PLANNING COMMITTEE
Regulatory Committee
Agenda

Date	Wednesday 19 January 2022
Time	6.00 pm
Venue	Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL
Notes	1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 or email Constitutional.Services@oldham.gov.uk

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 14 January 2022.

4. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed. Disruptive and anti social behaviour will always be filmed.

Any member of the public who attends a meeting and objects to being filmed for the Council's broadcast should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Members of the public and the press may also record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:
Councillors Al-Hamdani, Brownridge, Davis (Vice-Chair), Dean (Chair), H. Gloster, Hobin, F Hussain, Ibrahim, Iqbal, Lancaster, K Phythian, Surjan, Toor and Woodvine

Item No

11 Late List (Pages 1 - 8)

PLANNING COMMITTEE

19 January 2022

Late information

Agenda Pages	**AGENDA ITEM NUMBER: 6**
Page 5 - 19	**SITE ADDRESS:** Cowlishaw Abattoir, Cowlishaw, Shaw, Oldham **Additional Information:** Three additional emails have been received following the publication of the Planning Committee Agenda. The content of these emails is summarised as follows: • Ramblers have raised concerns in relation to the Public Rights of Way diversions and have recommended some changes to the proposed routes. • A resident raised that the red line boundary of the development cut through their back garden, and this needed amending. • Access to the site is poor and dangerous, and motorway connections are distant and via narrow and congested roads, as is access to Manchester. • The loss of the abattoir and the businesses and direct and indirect employment that depended on it and the vital service it provided to the farming and food industry in the North of the country was not necessary. • The sewers that serve the site are not adequate to serve the development. **Amendment to the report:** *Consultations and Response to additional representations:* *Number of objections* At the time of writing the report, 55no objections had been received. Following, the additional 3 representations, this takes the total to 58 representations. *Public Right of Way* Extensive discussions have been undertaken with the Applicant, the Highways Engineer, the Public Rights of Way Officer and Unity Partnership over the location of the Public Rights of Way diversions on the site. The latest Public Rights of Way plan (ref 4490-PRW-001 Revision E) is a

	result of those extensive discussions on the best route for the site and no objections have been raised from any statutory consultee. *Red line boundary* Following discussions with the resident of 24 Greencroft Meadow it was noted that the red line boundary of the site, as outlined on some of the submitted plans, cut through the rear garden space of this property. The developer has resolved this issue by replacing the incorrect plans, and the red outline of the amended plans now reflects the red outline of the location plan agreed as part of the outline planning permission. This now satisfies the concerns raised. *Sewers* In relation to the concerns relating to the sewer capacity, the applicant has worked extensively with United Utilities to agree a drainage scheme, which is considered acceptable. The drainage scheme proposed is set out clearly in the Committee Report. **Additional Information:** Plans Since the Committee Report was published the applicant has submitted a variation in house type. This relates to one of the affordable house types, the 'Avon'. The 'Avon' house type has been replaced by the proposed 'Tavy' house type. The house type was amended in September 2021 on the proposed site plan, when we requested for the affordable housing layout be more staggered within the site, so the applicant changed the house type to accommodate the request. However, a copy of the house type was not received at that time. It should be noted that the 'Avon' and 'Tavy' house types are similar in scale and appearance. The change in units does not increase the development size, and given that the change is minor, it does not require public re-consultation in itself. The change to the affordable housing layout and other amendments where subject of public re-consultation on the 30th September 2021.

Agenda pages	AGENDA ITEM NUMBER: 8
Pages 25 - 46	**SITE ADDRESS:** Land to the east of Huddersfield Road, Diggle, Oldham. **Additional Information:** N/A **Amendment to the report:** **Developer Contributions** *Financial viability:* The report originally required a Section 106 agreement to secure a £378,747.20 contribution towards the enhancement of existing Open Space provision within the locality. Following discussions with the Council's Parks Department it has been recommended that this contribution be used for enhancements to the following existing open spaces: • Ward Lane Play Area - New play area to replace old/existing, tree works, path improvement works and fencing; • Diggle Fields - New adventure play/trim trail to replace old/existing, new outdoor gym, tree work, path improvement Works, drainage improvement works, fencing, renew story trail and new additional timber seating; • Diggle Pond - Pond clearance improvement works and path and landscape improvement works; and • Sunfield Avenue Play Area - New play area to replace old existing. This proposed list has been considered by the applicant and in principle been agreed as they are pleased that the contributions are going to improve play areas for local children and improve Diggle pond/nearby pathways. In regards the provision of off-site habitat enhancement, following discussion with the Council's Parks Department, it is clear off-site ground nesting bird habitat enhancement cannot be facilitated. However, within the area, a financial contribution could be used towards improving habitats for the Long Eared owl and nature conservation, including woodland and water habitats which would meet the principles of Para. 170(d) and 175(d) of the NPPF.

To this end, in principle it is considered appropriate that a financial contribution of £55,000.00 is secured via a Section 106 agreement towards the improvement of the habitats for the Long Eared Owl and woodland/water habitats within the local area of the application site.

Amendment to RECOMMENDATION

It is recommended that the Planning Committee resolves to grant permission, subject to the inclusion of the conditions listed in the published report, and a Section 106 Agreement securing the provision of the following:

- The provision of 10% on site Affordable Housing (at transfer values of 80% OMV or as Discount Market Sale);

- A financial contribution of £378,747.20 towards the enhancement of the following existing Open Space provision:

    a) Ward Lane Play Area - New play area to replace old/existing, tree works, path improvement works and fencing;
    b) Diggle Fields - New adventure play/trim trail to replace old/existing, new outdoor gym, tree work, path improvement Works, drainage improvement works, fencing, renew story trail and new additional timber seating;
    c) Diggle Pond - Pond clearance improvement works and path and landscape improvement works; and
    d) Sunfield Avenue Play Area - New play area to replace old existing; and,

- A financial contribution of £55,000.00 towards off site improvement of the habitats for the Long Eared owl and both woodland and water habitats within the local area.

Agenda pages	AGENDA ITEM NUMBER: 10
Pages 57 - 68	**SITE ADDRESS:** Former Royton Health Centre, Royton, Oldham. **Additional Information:** Three additional emails from one of the original objectors have been received following the Planning Committee Agenda being published. The content of these additional representations is summarised below: • Number of objections noted in the report is incorrect. • Spring Garden Street is not a 'street' given it is design purely for vehicle access to a public car park and has no pedestrian access provision. • Given that the access to the site is directly from the Spring Garden Street, it is not appropriate that bins could be left close to the access to a large car park. Bins will therefore need to be collected from within the site which could cause some level of obstruction. • There needs to be sufficient space in storage areas to contain the number of bins which might be left for collection and these need to be suitably situated. • The proposed collection of bins to the south collection area can only be accessed by means of a footpath approximately 750mm wide past parked cars, represents a failure of design. • The proposed plans include an error in the levels shown for the frontages on Rochdale Road, to "improve" the street scene view and to make it more acceptable, rather than the reality, which would show far more marked differences in apex line over the three blocks. This would be entirely negative to the street scene, contrary to observations made by your recommendation. As the objector considers the fall to be approximately a maximum of 22 inches across the frontage onto Rochdale Road. • No site levels are included on the plan submitted, which suggests that the designer knew it to be level, which it is in essence, as the fall is minute relative to the length, such that it becomes on no statistical significance.

	• Given the limited space available on site, the provision of cycle storage would further remove space and is reason why the site needs to be redesigned. • Highways or Environmental Health Departments have not picked up on the issues raised and does not absolve the Planning Authority from taking its own view and coming to an appropriate conclusion • The developer has included the footpath to Rochdale Road in its calculation of site area. However, this is unusable space and should not be included within the overall area for the purposes of calculating housing density. **Amendment to the report:** *Response to additional representations* *Number of objections:* It is clear from the case file that at the time of writing the report only two letters of objection had been received. However, as noted in the further representation it is clear that one of the letters was a petition with three signatures and the number of objectors is four in total. *Bin storage and collection:* This matter is fully addressed on the submitted 'Waste Management Plan' (Drg No. 02). It clearly outlines that the proposed private rear gardens would sufficiently accommodate each bins for each dwelling. The path/route to the collection points, of which two are proposed are of adequate width to undertake the movement of bins to the collection points. As for the collection points, it is noted they provide sufficient area for all the proposed dwellings bins to be put out on collection day. In regards the proposed collection of the bins causing an obstruction, given this operation would not be carried out on a main road, it is considered the obstruction would not be sufficient to warrant a recommendation of refusal on highway safety grounds. *Site Levels:* The submitted scheme has been based on a topographic survey, as the spot levels are clearly shown on both the Existing Site Plan (Drg. No. SP_01) and Proposed External Works Plan (Drg. No. 9208-RS-060).

	From this information it is noted, that over the length of the whole site, the level change is approximately 1 meter, and this is included in the design of the Rochdale Road elevation. *Site Area and Development Density:* In regards the site area, as noted in the representation from an objector, the pedestrian footway to the front of the site including the bus stop/shelter is included in the location plan as edged red. Therefore, it forms part of the application site and the applicant is right to include this area in the overall site area calculation. In terms of density, Policy 11 outlines that all residential developments must be acceptable in terms of design, scale, massing and density; is being sensitive and compatible with local character. The Residential Design Guide SPD states that developments of a density higher than 50 dwellings per hectare will need to be justified in terms of its accessibility (e.g., within or adjacent to town centres or around transport nodes) and its contribution to the local area. To this end, it is considered that the development is acceptable in terms of density, since it will reflect and be compatible with the density/character and appearance of the area whilst also being set within a highly accessible location in Royton Centre. **Amendment to RECOMMENDATION** N/A

This page is intentionally left blank