

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 6 July 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 Constitutional Services 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, 1 July 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.

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Oldham
Council

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:
Councillors Al-Hamdani, Dean (Chair), H. Gloster, Hobin, F Hussain,
Lancaster, Surjan, Woodvine, Cosgrove, A Hussain, S Hussain, Islam,
Nasheen and C. Phythian

Item No

11 Late List (Pages 1 - 6)

PLANNING COMMITTEE

6th July 2022

Late information

AGENDA PAGES	DETAILS
Pages 25 - 44	<p>AGENDA ITEM NUMBER: 7</p> <p>SITE ADDRESS: Land adjacent to Maltby Court, Lees</p> <p>Additional Representations Received:</p> <p>Following the publication of the Committee Agenda and the meeting notification letters/emails being issued, seven further representations has been received, which raised the following points beyond what is set out in the Committee Report (in summary):</p> <ul style="list-style-type: none"> • The highway engineer does not seem to accept that the 3 bed, 4 or 5 bed homes will generate more vehicles than the driveways will allow, and no visitor parking seems to have been considered. • The highway improvements don't look to encompass enough of the existing pathway and discount or exclude the condition of the existing path which between S1 and S2 on the proposals whereby the path isn't maintained by Oldham council, is overgrown with moss and has incline that would prejudice wheelchair or ambulant users. • The footpaths proposed are through OPOL 11 land, which will encourage human activity within an area supposed to be protected open land. Human activity will lead to fly tipping (prominent across the area) and will further attract off road motorcycle riding across the area as a short cut between Holts estate and Lees. Further human presence on the land will do more harm than anything positive further driving away the deer and badgers present on the site and therefore reduce the biodiversity of the area. • The planning officer's report fails to mention that public objections included non-compliance with Policy 22. • The planning officer's report fails to mention that public objections included misinterpretation by the developer of Policy 23.

- Pedestrian and road access should be considered in the context of OPOL benefit / loss analysis.
- Even with the latest amended documents, there remains no pedestrian route at all for the first two houses on Maltby Court, which, with the increase in properties and therefore traffic, is unsafe. Nothing in the plans to accommodate this.
- No measurements included within the plans for increased footways and widened carriageway on existing Maltby Court.
- The proposals will restrict resident parking availability as present conditions allow overhang onto discontinuous footways / shared use surfaces. This will force residents to park on street, but there is no on street parking available in the plans and no visitor parking for existing Maltby Court residents affected by the changes and increased traffic volume.
- The traffic volume increase will be more than 84 vehicles. That is about 2 per household. This pays no regards to the number of daily trips out and back, deliveries and visitors. The actual increase will be much higher.
- The swept path analysis proves the carriageway to be too narrow for 2 way traffic. There is already existing kerb damage with no proposed amendments to these kerbs.
- Who is going to maintain the planters proposed for the entrance to the existing Maltby Court, for how long and at who's expense?
- Why benches and bollards proposed?
- The South Manchester Badger Group have found additional badger setts and numerous signs of badger activity including paw prints and indications of feeding taking place.

The point raised in relation to badgers is discussed below under 'Ecology'.

Additional Information and Amendments:

Housing Land Supply Update

The latest 5-year housing land supply figures are now available for Oldham Council against the nationally set Local Housing Need standard methodology calculation and Places for Everyone (PfE).

The 5yr supply contains 3,129 dwellings before clearance.

Therefore, against the new Local Housing Need of 705 dwellings per year (as per the standard methodology) this represents **4.4-year** housing land supply or 89% of the requirement. Clearance of 5

dwelling per year (25 for the period) will need to be met on top of this.

Against the PfE stepped requirement for the same period this represents a **6.5-year** housing land supply or 130% of the supply requirement.

Update to the CONSULTATIONS section of the Committee Report

GMEU have now provided their response to the application and in summary, no objections are raised to the development, and their comments are discussed under 'Ecology' below.

Update to PLANNING CONSIDERATIONS section of the Committee Report

Based on GMEU's latest comments some sections of the Committee Report need to be updated as follows:

'Green Corridor'

An update needs to be made to the section of the report that considers the Green Corridor. GMEU have now provided their comments on the potential impacts to the Green Corridor and conclude that the development site lies at one end of it and there are still links to the wider area. This together with the proposals to enhance other parts of corridor should ensure the Green Corridor continues to function effectively.

'Benefits'

The "benefits" section needs to be amended as follows:

GMEU have stated that because the development is in a Green Corridor, this does affect the output of the Biodiversity Metric Calculations. As a result of the site being in a Green Corridor, it should have been listed in the metric as being "within an area formally identified in local strategy". According to GMEU, this reduces the amount of net gain achieved, however, it is still considered that the site demonstrates in excess of a 10% net gain.

In addition, the BNG improvement also includes work both within and off site. Therefore, in Benefits section of the Committee Report, specifically benefit number 3 needs to be amended to state the following:

3. A new wildlife habitat will be created on a parcel of land west of the development, as well as tree, shrub and hedgerow planting within the site, which has the potential to deliver 30.65% in excess of 10% Biodiversity Net Gain (BNG).

'Ecology'

GMEU have now reviewed the information submitted in relation badgers, including the information submitted by the applicant as set out in the Committee Report. GMEU have also reviewed the additional information submitted by the South Manchester Badger Group following the publication of the Agenda.

GMEU conclude that the badger survey submitted by the applicant found an outlier sett in the mitigation area. It appears that the sett can be retained provided that certain precautions are taken during construction works, and this could be suitably controlled through planning condition via a Construction Environment Management Plan (Biodiversity) ("CEMP"), and the requirement for an up-to-date Badger Survey prior to the commencement of development.

The information submitted by the South Manchester Badger Group has also been considered. GMEU state (in summary) that the Badger Group submitted records for 3 holes/setts all outside the construction area but within the mitigation area. None appear to be the main sett, but all were active.

GMEU conclude that badgers are clearly active in the area and are likely to use the construction site for foraging. However, in planning terms this would not be a reason to refuse the application, given there is no sett on the actual construction site and there are other places in the area for foraging. Therefore, GMEU are satisfied that the conditions recommended above for a CEMP and up to date Badger Survey would suffice in this instance.

'Conclusion'

For the reasons set out above, the conclusions need to be amended. Under matters in favour of the application, number 3 needs amending to state the following:

- A new wildlife habitat will be created on a parcel of land west of the development, as well as tree, shrub and hedgerow planting within the site, which has the potential to deliver 30.65% in excess of 10% Biodiversity Net Gain (BNG).

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