

APPLICATION REPORT - PA/052419/06

Planning Committee, 6 February, 2007

Registration Date: 23/11/2006
Ward: Alexandra and Saint Mary's

Application Reference: PA/052419/06
Type of Application: Full Planning Permission

Proposal: Reserved matters application for residential development of 13 no. houses with layout, scale, appearance, access and landscaping to be considered. (Re-submission of PA/045486/03)

Location: Former Manor House, Manor Road, Oldham, OL4 1RQ

Case Officer: Maxine Parsons

Applicant Trinity Property Development Ltd

Agent : Inside Out Design

THE SITE AND PROPOSAL

Outline planning permission was granted in 2000 for residential development on the site of the former grade II listed Manor House, Manor Road (PA/40096/00). A subsequent application for the reserved matters (PA/045486/03) was approved subject to a Section 106 Obligation, which was signed in July 2006. Listed Building consent was granted for the demolition of the Manor House in 1999 (LB/037869/98). Consent was granted as the building had fallen into a dangerous and derelict state. The listed gate piers and stone walls bounding the site partially remain and would be restored as a requirement of the Section 106 attached to the previous reserved matters approval.

This application is resubmission of the previous reserved matters scheme and proposes minor amendments to the layout of the plots and the dwelling types to reflect housing demand in the local area. It is still proposed to construct 13 no. dwellings providing a mix of 2, 3 and 4 bedroom dwellings. The access arrangements remain as previously approved, with the original gateway to the site relocated intact to a position further along Manor Road away from The Cottage.

The site is included within the consultation zone for the Lowside Brickworks Site of Special Scientific Interest (SSSI), which is designated as such for its geological features of national importance. As part of the previous application a Screening Opinion was undertaken, involving both English Nature (now Natural England) and the Greater Manchester Ecology Unit. It was concluded that the proposal did not warrant the submission of an Environmental Impact Assessment (EIA) under the Town and Country Planning (EIA) (England and Wales) Regulations 1999, because English Nature did not envisage that there would be a significant impact on the features of the SSSI. Nature England have been consulted on this revised application and any further comments will be reported to Committee.

The site is covered by a Tree Preservation Order and it is proposed that a significant number of protected trees would be felled to facilitate the proposed development of the site. However, the heavily wooded and steep area to the rear of the site, which accounts for approximately half of the site area, would remain as existing and many trees around the periphery of the rest of the site would be retained. It is proposed to transfer the ownership and management of the wooded area to the Council, along with a commuted maintenance sum, as the developer's required contribution to public open space.

RELEVANT HISTORY OF THE SITE:

See above

SITE SPECIFIC UDP POLICIES

NONE

No site specific policy applies.

CONSULTATIONS

Pollution Control (Air, Noise, Water)	Recommends conditions
Traffic Section	Comments will be reported
Greater Manchester Police	Comments will be reported
Architectural Liaison Unit	
United Utilities	No objection
Greater Manchester Ecological Unit	Recommends conditions
Natural England	No objections

REPRESENTATIONS

One letter has been received expressing concern that the retaining wall on the site has not been repaired and is in a dangerous state.

PLANNING CONSIDERATIONS

The principle of residential development on the site has been established by the grant of outline planning permission and the previous approval of reserved matters.

Housing policies contained within the UDP reflect the advice contained in PPG 3 and PPS 3 in encouraging the re-use of previously developed land in sustainable locations, and encouraging densities which make the most efficient use of land. The proposed development achieves a density lower than the minimum 30 dwellings per hectare normally required. This is because the development potential of the site is restricted by its topography, the Tree Preservation Order, the habitats on the site and the remaining listed structures. It is considered that the proposed development of the site at a density below that normally required is acceptable, as the scheme effectively balances the sensitivity of the site with its development potential. The scheme proposes a mix of different house types and sizes, ranging from 2 bed to 4 bed semi-detached/detached properties, to accommodate the range of housing demands specific to the local area. The housing density and diversity of the proposed development is therefore considered acceptable.

A number of trees would be felled as a result of the development. However, the majority would be retained, and it is considered that the balance between the benefits of the development and tree loss is acceptable. The heavily wooded area to the rear of the site would be retained and the maintenance and proper management of this area of land would permit the retention of a wildlife habitat and valuable trees.

Adequate levels of outlook, access to daylight and sunlight and a degree of privacy for each property are provided, with adequate separation distance being provided between main habitable room windows. I am satisfied that the scheme achieves an acceptable relationship with existing dwellings in close proximity to the site. The site entrance would be relocated away from The Cottage, and so it is not considered that the access would harmfully affect the amenities of the occupiers of that property. It is considered that the proposed layout, design and external appearance of the dwellings would create an attractive residential environment, which would link well into the surrounding area.

RECOMMENDATION

Approve subject to the following conditions

1. No development shall commence unless and until a scheme detailing existing ground

levels and all finished floor and site levels, including cross sections where requested by the Local Planning Authority, has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed entirely in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity.

2. No development shall take place unless and until samples of the materials to be used on all external elevations, including the roof, of the development have been submitted to and approved in writing by the Local Planning Authority. The materials 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.

3. The development hereby approved shall not be brought into use unless and until a detailed specification, and colour scheme for all external doors, windows and rainwater goods, has been submitted to and approved in writing by the Local Planning Authority, and completed in accordance with the approved details.

Reason - In the interests of ensuring an acceptable standard of appearance.

4. No development shall take place unless and until a pointing specification for the external brickwork/stonework of the development has been submitted to and agreed in writing with the Local Planning Authority, and the development shall not be brought into use until it has been pointed in accordance with the approved scheme.

Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority, in the interests of protecting both the character and appearance of the building and the area within which the site is located.

5. No part of the development hereby granted permission shall be commenced until a survey has been conducted by a person, the identity of whom has been previously agreed in writing by the Local Planning Authority, to investigate whether the trees on the site are utilised by bats and the survey results passed to the Local Planning Authority. If such a use is established, a scheme for the protection of the wildlife habitat shall be submitted to and agreed in writing by The Local Planning Authority before work commences.

Reason - To ensure the protection of bat habitats, which are protected species under the Wildlife and Countryside Act 1981.

6. No development shall take place unless and until a detailed scheme for treating all open areas of the site has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall specify: the position, size, numbers and species of all trees and shrubs to be planted, the area(s) to be top-soiled, cultivated and grass seeded and/or turfed, the height, shape and quantity and type of materials to be used in earth mounding, and the materials to be used, the design, height and construction details of walls, fences and hard-surfaces.

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.

7. The landscaping scheme to be approved for the site to comply with Condition 6 of this permission, shall be fully implemented in the first planting season after the commencement of the development, or in accordance with a phasing scheme to be

agreed in writing 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.

8. 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 written report and recommendation have been submitted to the Local Planning Authority. Thereafter, all remedial measures recommended in the report shall be carried out during the course of the development but must first be approved by the Local Planning Authority. Following completion of the works a satisfactory completion report shall then be submitted to the Local Planning Authority so that full requirements of condition can be discharged.

Reason - In order to protect public safety, because the site is located within 250 metres of a former landfill site.

9. 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. Thereafter, all remedial measures recommended in the report shall be carried out during the course of the development but must first be approved in writing by the Local Planning Authority. Following completion of the works a satisfactory completion report shall then be submitted to the Local Planning Authority so that the full requirements of the condition can be discharged.

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

10. No development shall take place unless and until all trees, shrubs and hedges within the site and/or trees whose root structure may extend within the site, which are to be retained as shown on the approved plan (Ref. Drawing number 2006.09.05.002), have been fenced off in accordance with a detailed scheme to be agreed in writing with 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/shrubs within the site which are of important amenity value to the area.

PLANNING COMMITTEE INFORMATION ABOUT BACKGROUND PAPERS

REPORT OF THE EXECUTIVE DIRECTOR ENVIRONMENTAL SERVICES - PLANNING AND ADVERTISEMENT APPLICATIONS

WHAT ARE THE 'BACKGROUND PAPERS'?

The Local Government Act 1972 provides that the public are entitled to the agendas, minutes and papers of meetings of the Council which are held in public and some access to the "background papers" relating to reports. Papers, agendas and minutes of meetings must generally be available five clear days prior to the date of the meeting. 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 Environmental Services Department, Level 12, Civic Centre, West Street, Oldham during normal office hours, i.e. 8.40 am to 5.00 pm or on the Council's internet at www.oldham.gov.uk/decision_recording.htm

Any person wishing to inspect copies of background papers should contact Mrs Barbara Hodgson, Planning Administration Manager or Mrs Nicola Robinson, Senior Planning Administrator, telephone no. 0161 911 4171 or by email planning@oldham.gov.uk

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