

APPLICATION REPORT - PA/341619/18

Planning Committee, 18 July, 2018

Registration Date: 09/04/2018
Ward: Werneth

Application Reference: PA/341619/18
Type of Application: Full Planning Permission

Proposal: Erection of 3 no. dwellings
Location: Land adjacent 83 Coppice Street, Oldham, OL8 1TP
Case Officer: Tessa McKee

Applicant Agent : Mr Yaseen

THE SITE

The site is presently open land located between 83 and 99 Coppice Street, which are end-terrace properties. To the rear are residential properties which front onto Penn Street. Terraced houses also face the site across Coppice Street.

The site rises in level from Coppice Street to the rear, with an alleyway that serves the rear of properties on Penn Street beyond. The site is grassed and previously contained a number of trees which have recently been felled. The site is currently in private ownership.

THE PROPOSAL

Planning permission is sought for the erection of 3 detached two storey, gable roofed dwellings, with rear dormers, and single and two storey outriggers to the rear. The dwellings contain five bedrooms and will each have private garden/outdoor amenity space.

The proposal involves levelling the site and the provision of a retaining wall and boundary treatment adjacent to the alleyway.

RELEVANT HISTORY OF THE SITE:

None.

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 11 of the National Planning Policy Framework (NPPF).

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 site is located within a Coal Authority Standing Advice and Critical Drainage Area.

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

Joint Development Plan Document

Core Strategies:

Policy 1 - Climate change and sustainable development;

Policy 3 - An address of choice;

Policy 5 - Promoting accessibility and sustainable transport options;

Development Management policies:

Policy 9 - Local Environment;

Policy 11 - Housing;

Policy 20 - Design; and

Policy 23 - Open spaces and sports.

CONSULTATIONS

Highway Engineer	No objection. Recommend a condition to prevent the driveway parking in the interests of highway safety.
Environmental Health	No objection. Recommend a contaminated land investigation.

REPRESENTATIONS

This application has been advertised by means of a site notice and neighbour notification letters. No comments have been received.

The applicant is presented to Planning Committee since the applicant is a relative of Councillor Akhtar.

PLANNING CONSIDERATIONS

Principle of Land use

DPD Policy 1 provides guidance that residential land should be focused in sustainable and accessible locations. Policy 5 states that developments should achieve high accessibility. Policy 11 and the NPPF place emphasis upon sustainability and require proposals on non-allocated sites to be well located in terms of access to modes of transport other than the car, including access to basic services and useable open space.

The proposed site is located within an existing residential area in close proximity to bus stops, schools, shops and open space.

DPD Policy 3 advises that the use of previously developed land should be the first preference for residential developments. However, given the small scale nature of the proposal, the release of this greenfield site would not be considered to undermine the Council's aim to supply housing on brownfield land.

It is recognised that the application is for family housing and the proposed housing units would contribute towards addressing the identified shortage of housing supply within the Borough.

Open Space

DPD Policy 23 states that the council will protect, promote and enhance open space in the borough, and will seek to secure new and improved well-designed open spaces where appropriate.

The proposal will result in the loss of an area of open space within a densely populated area that is deficient in open space in terms of quantity and quality. However, there are a number of factors which weigh in favour of the proposal in this instance.

Although previously landscaped and providing a visual break to the urban street scene, the site historically would have accommodated Victorian terraced properties. The site was not allocated or laid out specifically as open space in the long term.

The site is now in private ownership and public access could be prevented at any time.

None of the (felled) trees and shrubs on the site were/are subject to preservation orders.

No objections were received from local residents on the grounds of loss of the open space.

The site can make a small contribution to the provision of larger family houses (5 bedroom) for which there is demand and which would add to the Council's housing land supply position.

The proposed three detached homes in their layout will retain some spaciousness in the streetscene.

On balance, therefore, it is considered that there are sufficient grounds to justify the development in this instance having regard to the objectives of DPD Policy 23.

Design and Visual Amenity

The provision of three detached properties will maintain an element of spaciousness on Coppice Street and the size and scale of the residential properties are appropriate in the context of the area. In the interests of visual amenity, conditions are recommended to require materials to be approved and permitted development rights restricted to ensure the spaciousness is maintained. In this context, the development will satisfy the objectives of DPD Policies 9 and 20.

Residential Amenity

The primary consideration is the relationship with the terraced residential properties at 12 - 28 Penn Street to the rear of the site, given their close proximity with the site, and any impact on privacy for both existing and new residents.

The distance between the main rear elevation of the proposed dwellings and the main rear elevation of Penn Street properties is just 13.5 metres and the distance, from the two storey outrigger of the proposed dwellings and the Penn Street property's main rear elevation is approximately 10.5 metres. These separation distances are less than would normally be required to ensure good levels of amenity. However, the main rear elevations are set in a similar proximity as the existing terrace row on Coppice Street and reflects the wider character of the area.

Furthermore, the detached dwellings provide some relief in massing. The proposed outriggers are hipped roof and the only window in the rear elevation serves a bathroom with

obscured glazing (which will not impact on privacy). In addition, Penn Street is set on a higher level, and therefore the impact is not significantly overbearing on the neighbouring properties to merit refusal in this instance.

The amenity of the end terrace residential properties (no 83 and 99 Coppice Street) adjacent to the side of the site are also to be considered. 83 Coppice Street has a lean-to single storey outrigger which will screen much of the massing of the proposed dwelling. Furthermore it is set away from the boundary by approximately 1 metre.

In regard to 99 Coppice Street, the proposed dwelling is set 5 metres from the shared boundary and as such the separation distances ensure the impact is not detrimental. There are no first floor side windows proposed and therefore there is no detriment to privacy. To ensure amenity between the properties is maintained, this will be achieved through recommended conditions.

Land Contamination

The Council's Environmental Health Team has assessed the proposal in regard to landfill gas and contamination and have recommended a condition to require contaminated land investigations. The site does not fall within a coal mining Development High Risk Area and a Coal Authority Standing Advice informative note is recommended to be included.

Land Stability

The proposal involves excavation of the site to be level with Coppice Street and the provision of a retaining wall and boundary treatment to the rear of the site adjacent the rear alleyway.

Paragraph 120 of the NPPF states: *'To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location.'* Policy 9 of the LDF states the council will ensure: *'development is not located in areas where development is likely to introduce a source of potential hazard or increase the existing level of potential hazard.'*

To ensure the impact of the proposed residential scheme will not introduce an unacceptable risk in terms of land stability following the reduction in site levels, a condition will be required to confirm the details of any retaining structures and boundary fences between the site and adjacent land.

Highway Safety

The Highways Engineer initially had concerns with the original plan as it indicated garages/parking which had inadequate manoeuvring space and no inter-visibility between pedestrians and drivers emerging from the driveways. Due to these highway safety concerns, the applicant has removed parking from the proposal.

In order to ensure highway safety is not compromised by vehicles emerging blind across the footway, a condition is recommended to ensure that driveways are not constructed in the future.

It is appreciated that there is an existing demand for on-street parking on Coppice Street. The proposal will increase the demand for on-street parking; however there are no minimum parking standards for new dwellings and whilst it will increase the demand, the Highways Engineer does consider the impact would be detrimental to highway safety.

Conclusion

Although the proposal will result in the loss of the open space, in this instance the provision of 3 large family homes to meet an identified borough need is considered to outweigh the loss of open space in this instance. In terms of design, amenity, highways and land contamination the proposal is acceptable in accordance with relevant local and national planning policies.

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. The development hereby permitted shall be fully implemented in accordance with the following plan and specifications: -

- Elevations and Floor Plans Rev. C 04.07.2018 (received on the 4 July 2018);
- E-mail subject 'RE: PA/341619/18 - Land adjacent to 83 Coppice Street, Oldham' (received on the 4 July 2018).

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 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. 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.

5. No development shall commence until details of the arrangements for preventing on-site vehicle parking have been submitted to and approved in writing by the Local Planning Authority. Such works that form part of the approved scheme shall be implemented before the development is brought into use and shall be retained thereafter.

Reason - In the interest of highway safety.

6. No development shall commence unless and until a site investigation and assessment of the implications on land stability of the site and adjacent land has been undertaken by a suitably qualified engineer and a written report and recommendations, plans of levels and contours and details of boundary treatment have been submitted to and approved in writing by the Local Planning Authority. Any remedial measures or recommendations identified within the report shall be implemented in full during the development and a completion report evidencing those works shall be submitted in writing to the Local Planning Authority prior to first occupation of any dwellings hereby approved.

Reason - In order to protect public safety and visual amenity.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018 (or any Order revoking and re-enacting that Order with or without modification), no development in Classes A, B, C, D, E or F of Part 1, or Class A or Class B of Part 2, of Schedule 2 to that Order shall be carried out on the site without the prior written consent of the Local Planning Authority

Reason - The Local Planning Authority considers it expedient, having regard to the density, type and appearance of the development, to regulate any future alterations/extensions to ensure that the amenities of the occupiers of neighbouring dwellings and the character and appearance of the area are not detrimentally affected.

8. The proposed bathroom first floor windows shown on the approved plan in the rear elevation of the outriggers of the three dwellings hereby approved shall be permanently glazed in Pilkington Level 3 obscure glass and non-opening.

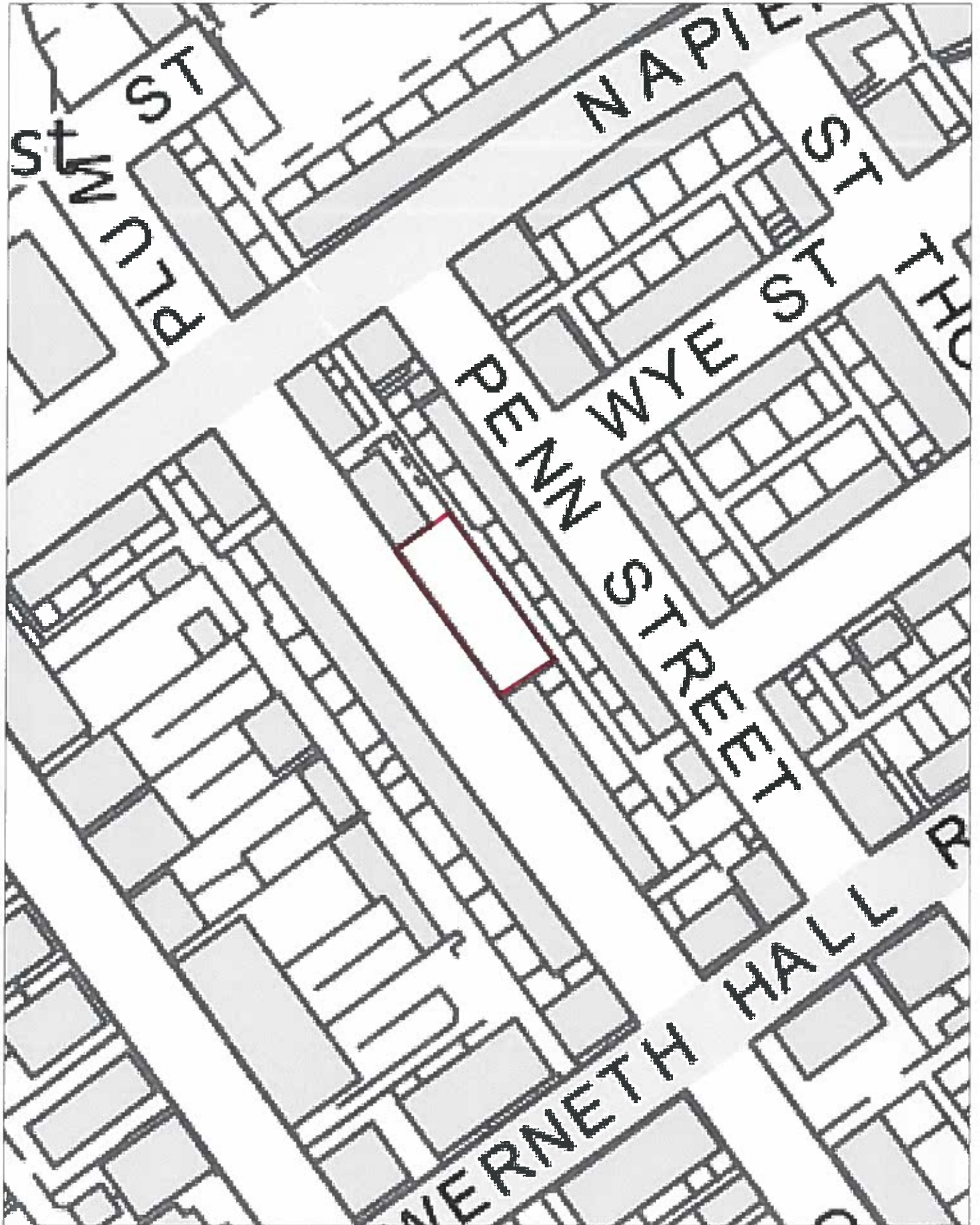
Reason - To protect the amenities of occupiers of neighbouring properties.

..... **Case Officer**

..... **Date**

..... **Planning Officer**

..... **Date**



Contact Us -



