

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 20 December 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, 15 December 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, S. Bashforth, Cosgrove, Davis, Fryer, H. Gloster,
Harkness, Hince, Hobin, Ibrahim (Vice-Chair), Iqbal, Lancaster, Surjan
(Chair) and Woodvine

Item No

11 Late List (Pages 1 - 6)

PLANNING COMMITTEE

20th December 2023

Late information

AGENDA PAGES	DETAILS
Pages 5-32	<p>AGENDA ITEM NUMBER: 6</p> <p>CONSULTATION RESPONSES</p> <p>The Highways Officer has recommended an additional condition in relation to the Station Approach / Delph New Road junction in order to ensure this can be used safely by vehicles emerging from the access and by pedestrians.</p> <p>RECOMMENDED CONDITIONS</p> <p><u>Additional condition 29</u></p> <p>Notwithstanding the details indicated on the approved layout plan, no dwelling hereby approved shall be occupied until a scheme of improvements to the Delph New Road/ Station Approach junction, including securing pedestrian crossing facilities and visibility to the south-west, has been implemented in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority. REASON - To ensure the safe operation of the highway having regard to Policies 5 and 9 of the Oldham Local Plan.</p>
Pages 55-68	<p>AGENDA ITEM NUMBER: 8</p> <p>PRINCIPLE OF DEVELOPMENT</p> <p>For clarity, the final sentence of paragraph 9.8 has been amended as follows.</p> <p>This is to be secured by the new Section 106 agreement which requires a scheme for provision of Phase 2 of the linear park in line with the original permission for the wider Foxdenton Strategic Site at a maximum cost for Phase 2 of £132,000.</p> <p>RECOMMENDED CONDITIONS</p> <p>Following the submission of updated information, it is recommended that the following conditions are amended as shown below.</p>

Amended condition 8

No above ground works shall commence until full details of both hard and soft landscape works, including the submission of a detailed planting plan, schedule of trees, and a methodology for the planting with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority. The landscaping shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size. REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

Amended condition 10

The development, shall be implemented in full accordance with the measures set out in the 'Vegetation and Invasive Weed Management Plan prepared by Knotweed Eradication, dated 21st August 2023 insofar as the report relates to the application site. REASON - To prevent the spread of invasive plant species having regard to Policy 9 of the Oldham Local Plan.

Amended condition 15

Prior to the construction of any dwellings hereby approved, precise details and a timetable for provision of the emergency access from Foxdenton Lane to serve the site shall be submitted to and approved in writing by the Local Planning Authority. The access shall be constructed and made available for use in accordance with the approved details and timetable. The access shall be retained for emergency purposes thereafter. REASON - In the interest of highway safety and to ensure connectivity to and from the site for pedestrians and cyclists and having regard to Policies 5 and 9 of the Oldham Local Plan.

Amended condition 18

The development hereby approved shall be implemented in full accordance with the Affordable Housing Statement dated December 2023 as a scheme of shared ownership properties. The properties shall be subject to such occupation and sale thereafter; unless a variation to the scheme has been submitted to and approved in writing by the Local Planning Authority. REASON - To ensure the provision of affordable housing having regard to Policy 10 of the Oldham Local Plan.

CONSULTATION RESPONSES

To be amended as follows:

Sport England has confirmed that it would not object to the application subject to the inclusion of planning conditions.

Amendments to paragraphs 9.18-9.19

9.18

Following the submission of additional information, Sport England has indicated that it would not wish to object to the application. However, it has recommended the imposition for 5 conditions.

9.19

The first condition requires the applicant to enter into a community use agreement. The existing condition 14 will be amended to reflect the additional information detail included in Sport England's response.

9.20

The second condition relates to arrangements for provision of alternative facilities for the users of the present pitch during construction of its replacement and subject to re-wording to ensure it is applicable to this specific development, is recommended below.

9.21

The third condition relates to a specification and management/maintenance of the ball stop fencing. Subject to re-wording to ensure it is applicable to this specific development, is recommended below.

9.22

The fourth condition relates to a maintenance and management regime for replacement facility. It is not considered appropriate to include a specific 10-year replacement period as recommended by sport England as this requirement will be more accurately assessed as part of the required maintenance regime. Subject to re-wording to ensure it is applicable to this specific development, is recommended below.

9.23

The fifth condition required the facility to be certified/ accredited by names sports organisations. However, it is not considered that this condition satisfies the statutory tests as it requires accreditation or approval from third party organisations. However, an informative advising that the pitch should be constructed in accordance with those standards will be included.

RECOMMENDED CONDITIONS

Amended condition 14

Use of the development shall not commence until a Community Use Agreement has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the artificial grass pitch as shown on Drawing 3952-ASP-ZZ-XX-DR-A-0804 to include changing and toilet facilities access and include details of pricing policy, hours of use, access by non-members, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason - To secure well managed safe community access to the sports facility to ensure sufficient benefit to the development of sport having regard to Policy 23 of the Oldham Local Plan.

Additional conditions 15-17

15. An amended wording is recommended as this appears to be a 'standard' condition which is not fully applicable to the present development.

No development shall commence until a scheme to ensure the continuity of the existing sports use of the playing field pending the development of the replacement facility has been submitted to and approved in writing by the Local Planning Authority. The scheme should set out details of the size, location, type and make-up of the alternative facilities together with a timetable for its provision.

Reason - To protect the existing playing field use during the construction of the development having regard to Policy 23 of the Oldham Local Plan.

16. The development hereby approved shall not be brought into use until full details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities, as set out in the Revised Ball Strike Assessment LSUK.12-0526_RFTA 7.0 dated 12/12/2023 have been submitted to and approved in writing by the Local Planning Authority. The approved mitigation shall be installed in full before the development is first brought into use and thereafter be managed and maintained in accordance with the approved details.

Reason - To provide protection for the occupants of adjacent uses and their property from potential ball strike from the new playing field or sports facility having regard to Policy 23 of the Oldham Local Plan.

17. Before the Artificial grass pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a

	<p>maintenance schedule, arrangements for the improvement or replacement of any facilities identified as part of the maintenance regime, and a mechanism for review, shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved scheme shall be complied with in full following the commencement of use of the artificial grass pitch.</p> <p>Reason - To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable, and to ensure sufficient benefit of the development to sport having regard to Policy 23 of the Oldham Local Plan.</p>
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