill Road (nos. 2-20) back onto the site.

The submitted scheme shows six different dwelling types are to be utilised within the development. All are two storeys high, apart from plot 1 which takes the form of a dormer bungalow.

Generally speaking the dwellings are all relatively modest in terms of their proportions. Plots 2-10 are 6m wide and 10m deep with a ridge height of approximately 7.8m, this is followed through to plots 11 – 16. As can be seen from the plans, plots 17 through to 23 are the larger dwellings in the development being approximately 7m wide and 11m deep, with the ridge height of approximately 7.8m.

The nearby developments all have the same 2 storey mass and dual pitched roofs, with the following features also prevalent:

- Street frontage eaves line broken periodically by feature gables or 'eyebrow' dormer windows;
- Variation in building line in response to site access and boundary constraints where necessary;
- A mixed palette of external wall finishes including red brick, render and cladding; and
- Appropriately positioned feature bay windows in order to add character to the property and optimise natural surveillance.

A different style was adopted on the recent Redrow development located further up Haven Lane, which has imposed the corporate 'Arts and Craft' architectural style on the area, rather than following the existing relatively simple architectural approach that is prevalent in the area.

Taking these factors into account, it is considered that the approach taken by the proposed development is appropriate, with 2 storey heights maintained, traditional dual pitched roofs,

with strong gables and the materials being red brick, with render utilised to accentuate key buildings. Dry stone walling is also proposed in key locations, which is typical feature of the nearby area and encloses the proposed public open space fronting onto Haven Lane.

Consequently, it is considered that the appearance of the proposed properties will not cause harm to the character and amenity of the area.

Turning to the landscaping proposed, two areas of Public Open Space (POS) are proposed, one of which is located at the site entrance and will be utilised as part of the sustainable drainage (SUDS) strategy for the development. A further area is proposed at the eastern edge of the site at the top of the development. The boundary of the site to the east will be grassed and enclosed by a timber post and rail fence. As noted previously, dry stone walling provides a feature entrance to the site.

Turning to the dwellings themselves, all of the properties will have high quality block paving installed to the driveways. Properties on the northern boundary (plots 1-10) will have a 2.1m high fence inside the existing dry stone wall between themselves and the existing properties on Haugh Hill Road. Plots 17-23 will have additional trees planted, in addition to the existing trees that are to be retained coupled with a 2.1m high fence.

Additionally, the applicants have submitted an Arboricultural Impact Assessment and Method Statement in order to ensure that the existing trees are protected during the construction phase of the development.

Taking account of the context and character of the site and surrounding area, it is considered that the overall design concept, the layout of the site and the scale and design of the buildings and associated infrastructure are acceptable. Furthermore, the proposed location, scale and massing of the dwellings would have no impacts upon any surrounding building or properties in regard to issues such as overlooking, overshadowing or having an overbearing or oppressive impact.

Overall, it is considered that the visual and physical impact of the proposed development would be acceptable and in accordance with the aforementioned national planning guidance and local planning policy.

Residential Amenity

In relation to the layout and its impact on the neighbouring properties which surround the edge of the development to the north and south-west, there will undoubtedly be some impact associated with the development. The addition of dwellings on the existing boundaries could give rise to overlooking if not properly designed. However, it is important to note the separation distances, with almost all of the properties achieving a distance of over 22m between habitable room windows of facing properties - an acceptable distance between properties.

Although the proportions of the proposed dwellings are considered modest, it is noted that in the submitted site sections, some of them sit at least 1m higher than the neighbouring properties on Haugh Hill Road, whilst plots 17-23 are approximately 3m higher than those on Havenside Close. However, given the separation distances involved – in the case of plots 17-23 this is 31m - there are no concerns with overlooking of the existing properties.

The one exception is a proposed dormer bungalow style property on the estate entrance. The proposed property abuts directly up to 162 Haven Lane at a 45 degree angle. It is considered that, due to the bungalow style adopted, the impact would be minimal. Furthermore, the positioning of the proposed dormer bungalow would be no different to that which currently exists at the junction with Haugh Hill Road and Haven Lane.

Flood risk and drainage

National guidance contained within Section 14 of the NPPF and policy 19 of the DPD are relevant.

The site is not within an area identified as being at risk from flooding within the Environment Agency's Indicative Flood Maps. Drainage is also not a reserved matter at this stage, with details required to be submitted in accordance with condition 9 of PA/338917/16. These details have, however, been submitted with the Reserved Matters application and have been commented on by the council's Drainage team and United Utilities. No issues have been raised in this regard.

Therefore, in taking account of the planning history of the site, and the comments of the technical consultees, it is considered that the proposal would not increase flood risk at the site or within the wider area, and that the site could be adequately drained. The proposal is therefore considered to be acceptable when assessed against the aforementioned national planning guidance and local planning policy.

Highways and Traffic

Guidance within Section 9 of the NPPF document is relevant, together with policies 5, 9 and 20 of the DPD, set out the standards and criteria against which the highway implications of the development are assessed.

As with the drainage submission, the principle of the highways aspect of the scheme was established with the outline consent and approved drawing 2044-001C details the traffic calming measures proposed as part of the development. Members will be aware that the highways arrangements were the subject of the appeal. The result of which was the Planning Inspector considered the scheme acceptable in highways terms, despite residents and members concerns. In relation to the internal layout of the scheme, there have been no objections raised by the Highways Officer in relation to the submitted scheme.

The layout provides for at least two off-street spaces per dwelling, some of the properties also benefit from an additional integral garage. Therefore, taking account of the scale and nature of the development and the technical advice given by the Council's Highways Officer, it is considered that there would be adequate access, servicing, circulation and car parking arrangements and that the proposal would not have any detrimental impacts upon pedestrian or highway safety. For these reasons the proposal is considered to be acceptable when assessed against the aforementioned policies.

Conclusion

The proposal has been fully assessed against national and local planning policy guidance. It is considered that the proposal is acceptable in terms of the appearance and impact upon the visual amenity of this site and surrounding area. The proposal will have no detrimental impacts upon the environmental quality of this locality. The site can be adequately drained and will not give rise to flooding problems. The proposal, subject to the imposition of planning conditions, accords with the aforementioned policy guidance.

For the reasons set out in this report the proposal is considered to be acceptable when assessed against national and local planning policy and approval of planning permission is recommended, subject to the following conditions:

1. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications schedule, received on 05/03/2019, which is referenced as ISS/18-053/17. The works shall be carried out in accordance with the details shown on the approved plans listed in the schedule and in any other approved documents forming part of the application.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

2. Development shall be carried out in accordance with the submitted materials schedule (ref. 18-053 Haven Lane, External Materials, Rev B) dated 27th February 2019. Any changes to the materials schedule shall be submitted to and approved in writing to the Local Planning Authority.

Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

4. No dwelling shall be brought into use unless and until the access and car parking space for that dwelling has been provided in accordance with the approved plan received on 25th February 2019(Ref: Dwg No.1002 Rev D). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety.

5. Visibility splays measuring 2.0 metres by 2.0 metres at the junction of the driveways with the access roads shall be provided and maintained free of all obstructions exceeding 0.6 metre in height to each side on land under the applicants control.

Reason - To facilitate the intervisibility of users of the driveways and the highway in the interests of highway safety.

6. The submitted drainage details submitted pursuant to condition 9 of PA/338917/16 shall be carried out in accordance with the submitted drainage plan (ref: 096511-CA-0-GF-DR-S-001-P06 - Drainage Layout) and shall be maintained thereafter for the lifetime of the development.

Reason - To ensure satisfactory drainage of the site and to ensure that the development can be adequately drained.



