

# APPLICATION REPORT - PA/341965/18

Planning Committee, 22 August, 2018

**Registration Date:** 27/06/2018  
**Ward:** Saddleworth South

**Application Reference:** PA/341965/18  
**Type of Application:** Reserved matters

**Proposal:** Reserved matters application for 4 no. dwellings (approval of appearance, landscaping, layout and scale) following outline permission for residential development approved under application no. PA/337274/15. Revised application relating to PA/340209/17.

**Location:** 149A Manchester Road, Greenfield, Oldham, OL3 7HJ  
**Case Officer:** Graeme Moore

**Applicant** Mr Kaberry  
**Agent :** Civitas Planning Limited

---

## BACKGROUND TO THE REPORT

This application is a resubmission of a proposal (PA/340209/17) which was refused by members of Planning Committee at the meeting on 18 April 2018, contrary to the Planning Officer's recommendation for approval. The reason for refusal was as follows:

*"The proposal is overdevelopment of the site that results in:*

- increased overlooking and a loss of privacy to adjacent residents;*
- insufficient amenity space being available for occupiers of the new houses; and,*
- insufficient turning space being provided for large delivery and refuse vehicles to manoeuvre into and around the proposed site.*

*As such, the proposal is unsustainable development and contrary to:*

*Policy 9 of Oldham's LDF Joint DPD which seeks to protect the amenity of existing and future residents; and,*  
*Policy 4 of Oldham's Joint DPD which seeks to ensure highways safety by requiring appropriate highways safety measures and schemes are implemented as part of development proposals".*

The applicant has sought to address the reason for refusal associated with the lack of turning space for refuse vehicles, and this is discussed in the 'Highway Issues' section of this report.

The report below otherwise largely reflects the assessment and recommendation in connection with the previous application.

## THE SITE

The application site is situated on the outskirts of Greenfield, outside the core of the village. It forms part of a residential area flanked by residential properties on Noon Sun Close to the east and south and Dacres Drive to the west. To the north, on the opposite side of Manchester Road, is the route of a former railway line which now functions as part of a popular recreational area.

---

The site itself slopes gently downwards towards Manchester Road, although the large garden associated with the existing bungalow on the site is largely flat. There are a number

of mature trees on the site, largely concentrated at its southern boundary and north-west corner. However, none of these are afforded protection by means of a Tree Preservation Order. Previously a number of trees existed on the frontage of the site, but these have recently been felled.

## **THE PROPOSAL**

A reserved matters application has been submitted pursuant to the outline/hybrid consent granted under PA/337274/15 for four dwellings (outline) and one dwelling (full planning permission for a bungalow on the site frontage). Access was also approved under the outline consent. The matters for consideration under this reserved matters application are appearance; landscaping; layout; and scale. The proposal is a resubmission of a previously refused reserved matters submission (PA/340209/17).

The proposal involves the development of four dwellings, located to the rear of the already approved bungalow. The dwellings are all five bedroom, 2 storey dwellings with bedrooms in the roof space.

A shared driveway leads from Manchester Road to the properties which each include an attached single garage and two additional parking spaces per plot.

## **PLANNING HISTORY**

PA/340209/17 - Reserved matters application pursuant to permission ref. PA/337274/15 for four dwellings. Refused 26/06/2018

PA/337274/15 - Hybrid application comprising: 1. Detailed planning application for the demolition and erection of a replacement bungalow; and 2. Outline planning application for residential development (Access only to be considered, all other matters reserved). Approved 14/10/2015

## **CONSULTATIONS**

Highways Engineer - No objections, subject to a condition requiring the access and parking spaces to be constructed before the dwellings are occupied.

## **REPRESENTATIONS**

The application has been publicised on the Council's website, by press advertisement, neighbour notification and by site notice. Letters of objection have been received from the occupiers of 6 neighbouring properties on the following grounds.

- There does not appear to be any changes from the previous plans;
- Invasion of privacy and loss of light;
- Proposed development would detract from what is currently a peaceful and rural environment;
- Noise disturbance largely associated with construction noise;
- Devaluation of properties;
- Loss of existing views;
- Concern regarding further trees being removed from the site and future pressure being applied to fell those that are to be retained, in account of their close proximity to the proposed dwellings;
- Additional car journeys expected adding to congestion in the area;
- Local amenities, with the exception of churches, are already oversubscribed;
- Represents overdevelopment of the site; and
- Inadequate screening from trees, especially when not in leaf.

## **PLANNING CONSIDERATIONS**

### **Principle of the Development**

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) which was published on 24 July 2018 and the policies within the revised Framework are material considerations which should be taken into account in dealing with applications

The site is not allocated for any specific use within the Council's adopted Local Development Framework (LDF).

The following policies of the DPD are relevant to the determination of this application:

### Core Strategy

Policy 1 Climate Change and Sustainable Development  
Policy 3 An Address of Choice

### Development Management Policies

Policy 9 Local Environment  
Policy 20 Design

The principle of the development was established under PA/337274/15 and consideration is now limited to the reserved matters which are:

- Appearance;
- Landscaping;
- Layout; and
- Scale.

### **Design and Layout**

The application site is located within an area which contains a mix of property designs and sizes. 149 Manchester Road is a large, two storey property, by contrast 151 and 153 Manchester Road have a more traditional, semi-detached cottage appearance. On Dacres Drive to the west there are semi-detached bungalows, whilst on Noon Sun Close to the east and south there are modern, large detached two-storey houses.

Consequently, there is no distinct local vernacular which the development would be required to follow. The application proposes the erection of 4 detached dwellings of a consistent, two storey form with variations in window design and other detailing to reflect the position of each plot on the site. In this context, the design and scale of the buildings is considered appropriate and in accordance with the objectives of DPD Policies 9 and 20.

Adequate areas of private amenity space are available for the occupiers of each of the dwellings.

A landscaping plan has been submitted in support of the proposal showing that the existing trees to the rear will be maintained and some of the existing trees on the eastern and western boundaries will also be retained and enhanced with additional planting which in time will further ameliorate the impact of the dwellings on the surrounding area. It is considered that a condition requiring that the landscaping be carried out in accordance with the submitted details be attached to any permission granted.

### **Impact on amenity**

In relation to an earlier design for the development, officers expressed concerns at the potential for overlooking of neighbouring properties and a resultant loss of amenity to those residents. In response the applicant amended the designs to ensure that the buildings achieve satisfactory relationships, both within the site and towards adjacent properties and

gardens. These details are set out below.

### Plot 1

The property lies on an east/west axis. The original proposal indicated two bedroom windows overlooking the rear gardens of 28-32 Dacres Drive. These have now been removed, with high level windows serving two bedrooms (1.7m cill height) replacing them. These rooms are also served by full height windows on other elevations, including a bedroom window which has been moved to the southern elevation, facing Plot 2. Due to the changes made to the proposal, there are no concerns with the proposal in relation to overlooking.

### Plot 2

This property lies on a north/south axis. Windows at first and second floor level in the western elevation are proposed to be obscure glazed, whilst the original proposal had a Juliet balcony. This has now been removed and replaced with a high level window (1.7m cill height). Due to the higher land levels beyond the site, and the changes to the elevations, there are considered to be no concerns with the siting and design of the proposed dwelling in relation to the overlooking of the surrounding properties.

### Plot 3

This property lies on an east/west axis. Windows at first and second floor level in the southern elevation are proposed to be obscure glazed. Whilst the original proposal had a Juliet balcony, this has now been removed and replaced with a high level window (1.7m cill height). It is noted that there is still a bedroom window located in the rear elevation at first floor, but when taking into account the distances between the proposed property and those at 2 and 4 Noon Sun Close, which exceeds 20 metres, and the elevated level of neighbouring properties, there are no concerns in relation to overlooking.

### Plot 4

The property lies on an east/west axis. Previous proposals have shown two bedroom windows overlooking the rear garden of 149 Manchester Road. These have now been removed, with high level windows (1.7m cill height) replacing them. A bedroom window has been moved to the northern elevation, directly overlooking the proposed bungalow approved under PA/337274/15, but with the roof of that property obscuring any potential overlooking. Due to the changes made to the design, there are no concerns with the proposal in relation to overlooking. Full height ground floor windows still face the adjacent property, however, the installation of screen fencing will ensure no overlooking.

Consequently, the amendments to the scheme have ensured that there are no instances where neighbouring properties would be overlooked in relationships below those which would normally be expected on new developments. A condition of any approval will ensure no future alterations are carried out which would undermine this situation.

### **Highway Issues**

The proposal involves a small scale development which can be readily accommodated on the surrounding highway network.

Following members refusal of the previous application, a revised site plan has been submitted indicating a waste bin collection point alongside Manchester Road.

This revised submission is also accompanied by a Planning Statement. This indicates that the applicant has sought clarification from the Council's Waste Collection team in relation to the policy of collecting waste from private driveways. This confirms that it is the policy of the Waste Collection team to collect waste bins from the public highway, where there is no agreement to enter a private driveway - or that it is not possible. The collection of the bins from the public highway is readily accepted for all of the existing properties which front onto

Manchester Road, so it is considered that a refusal based on the fact that there is insufficient turning space within the site, could not be sustained and defended at any appeal.

Whilst the internal layout does not specifically provide a facility for large delivery vehicles to turn, this is not an unusual arrangement on a small scale development of this type. Furthermore, such visits will inevitably be infrequent, and drivers will routinely be aware of any limitations and access the site accordingly. In this context, it is considered that no significant adverse impact on highway safety would result from the development.

The Highways Engineer has raised no objection to the present scheme which details driveways for each dwelling being able to accommodate two cars with an attached garage also being able to accommodate a car. Subject to a condition stating that development shall be carried out in accordance with the submitted details, the development is now acceptable from a highway perspective.

## Conclusion

The proposal has been fully assessed against national and local planning policy guidance. The principle of residential development has already been established, and it is considered that the proposed details are acceptable in terms of the appearance and impact upon the visual amenity of this site and surrounding area, and the relationship with neighbouring properties. The proposal will have no detrimental impacts upon the environmental quality of this locality, or pedestrian and highway safety.

The small scale of the development, comprising just 4 additional dwellings, would ensure that there would be no significant additional pressure on local services.

For the reasons set out in this report the proposal is considered to be acceptable when assessed against national and local planning policy and conditional approval of planning permission is recommended.

Members' attention is also drawn to an appeal to the Secretary of State which has been submitted in relation to the previous refusal. That appeal is presently awaiting determination.

1. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications, received on 27/06/2018, which are referenced as follows Proposed Site Plan, Proposed Plans Plot 1, Plans Plot 2, Plans Plot 3, Plans Plot 4, Proposed Elevations Plot 1, Proposed Elevations Plot 2, Proposed Elevations Plot 3, Proposed Elevations Plot 4 and Proposed Landscape Plan.

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

2. Prior to the commencement of any development, details of the construction, levels and drainage of the access road and parking spaces shall be submitted to and approved in writing by the Local Planning Authority. No dwellings hereby approved shall be first occupied unless and until the access from Manchester Road and the car parking spaces for that dwelling have been provided in accordance with the approved plan referenced 'Proposed Site Plan'. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure satisfactory access to the site and 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.

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. All hard and soft landscape works shall be carried out in accordance with the details as shown on the approved 'Proposed Landscape Plan' either prior to, or at latest during, the first planting season following the substantial completion of the dwellings. 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.

5. No development shall take place unless and until all trees within the site, or whose root structure may extend within the site, and which are to be retained, have been fenced off in accordance with a detailed scheme which has been previously submitted to and approved in writing by the local planning authority. Thereafter no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order to avoid damage to trees within or adjacent to the site which are of important amenity value to the area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), other than as shown on the approved plans, no additional window openings shall be installed into any external elevation or roof of the dwellings hereby approved, nor shall any approved window openings be enlarged or otherwise altered, unless the prior written approval of the Local Planning Authority has been obtained.

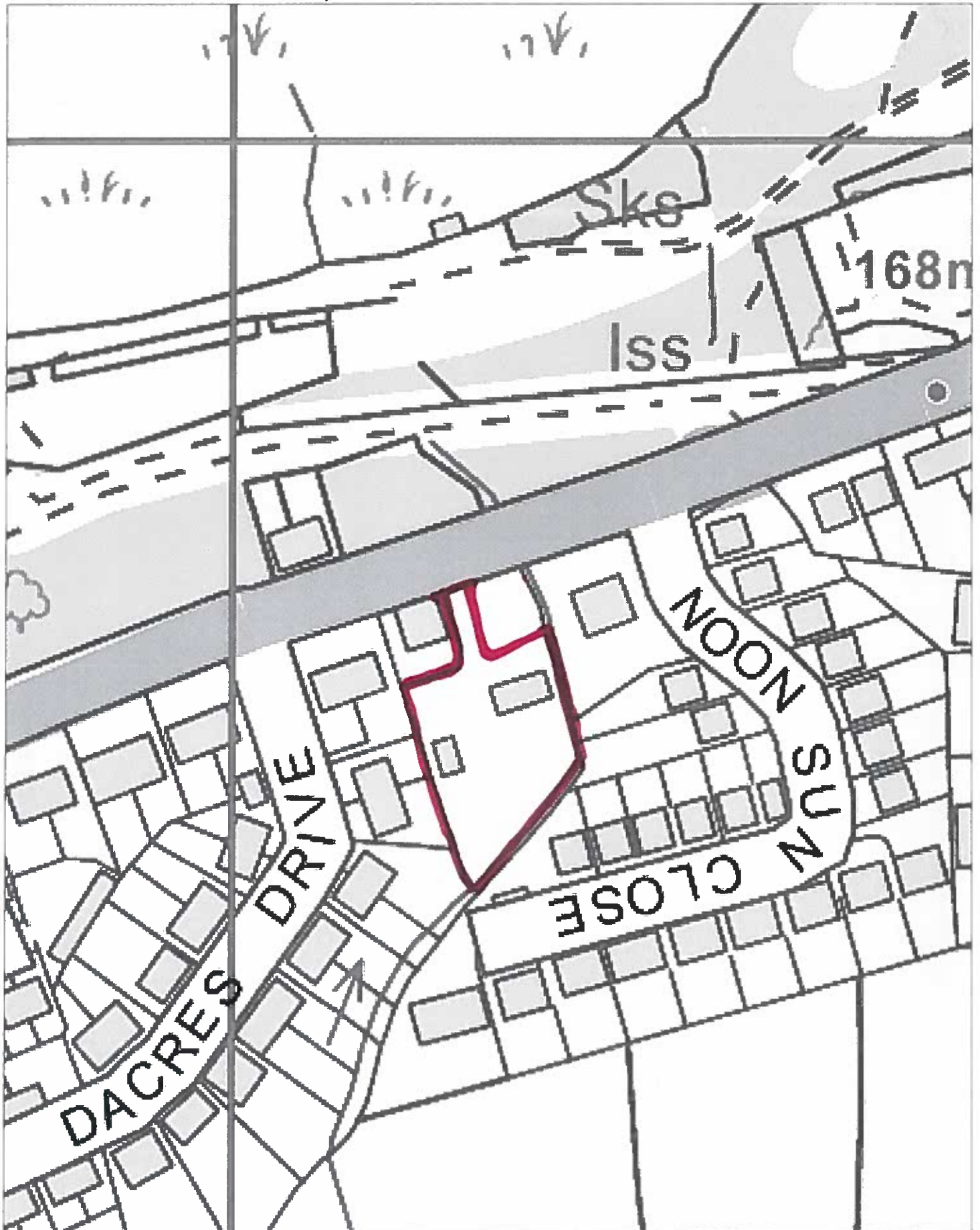
Reason - In order to protect the amenity of the occupiers of neighbouring residential properties.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), all windows indicated on the approved plans to be obscurely glazed to Pilkington level 5 shall be installed in accordance with the proposed specification prior to first occupation of the dwelling to which the window relates, and such glazing shall be retained at all times thereafter.

Reason - In order to protect the amenity of the occupiers of neighbouring residential properties.



# 149A Manchester Road, Greenfield



# **PLANNING COMMITTEE - BACKGROUND PAPERS**

## **REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE**

### **PLANNING AND ADVERTISEMENT APPLICATIONS**

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 defined by that Act.

### **THE BACKGROUND PAPERS**

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
  - The application forms
  - Plans of the proposed development
  - Certificates relating to site ownership
  - A list of consultees and replies to and from statutory and other consultees and bodies
  - Letters and documents from interested parties
  - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
  - The application forms
  - Plans of the proposed development
  - Certificates relating to site ownership
  - The Executive Director, Environmental Services' report to the Planning Committee
  - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

### **ADDITIONAL BACKGROUND PAPERS**

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.