

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 23 August 2023

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, 18 August 2023.
 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.

Please also note the Public attendance Protocol on the Council's Website

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:

Councillors Akhtar, Cosgrove, Davis, Fryer, H. Gloster, Harkness, Hobin, Ibrahim, Iqbal, Lancaster, Surjan (Chair), Wahid and Woodvine

Item No

9 Late List (Pages 1 - 2)

PLANNING COMMITTEE

23rd August 2023

Late information

AGENDA PAGES	DETAILS
Pages 15 – 26	<p>AGENDA ITEM NUMBER: 7 (FUL/350748/23)</p> <p>ADDITIONAL REPRESENTATION AND RESPONSE</p> <p>Land south of Greenside Way, Chadderton</p> <p>ADDITIONAL CONSULTEE COMMENTS:</p> <p>Since the publication of the original report the following additional comments have been received:</p> <ul style="list-style-type: none"> i. Updated comments from Coal Authority; and, ii. Comment from GMEU on Biodiversity Net gain <p>UPDATED COMMENTS FROM THE COAL AUTHORITY</p> <p>The Coal Authority had initially recommended conditions requiring an intrusive site investigation and remediation report.</p> <p>Further to the publication of the Planning Committee agenda, updated comments have been received from the Coal Authority. The updated comments were based on the intrusive site investigation report subsequently submitted by the applicant.</p> <p>In their updated comments, the Coal Authority stated that based on the findings and conclusions of the intrusive site investigation report, they would have no objection to the proposal.</p> <p>RESPONSE TO ADDITIONAL COMMENTS RECEIVED:</p> <ul style="list-style-type: none"> • Based on the latest comments received from the Coal Authority, Condition 5 as recommended is no longer necessary. • Based on the latest comments received from the Coal Authority, Condition 6 as recommended is no longer necessary. <p>AMENDMENT TO REPORT:</p> <p>Paragraphs 15.4 and 15.5 of the report should be replaced with the following paragraph: <i>Notwithstanding the location of the site within an area identified as 'Development High Risk' based on previous coal mining activities and associated risks, an intrusive site investigation has revealed that the site is not considered to be affected by shallow coal mining. Therefore, risks from shallow coal mining are considered to be very low. As such, it is unlikely that the proposal would lead to detrimental land stability or health issues.</i></p>

	<p>AMENDMENT TO RECOMMENDATION:</p> <p>Conditions 5 and 6 should be omitted.</p>
	<p>UPDATED COMMENTS FROM GREATER MANCHESTER ECOLOGY UNIT</p> <p>GMEU had recommended that financial contributions be sought from the applicant towards mitigating the impact of the proposal on biodiversity. The contribution is to be applied off-site. However, there were ongoing discussions regarding what sites the contributions should be applied to.</p> <p>Further to the publication of the Planning Committee agenda, GMEU have now confirmed that where a proposal would lead to the loss of less than 4 ecology units, the Local Authority should determine appropriate sites for BNG mitigation. In this instance the proposal would lead to the loss of less than 1 ecology unit.</p> <p>As the proposal would lead to the loss of less than 1 ecology unit, the Local Planning Authority should identify a site within their area that they consider appropriate for the BNG mitigation.</p> <p>RESPONSE TO ADDITIONAL COMMENTS RECEIVED:</p> <ul style="list-style-type: none"> • Based on the latest comments received from the GMEU, appropriate sites for BNG mitigation will have to be identified by the Local Planning Authority. This will need to be discussed and agreed with the Planning Policy Unit. <p>AMENDMENT TO REPORTS:</p> <p>The contribution towards BNG mitigation as stated under para. 14.5 should be £8,800 (as less than one unit would be lost), not £16,000 which is the contribution for a complete unit.</p> <p>AMENDMENT TO RECOMMENDATION:</p> <p>The recommendation set out in the original report remains but is amended to include it being subject to a financial contribution of £8,800 towards BNG mitigation on a site to be agreed with Planning Policy and to be secured via Section 106 agreement.</p>