

# APPLICATION REPORT - PA/340660/17

Planning Committee, 18 July, 2018

**Registration Date:** 09/11/2017  
**Ward:** Coldhurst

**Application Reference:** PA/340660/17  
**Type of Application:** Full Planning Permission

**Proposal:** The demolition of existing youth centre and the erection of a 3 storey apartment block containing 14 no. two bedroom flats with the provision of undercroft parking for 13no parking bays.  
**Location:** Robin Hill Bangladeshi Youth Club, Trafalgar Street, Oldham, OL1 2HY  
**Case Officer:** Luke Ashley  
**Applicant Agent :** JSSJ Developments Ltd  
NADA ARCHITECTS

---

## THE SITE

The site is an irregular shaped parcel of land set off Trafalgar Street. The land is occupied by an existing building, Robin Hill Youth Club, with amenity space surrounding this building.

Residential apartments surround the application site, with Trafalgar Street on the eastern and the southern boundaries, and Dunbar Street and Onslow Close on the northern and western boundaries respectively.

The land to the rear of the site leads down towards an apartment block on Onslow Close and the difference in land levels between the existing youth club and the apartments to the rear is considerable with the ground floor of the youth club being set level with the first floor of the apartment block. Open grassed areas surround the site and form the frontage of the apartments to the rear.

## THE PROPOSAL

The proposal relates to the demolition of the existing youth centre and the erection of 14 two bedroom flats. The building will be a three storey 'L' shaped block facing both Trafalgar Street and Onslow Close. Undercroft parking has been provided with 13 spaces contained within the site.

The final design has been amended during the course of the application process with the applicant altering the details of the building to provide more visual interest. This includes white render to the front and rear elevations alongside the provision of timber boarding adjacent to each rear facing window. Glass canopies have been provided above each front entrance and brick soldier courses delineate the floor levels.

Amenity space is provided to the side and rear with the garden area to the side of the plot remaining in its current state. A bin and cycle store is also provided to the side of the

building constructed from timber.

## RELEVANT HISTORY OF THE SITE:

10/057810 - Erection of 2m/1.5m high security fencing - Approved 30.03.2010  
029177/92 - Conversion of Community Centre - Approved 18.08.2008

## RELEVANT PLANNING POLICIES AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. This is reinforced by Paragraph 11 of the National Planning Policy Framework (NPPF) that states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case, the 'Development Plan' is the Joint Development Plan Document 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 DPD Policies are considered relevant:

Policy 1 - Climate change and sustainable development  
Policy 3 - An address of choice  
Policy 9 - Local Environment  
Policy 20 - Affordable Housing  
Policy 11 - Housing  
Policy 20 – Design  
Policy 23 - Open Spaces

## CONSULTATIONS

Traffic Section	No objection following submission of amended plans - A condition is recommended relating to parking to be provided prior to first occupation
Pollution Control	No objection subject to a condition regarding the provision of a bin store prior to first occupation
The Coal Authority	No comments received
LLFA and Drainage	No comments received
Greater Manchester Police	A Crime Impact Statement has been provided by the applicant incorporating a number of recommendations provided by GMP
Architectural Liaison Unit	

## REPRESENTATIONS

Neighbours were consulted by letter and by site notice. As a result of this consultation, one objection was received on the grounds that the site should be left as a community building as there are not enough community resources in the area.

## PLANNING CONSIDERATIONS

### Principle of land use

A key objective of DPD Policies 1, 3, 5 & 11 is the effective and efficient use of land by promoting development on previously developed sites in accessible and sustainable

locations, ahead of greenfield sites. This echoes the advice in NPPF Paragraph 17 which states that the core planning principles include encouraging the effective use of land by reusing previously developed land. The site was previously occupied by a youth club, and it is therefore considered to fall within the definition of 'previously developed land' set out in the NPPF.

In addition, the Council seeks to make the borough an 'address of choice' and a range of attractive accommodation must be provided to suit all housing requirements by providing high quality, choice and diversity in new residential developments. DPD Policy 3 requires that major residential development should have access to at least three key services. As a guide, 'access' is currently defined as being within approximately 480 metres or approximately ten minutes walk time to a key service.

DPD Policy 3 goes on to state that the use of previously developed land and vacant or underused buildings is the council's first preference for residential development and the availability of such land, both in the locality and boroughwide, as assessed by the council's monitoring arrangements, will be the first consideration when regarding applications on 'greenfield' sites.

With regard to transportation matters, Policy 5 'Promoting Accessibility and Sustainable Transport Choices' states that development should be focused in the most accessible locations and that use of public transport, walking and cycling should be encouraged.

The application site is located in an established residential area. Given the sustainable location of the site; its close proximity to a range of key services (notably Oldham Care Unit, Oldham College, Tesco, Oldham town centre and public transport routes, the scheme is acceptable in land use and sustainable development terms as it has significant economic, environmental and social benefits.

The site provides an excellent opportunity to help re-balance Oldham's housing market and deliver a range of larger apartments in accordance with the Council's Residential Development Strategy and the DPD. Such accommodation would deliver a moderate windfall to the overall supply of housing within the wider borough and the principle of development is considered acceptable in this particular instance.

### **Affordable Housing & Public Open Space**

DPD Policy 10 (Affordable Housing) states that all residential development of 15 dwellings and above, in line with national guidance, will be required to provide an appropriate level of affordable housing provision. The proposal, as originally submitted, exceeded this threshold however during the application process the number of units has since been reduced to 13. DPD Policy 10 no longer applies in this instance.

DPD Policy 23 (Open Spaces and Sports) requires all new residential units to contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practical nor desirable. In regard to this requirement, the applicant has since submitted a viability report which seeks to outline the applicant's position in regard to the level of contribution.

The viability assessment outlines a figure of £46,224 for POS contributions. The council's own assessment of the public open space (POS) contribution is higher than that quoted within the applicants' viability report with a figure shown as £61,220.04.

The conclusion of the Viability Assessment provided by the applicant is that to successfully

bring this site to market, the costs of the development do not allow for any sums to be provided in lieu of public open space. The value of apartments in this locality is very low and there is a limited market for owner occupation with the investment market driving local housing prices. In this context the applicant asserts that the development cannot sustain any contributions toward public open space.

The Viability Assessment has been subject to testing having regard to established guidance and it is concluded that given the low sales values within the local area, any payments for public open space would in this instance render the development unviable. In line with this response, no payment will be required towards public open space.

## **Design**

DPD Policy 9a sets out seven criteria intended to protect and improve local environmental quality and amenity. Criterion (iv) requires that developments do not have a significant, adverse impact on the visual amenity of the surrounding area, including local landscape and townscape.

In addition, Policy 20 states that the Council will promote high quality design in developments in order that they reflect the character and distinctiveness of the area in accordance with 10 design principles. Criteria (a) – Local Character and (j) – Well Designed Buildings are of particular relevance in this case.

The application has been amended since it was originally submitted, the result being a much smaller and better designed apartment block which is now under consideration. The original proposal has since been reduced to 14 apartments with a reduction in height of part of the building facing onto Dunbar Street.

Additional detailing has also been provided to all of the elevations of the building with the inclusion of render and timber boarding, providing visual interest to what were otherwise blank brick gabled elevations. The roofing arrangement along the front elevation has also been broken up via the inclusion of 2 projecting hipped roofs above the main stairwells within the building and on balance these additional design details lift the quality of the design.

A mix of materials are proposed throughout, which provides an effective break up off the bulk of this building. It is considered that the design will improve the wider built character and no objection is raised in this regard.

Taken within the context of the wider built environment, which is dominated by apartment blocks of varying scale within the immediate vicinity and more traditional terraced units to the north of the site, this proposal would act to enhance the built character whilst respecting the existing environment.

Car parking has been included within an undercroft arrangement leaving more amenity space for residents, and views into the site will remain open rather than dominated by parking bays. Building lines are respected in regards to the blocks of neighbouring units and the relationship between the private realm and the public highway will be respected by appropriate boundary treatment. The building will be set back from the main highway with planting and fencing bordering the site, as opposed to the building sitting directly on top of the street scene, and its appearance within the street scene would not be viewed as either oppressive or out of character.

It is considered that the design will improve the wider built character and therefore the proposals will accord with the objectives of DPD Policies 9 and 20.

## **Neighbouring Amenity**

The proposed apartment block is set within an area surrounded by residential units, with private windows facing out towards most neighbouring buildings. Privacy, light and all aspects of residential amenity need to be assessed as part of the application. The layout of this building will mean that the existing buildings along the rear of the application site on Onslow Close are orientated in such a manner that no windows face the application site with a blank gable facing the proposal.

In this instance there are no amenity concerns raised in regard to these neighbours within Onslow Close. The interface distance from the rear windows of the apartment block and the gable elevation of those dwellings set along Onslow Close exceeds 12m and this is considered appropriate.

The windows set within the front elevation of the proposed apartments and those windows set within the front elevation of the apartments across the road from the site also exceed 20m and once more this distance will ensure that privacy levels and light levels are maintained once built.

The main area of concern relates to those windows serving the front elevation of the apartments numbered 37 and 49 Trafalgar Street. The separation distance between the proposed apartment block and the existing apartments to the rear is 6.5m. Although not directly facing one another, residents within the existing buildings will catch sight of the apartment, albeit at an oblique angle, and in this regard there is the potential for some impact upon both privacy and outlook. However, the internal layout submitted for approval provides a bathroom located to the rear with obscure glazing within each window opening. This layout and subsequent window arrangement removes the privacy issue as outlined above as views into Nos.37 and 49 would not be available due to the obscure glazing.

In regard to the amenity of future occupants of the site, the drawings submitted provide details of amenity space provided to the rear of the site and along the side of the apartment block running along Trafalgar Street. This amount of provision ensures that the development will not only allow for an appropriate amount of garden space for the occupants of the flats, but will also ensure that the open nature of this location is maintained to an appropriate level. The resultant build would not be viewed as overdeveloped and the visual amenities of the surrounding area shall be maintained.

## **Amenity for Future Occupants**

The sizes of the rooms have been considered in relation to the Government's Technical Housing Standards. Although it is recognised that the national standards cannot be applied on a mandatory basis, a core planning principle of the National Planning Policy Framework and the Joint Core Strategy is to ensure a good standard of living conditions for all existing and future occupants. The Technical Standards nevertheless provide a valuable guide in this assessment.

The majority of the flats contained within the building measure approximately 64 / 65 sqm, with the largest flats measuring 87 sqm. The Technical Housing Standards require that 2 bedroom apartments providing accommodation for a maximum of 3 people provide a floor area of 61 sqm. As the details submitted clearly illustrate that these thresholds have been exceeded, it is therefore considered that the provision of living space contained within each unit is sufficient enough to ensure that amenity would not be unduly harmed. Moreover, the floor areas provided coupled with the well articulated floor plans and multi aspect window alignment will ensure that satisfactory daylight, room spacing and ventilation will be provided

to the residents occupying the building. A reasonable level of amenity is therefore provided to the future occupants of the building and the proposal accords with the aims and guidance contained within both the NPPF and DPD Policy 9 .

### **Access and Parking**

Following discussions with the applicant, the scheme has been amended to include undercroft parking and all spaces which were shown as providing egress onto the main highway from the surrounding amenity land have been removed. This has addressed the initial concerns that the Highways Engineer about the level of parking provision and the location of the parking spaces. Access to thirteen parking spaces will now be gained from one access off Onslow Close. The Highways Engineer is now satisfied that the proposed development will not generate a significant amount of traffic and that the parking provision proposed will serve the needs of future residents without leading to parking congestion and unsafe highways conditions.

### **Conclusion**

The principle of development is acceptable in that the site is located within a sustainable location and provides much need residential units into the local market. The site is well served by public transport and local goods and services are easily accessed by foot and by car. It is also considered that the design of the building is appropriate for this location, and indeed introduces a built form which would improve the characteristics of this particular part of Oldham. The internal room sizes provide adequate space for future residents and the design and siting of the building would not directly lead to harm caused to neighbouring residents.

Off street parking has been provided via the inclusion of undercroft parking measures and the access into this parking area would not compromise highway safety. In all regards used for the assessment of this proposal, it is considered that the proposal represents an appropriate use for this site and a recommendation for an approval is warranted.

### **RECOMMENDATION**

Approve, subject to the following 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 the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except in respect of the waste bin and cycle store, the development hereby approved shall be fully implemented in accordance with the approved plans and specifications, received on the 28th and 29th of March 2018, which are referenced as follows ;

(04)001 PL5, (04)002 PL4, (04)003 PL4, (05)001 PL5, (06)001 PL5, (01)004 PL4, (04)004 PL1, (07)002 PL2

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

3. No development shall take place unless and until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including all external doors, windows and rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

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.

4. The proposed windows shown on the approved plans set on the rear elevation of the building, serving the bathrooms for flats 5, 10 and 14 shall be constructed with and permanently glazed in obscure glass, to a minimum of Pilkington Level 3. No further windows or other openings shall be formed in that elevation without the prior written approval of the Local Planning Authority.

Reason - To protect the amenities of occupiers of nearby properties.

5. No dwelling shall be occupied unless and until the parking spaces have been provided in accordance with the approved plan received on 26th March 2018 (Ref: Dwg No.04 004 PL1 ). The parking and/or garage spaces so provided shall be available at all times thereafter for the parking of vehicles.

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

6. 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

7. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety and the environment.

8. No development shall take place unless and until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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.

Reason - To ensure that the development site is landscaped to an acceptable standard in the interests of protecting the visual amenity and character of the site and its surroundings.

9. Prior to the commencement of development on site, a scheme for foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwellings hereby approved and retained as such thereafter.

Reason - To ensure that the site is properly drained.

10. Notwithstanding the details indicated on the approved plans, prior to the commencement of any development, details of the provision of a suitable well screened waste bin and cycle storage facility shall be submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full before any of the residential units hereby approved are first occupied and shall be retained thereafter.

Reason - In the interests of the amenity of the area and to promote sustainable transport options for future residents.

..... **Case Officer**

..... **Date**

..... **Planning Officer**

..... **Date**





