

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 17 October 2018

Time 6.00 pm

Venue Crompton Suite, 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 Kaidy McCann in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Kaidy McCann Tel. 0161 770 5151 or email Kaidy.McCann@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, 12 October 2018.

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.

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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 Akhtar, Ali, S Bashforth (Chair), Ball, Brownridge, Davis,
H. Gloster, Haque, Harkness, Hewitt (Vice-Chair), Hudson, Leach, Qumer
and Phythian

Item No

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 4)
The Minutes of the meeting of the Planning Committee held on 19th September 2018 are attached for Members' approval.
- 6 Planning Application PA/340929/17 318 Oldham Road Royton OL2 5AS (Pages 5 - 14)
Change of use from office to 9 bed HMO (sui generis)
- 7 Planning Application PA/341172/17 Yew Tree Community School, Alcester Street, Chadderton OL9 8LD (Pages 15 - 22)
Retrospective application for the construction of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field.
- 8 Planning Application PA/341711/18 Harrop Court Mill, Harop Court Road, Diggle OL3 5LL (Pages 23 - 32)
Demolition of existing mill complex and erection of 13no. new residential properties including associated site works. Access and layout to be considered all other matters reserved.
- 9 Planning Application PA/341850/18 Saint Thomas Church, Church Street, Delph, Oldham OL3 5DR (Pages 33 - 40)



Oldham
Council

1) Erection of 37 no. residential dwellings with parking and landscaping 2)
Associated public open space 3) Associated works

10 Appeals (Pages 41 - 42)

Appeals

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PLANNING COMMITTEE
19/09/2018 at 6.00 pm

Present: Councillor S Bashforth (Chair)
Councillors Akhtar, Brownridge, Davis, H. Gloster, Haque,
Harkness, Hewitt (Vice-Chair), Leach, F Hussain (Substitute)
and Phythian

Also in Attendance:

Graham Dickman	Development Management Team Leader
Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ali, Ball and Hudson. Councillor Fida Hussain attended as a substitute for Councillor Ball.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 22nd August 2018 be approved as a correct record.

6 **PA/041019/01 - ROYAL GEORGE MILLS, ARMIT ROAD,
HIGH GROVE ROAD, GREENFIELD, OLDHAM**

APPLICATION NUMBER: PA/041019/01

APPLICANT: Wiggett Construction Ltd

PROPOSAL: Re-submission for part demolition of existing redundant buildings, part rebuilding and conversion of existing buildings and residential development to provide dwellings comprising 38 apartments and 34 houses and conversion of building to B1 use (business use).

LOCATION: Royal George Mills, Armit Road, High Grove Road, Greenfield, Oldham

It was **MOVED** by Councillor Bashforth and **SECONDED** by Councillor Hewitt not to pursue the requirement to transfer the open space land to the Council and to inform the parties to the obligation that this aspect would not be enforced by the Council.

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.



DECISION: That the requirement to transfer the open space land to the Council not be pursued and the parties to the obligation be informed that this aspect would not be enforced by the Council.

7 **PA/340929/17 - 318 OLDHAM ROAD, ROYTON, OL2 5AS**

APPLICATION NUMBER: PA/340929/17

APPLICANT: Hunter Capital

PROPOSAL: Change of use from office to 9 bed HMO (sui generis)

LOCATION: 318 Oldham Road, Royton, OL2 5AS

It was MOVED by Councillor Bashforth and SECONDED by Councillor Hewitt that the application be DEFERRED to allow the parties to make their representations.

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF DEFERRAL with no abstentions.

DECISION: That the application be DEFERRED to allow the parties to make their representations.

8 **PA/341410/18 - LAND AT CHEW VALLEY ROAD, GREENFIELD, OLDHAM**

APPLICATION NUMBER: PA/341410/18

APPLICANT: Mr. Taylor

PROPOSAL: Erection of four, three storey dwellings, and associated tree felling and landscaping.

LOCATION: Land at Chew Valley Road, Greenfield, Oldham

It was MOVED by Councillor Bashforth and SECONDED by Councillor Brownridge that the application be REFUSED against Officer recommendations.

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF REFUSAL with no abstentions.

DECISION: That the application be REFUSED for the following reasons -

The proposed development would result in the loss of a large number of trees which form part of a Tree Preservation Order and represent a valuable visual amenity in the area, and contribute to general wellbeing. The negative impact would therefore be contrary to Policies 9, 20 and 21 of the

Oldham Development Plan - Joint Core Strategy and Development Management Policies document, and Parts 2, 12 and 15 of the National Planning Policy Framework which seek to encourage sustainable development and enhance the natural environment. It is considered that the demonstrable environmental harm, and subsequent unsustainable development created by this scheme, outweighs the economic and social benefit created by the development of 4 additional housing units.



NOTE:

That an Objector attended the meeting and addressed the Committee on this application.

9

PA/341476/18 - LAND TO THE WEST OF GREENGATE, OLDHAM

APPLICATION NUMBER: PA/341476/18

APPLICANT: Royal London Mutual Insurance Society Ltd

PROPOSAL: Proposed drive-through café/restaurant (Use Class A3), public house/restaurant (Use Class A4), 3 industrial units (Use Classes B1, B2, or B8), associated parking, landscaping & infrastructure.

LOCATION: Land to the west of Greengate, Oldham

It was **MOVED** by Councillor Bashforth and **SECONDED** by Councillor Hewitt that the application be **APPROVED**.

On being put to the vote, it was **UNANIMOUSLY** cast **IN FAVOUR OF APPROVAL** with no **ABSTENTIONS**.

DECISION: That the application be **GRANTED** subject to the conditions as set out in the report and the amendments to the conditions as outlined in the Late List at Item 11.

NOTE:

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.

10

APPEALS

RESOLVED that the content of the Planning Appeals update report be noted.

11

LATE LIST

RESOLVED that the information related to the submitted planning application as at 19th September 2018, as outlined in the Late List, be noted.

The meeting started at 6.00 pm and ended at 6.37 pm



APPLICATION REPORT - PA/340929/17

Planning Committee, 17 October, 2018

Registration Date: 13/10/2017
Ward: Royton South

Application Reference: PA/340929/17
Type of Application: Full Planning Permission

Proposal: Change of use from office to 9 bed HMO (sui generis)
Location: 318 Oldham Road, Royton, OL2 5AS
Case Officer: Richard Byrne

Applicant: Hunter Capital
Agent: Grant Erskine Architects

Update report - 17 October 2018

Members may recall this application was deferred at the Planning Committee held on the 19 September 2018.

Following the decision to defer the application the Applicant has subsequently lodged an appeal with the Planning Inspectorate on the grounds of non-determination under reference APP/W4223/W/18/3212543. As such, Members are made aware that the determination of the planning application now rests with the Planning Inspectorate.

The purpose of this update record is to ask that Members consider the application and now provide a view on how a decision would have been reached.

The decision of Members will then be sent with the background papers to the Planning Inspectorate who will then decide on the application.

Update report – 19 September 2018

Members may recall this application was deferred at the Planning Committee held on the 21 March 2018. The following questions regarding the proposal were asked by Members to provide more information to assist with the determination of the application.

1. What are the proposals for the storage and collection of refuse for the proposed development?
2. Do the bedrooms meet the national standards in providing a good level of accommodation?
3. How to prevent any overlooking from the proposed bedrooms onto existing properties across Arlington Close.
4. Details of the future management of the proposed HMO.
5. How would the fumes from any cooking process in the kitchen be dealt with?
6. Clarification on the resident parking permit scheme.

1. Refuse storage and collection

An amended plan has been received which shows the basement floor layout.

It is proposed that an internal door would connect the kitchen to the existing integral garage. The existing garage would be used as an internal bin and bike store with inward opening doors that would lead out onto Arlington Close.

The plan shows eight 360 litre bins (four general waste, two for paper and cardboard, two for glass, plastic and cans) and one 140 litre bin (food waste) in the garage space. A keypad entry panel is shown on the outside wall adjacent to the door opening.

Environmental Health and the Waste Management Section of the Council in principle consider the level of bin provision would adequately serve the future occupiers of the building.

It is therefore considered the scheme provides a sufficient secured area within the building to cater for the level of future occupiers of the property in respect of the storage of waste.

The amended scheme demonstrates that collections can be made from the building. The door opening and external keypad would allow independent access into the garage when occupiers are not present, and the existing lowered kerb ensures bins can be brought out safely. To ensure collections are made on a regular basis by the Council or by a private contractor to serve the building, it is considered expedient to secure the submission of details of how refuse will be collected by a planning condition prior to the first occupation of the building.

On the basis of the amended plan and the attachment of a planning condition it is considered that the storage and management of refuse can be accommodated to serve the future occupiers of the building.

2. Bedroom sizes

The proposed floor plans have been accompanied by a supporting document to show the bedrooms all comply with the National Housing Technical Standards and HMO Standards as single occupancy rooms.

Environmental Health who are responsible for the regulation of HMOs have confirmed the bedroom sizes comply with the HMO Standards. Given the rooms comply with the housing technical standards it is considered there is a sufficient amount of space within the building for future occupiers.

3. Overlooking from the proposed bedrooms

It is proposed to retain the position and size of the upper floor rear windows which lead to bedrooms 4 and 9 i.e. the rear outrigger at ground floor and first floor level. However, it is proposed to apply a film to the inside of the window to reduce the amount of clear overlooking that may occur. The film would comprise thicker obscure banding at the bottom of the window which gradually thins at the top. The bands would have an obscured glazed appearance similar to conventional bathroom windows.

It is considered the method of obscurity would result in an acceptable balance between maintaining the bedroom's outlook and the privacy of 2-4 Arlington Close. To ensure the details are fully implemented, it is considered expedient to attach a planning condition to this recommendation.

4. Details of the future management

The applicant has submitted a plan for the management of the proposed house in multiple occupation. The plan sets out the following:

- Management company will conduct the application process for new tenants;
- Fortnightly inspections of the building will be carried out by the management company;
- Gas certificates will be obtained annually, electrical testing will be carried out prior to any occupation;
- Fire Risk assessment has been carried out and means of escape and meeting point will be made available on a noticeboard within the building;
- There will be a non-smoking policy on the site;
- A safety signage scheme will be implemented within the building;

- Contact details of the management company to be provided to address any future issues quickly.

The Environmental Health team have assessed the management plan and consider it acceptable. As they are responsible for the regulation of HMOs they will inspect the property to make sure it is safe and suitable for occupation and they will grant a licence for the property. Upon granting a licence for the property there would be conditions attached to it and will set a maximum occupancy limit for the HMO based on the amenities provided in the accommodation. The conditions are attached to regulate the way in which HMOs are managed and maintained under the provisions of the Housing Act 2004.

5. Cooking fumes

The revised floor plan shows two domestic cookers in the kitchen which would be extracted by a mechanical system at 30litres per second. The fumes would be taken through the outside wall at ceiling height to a recessed area on basement level. The recessed area faces Arlington Close.

It is considered the proposed system would serve the future occupiers of the building and no objection has been raised by Environmental Health.

6. Parking permits

Arlington Close and the car park at the rear of Oldham Road (adjacent to the rear of the Esso petrol filling station) are included in the Carlton Way Residents Parking Scheme. Streets in the original scheme, which were allowed two passes per property are Carlton Way, Cumberland Drive, Dorchester Drive, Berkley Drive, Norfolk Way and Regent Crescent.

Streets in the extended scheme (Monday to Saturday 0800 Hours – 2000 Hours) were also allowed two passes per property and these are Carlton Way, Strand Way, Mayfair Drive, Westbury Way, Grosvenor Way, Palace Gardens, Hillbre Ave, Downham Close and Arlington Close.

Any holder of a permit included within the residents' parking scheme is permitted to park in the areas included in the scheme. So, for example a permit holder living on Carlton Way could park on Arlington Close if required.

Eight permits were issued to the building when it was used as offices and these will be cancelled when that use ceases and they are no longer required. If a resident of the building requires a permit, they will apply in the normal way and will more than likely be issued with a permit, because the building will still be included within the overall residents' parking scheme.

On the basis of the additional information provided, it is considered that the applicant has adequately addressed the previous concerns of Planning Committee in relation to the living standards of future residents and the amenity impact on the surrounding area. In conclusion, the application is recommended for approval subject to the amended conditions attached to this report.

Original Report - March 2018

THE SITE

This application relates to an end of terrace property currently occupied by an accountancy firm. The building has been extended to the rear with a pitched roof extension and a further two storey flat roof addition beyond. There is a lower ground floor integral garage to the rear of the building which leads directly onto Arlington Close.

THE PROPOSAL

Planning permission is sought for the change of use from an office to a 9 bed House of Multiple Occupation (HMO).

The proposed 9 bedrooms would occupy the ground and first floor of the building and would each have a shower room / en suite. Access is attained from the front of the building with an ancillary access gained from the lower ground and rear of the building. A shared living room and kitchen would be in the lower ground floor with two new windows in the side elevation facing 314-316 Oldham Road / Arlington Close.

There is an integral lower ground floor garage towards the rear of the building which faces 314/316 Oldham Road and is accessed from Arlington Close. The garage has an internal access from the kitchen area and is proposed to be used for bin and cycle storage.

RELEVANT HISTORY OF THE SITE

None.

RELEVANT PLANNING POLICIES AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 11 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated by the Proposals Map associated with this document.

The following DPD Policies are relevant to the determination of this application.

Policy 1 - Climate change and sustainable development;
Policy 3 - An address of choice;
Policy 5 - Promoting accessibility and public transport choices; and,
Policy 9 - Local environment;
Policy 11 - Housing;
Policy 19 – Water and Flooding;
Policy 20 - Design;
Policy 23 - Open spaces and sports; and,
Policy 25 - Developer Contributions

CONSULTATIONS

Environmental Health	To be reported
Highway Engineer	No objection, subject to a condition to secure adequate cycle storage for future occupiers.

REPRESENTATIONS

The proposed development has been advertised by means of individual consultation letters sent to the occupiers of the neighbouring properties and a site notice erected adjacent to the site. 10 representations along with a petition containing 11 signatures have been received on the following grounds:

Character of the area

- The type of use is not appropriate for this area;
- Adversely affect character of the area

Affecting existing level of amenity

- Unnecessary disruption and noise will occur;
- The office does not create disruption during the evening and the noise created by 9 occupants would affect the community;
- Potential increase in anti-social behaviour;
- Overlooking from the proposed development;
- Nowhere for storage and collection of refuse;

Impact on Future occupiers

- Unsuitable kitchen area for the number of potential residents;
- Lack of means of fire escape;
- Only one entry point, no windows in the kitchen;
- No ventilation for some of the shower rooms;

Parking and highway safety

- Lack of parking on the street to accommodate the proposed use;
- Parking permit scheme is at capacity;

Other matters

- Adversely affect value of properties;
- Type of housing has been well documented in the press of associated problems;
- Questions the background of future tenants.

PLANNING CONSIDERATIONS

The main issues for consideration comprise the following:

- Suitability of the proposed use;
- Loss of office space; and,
- Effect on the appearance of the area.

Suitability of the proposed use

With respect to the proposed residential use, DPD Policy 11 states that a house in multiple occupancy will not be permitted unless it can be determined that the proposal does not adversely affect: -

- the local character of the area;
- the level of residential and workplace amenity of future and neighbouring occupants; and,
- traffic levels and the safety of road users.

Local character of the area

The application site is located on a main thoroughfare connecting Oldham and Royton. Although there is the Royal Oldham Hospital, Oldham Athletic Football Club and St Anne's Primary School in the vicinity, the area is predominantly residential interspersed with a number of small scale commercial uses.

In the area immediately surrounding the application site there is a public house (currently closed) and a building used by the NHS (314/316 Oldham road), a row of terraced houses (the application property is the end of this terrace) with a small residential cul-de-sac containing 10 dwellings (Arlington Close) to the rear. The presence of all the different buildings and uses all contribute towards the character of the area.

Having regard to the prevailing character of the area, the proposed use is akin to a residential use, although occupancy could be on a short term basis dependent on tenants. With the residential use in mind it would be difficult to view the proposed HMO as being at odds in this location given the existing surrounding land uses or having a harmful effect on

the local character of the area.

The level of residential and workplace amenity of future and neighbouring occupants

It is not considered the proposed HMO would have an adverse effect on the adjacent NHS building, 314/316 Oldham Road.

In respect of 320 Oldham Road, it is noted that there would be the potential of internal noise from the HMO to the attached residential property. To reduce the level of potential internal noise, an appropriately worded condition to secure a soundproofing scheme would ensure the level of disturbance would be kept to within an acceptable tolerance. Although there would be the potential of an increase in the comings and goings of tenants it is still a residential use. Access to the front is no different than any other front of property relationship that exists in the immediate area and as such it would be unreasonable to refuse the application on having an adverse effect to the amenity of 320 Oldham Road in respect of noise and disturbance.

The rear of the application building faces the front of 2 and 4 Arlington Close. There are presently two windows in situ on the rear elevation of the building which are at a first and second floor level. There is an intervening distance of appropriately 13 metres between the existing windows and the front of 4 Arlington Close and 15 metres to the front of 2 Arlington Close. It is noted the size of the openings would remain unchanged but the use of the rooms would be changed to bedrooms.

This separation is below the normal privacy standards which would apply to new development; however, it is acknowledged the use of the room would change however, given the relationship between the openings is well established it would be difficult to sustain a refusal on the grounds this would result in a new overlooking position and a loss of privacy to the residential properties in comparison with the established office use.

Objections have drawn attention to the limited waste refuse provision associated with the proposed use. Amended plans have been received which shows an internal door linking the lower ground integral garage with the kitchen. This would provide adequate secure storage space for the bins and space for bicycles within the building.

Environmental Health have been notified of the amended plans and their response will be reported as a late item, but in principle the amendments would alleviate concerns providing adequate bin storage for the proposed HMO.

The internal configuration of the HMO has been considered against the DCLG Technical Housing Standards – Nationally Described Space Standard document which is a material consideration in the determination of this application. Using the guidance document it is considered the residential units provide a sufficient amount of internal amenity space for the individual and shared rooms.

The appropriateness of means of fire escape and mechanical ventilation of bathrooms (room without windows) would be matters assessed through Building Regulation approval and is not a material consideration in the determination of this application.

There are two windows proposed in the lower ground of the side elevation facing Arlington Close to provide natural light into the lounge section of the building. Although there are no windows in the kitchen, in this instance it is not considered this would result in a significant loss of amenity for future occupiers where the prominent use of this space is for food preparation and consumption only. An appropriately designed mechanical internal ventilation system would mitigate smells and odors from cooking of foods.

In relation to concerns raised that the proposal could result in increased anti-social behaviour, potential of criminal activity and possible safety risks; should any of these issues arise they would need to be dealt with by the appropriate authorities. In this instance, whilst the concerns of residents are noted, there is no substantive evidence that the use would definitely and directly result in anti-social behaviour and as such it is not considered that this

could be used as a ground for refusal.

Residents have raised concern that the proposal would have a detrimental impact on property values in the area. Members will be aware that this is not a planning consideration that can be taken into account in considering the merits of a proposal.

Therefore, subject to the outstanding comments from Environmental Health, it is considered that the effect on existing surrounding properties would be acceptable and the proposal would adhere to DAD Policies 9 and 11.

Traffic levels and the safety of road users

The Council's Highway Engineer considers that the amount of traffic generated by the proposed change of use is expected to be significantly less than that generated by the current use. The site is in a highly sustainable location with excellent links to public transport and there are excellent pedestrian links to a range of facilities in the area.

The development would therefore be in general accord with DAD Policies 5 and 11 in respect of sustainability. Furthermore, the ground floor garage would have the capacity to provide adequate cycle parking which will be secured by planning condition.

A Residents Parking Scheme is in operation on Arlington Close. When this was implemented, the number of buildings to be included in the scheme would have been considered and the residents and users of those buildings would have been informed that they could apply for a parking permit. The application site (as an office) was included in this and the same eligibility criteria for new parking permits would apply for future residents.

There is a limited amount of space on Arlington Close and the number of permits issued to any future residents would be carefully considered. It is noted however the properties on Arlington Close do have driveways and this mitigates a heavy reliance on-street parking. The residents' parking scheme will continue to operate and permit holders will continue to park on Arlington Close.

It is not considered there would be a significant increase in the demand for on-street parking as the expected amount of car ownership by occupiers of HMOs being low. If future occupiers do own a car, and are issued with a permit, they will have the same rights as all other permit holders to park legally on the highway.

Given the above it is considered there will be no significant adverse impact on the local highway network and therefore no objection is raised on highway safety grounds.

Loss of office space

The building has an established use as an office and is afforded some protection as an employment generating use under DPD Policy 14. Whilst the proposal would result in a non-employment use occupying the building, the surrounding area is predominantly residential. Historically, the application site has been converted from a dwellinghouse into the current office. Taking into account the character of the area and the small scale of the accommodation, it is not considered the loss of the employment generating use in this instance would result in a significant loss to the amount of employment generating sites across the borough and in the locality of the application site.

Effect on the appearance of the area

The proposed alterations to the building are minor in nature, namely the introduction of two north facing lower ground floor windows and the alteration from a door to a window (also on the north facing side elevation). It is considered the proposed works would not harm the general appearance of the building and the wider streetscene.

Conclusion

It is considered that the loss of the office space is acceptable given the context of the surrounding area and that it would not prejudice the amount of employment space opportunities across the borough. The siting of the proposed residential development would not place an undue burden on surrounding land uses and provides an acceptable level of internal amenity for future occupiers. Taking into account the sustainable location, and that there are no concerns in respect of highway safety, the proposal is considered to be broadly consistent with relevant local and national planning policies.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be fully implemented in accordance with the following approved plans and specifications:

Drg No. (90)A001 - Location Plan, received 13 October 2017;
Drg No. (90)A002 - Site Plan, received 13 October 2017;
Drg No. (2-)A001 Rev E - Proposed Basement Plan, received 6 September 2018;
Drg No. (2-)A002 Rev A - Proposed Ground Floor Plan, received 10 September 2018;
Drg No. (2-)A003 Rev B - Proposed First Floor Plan, received 25 June 2018;
Drg No. (2-)A004 Rev B - Proposed Elevations, received 6 September 2018.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. Prior to the first occupation of the HMO, details of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The duly approved cycle facilities shall be installed and made available for use before the building is first occupied and shall remain available for users of the HMO in perpetuity.

Reason - To ensure adequate cycle storage facilities are available to users of the HMO to encourage travel by more sustainable modes of transport.

4. Prior to the first occupation of the building, details for the arrangement of waste collection for the amount of waste storage shown on Drawing Number (2-)A001 Rev E shall be submitted to and approved in writing by the Local Planning Authority. The waste storage and refuse scheme shall then be fully implemented before the first occupation of the building and retained in perpetuity.

Reason – To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area.

5. No development shall take place unless and until a scheme to soundproof the party wall with 320 Oldham Road, and the wall and ceilings between the bedrooms of the HMO has been submitted to and approved in writing by the Local Planning Authority. All such works that form the approved scheme shall be completed before the HMO is brought into use and shall be retained at all times thereafter.

Reason - To protect the future occupiers of 320 Oldham Road and the future HMO occupiers from internal noise.

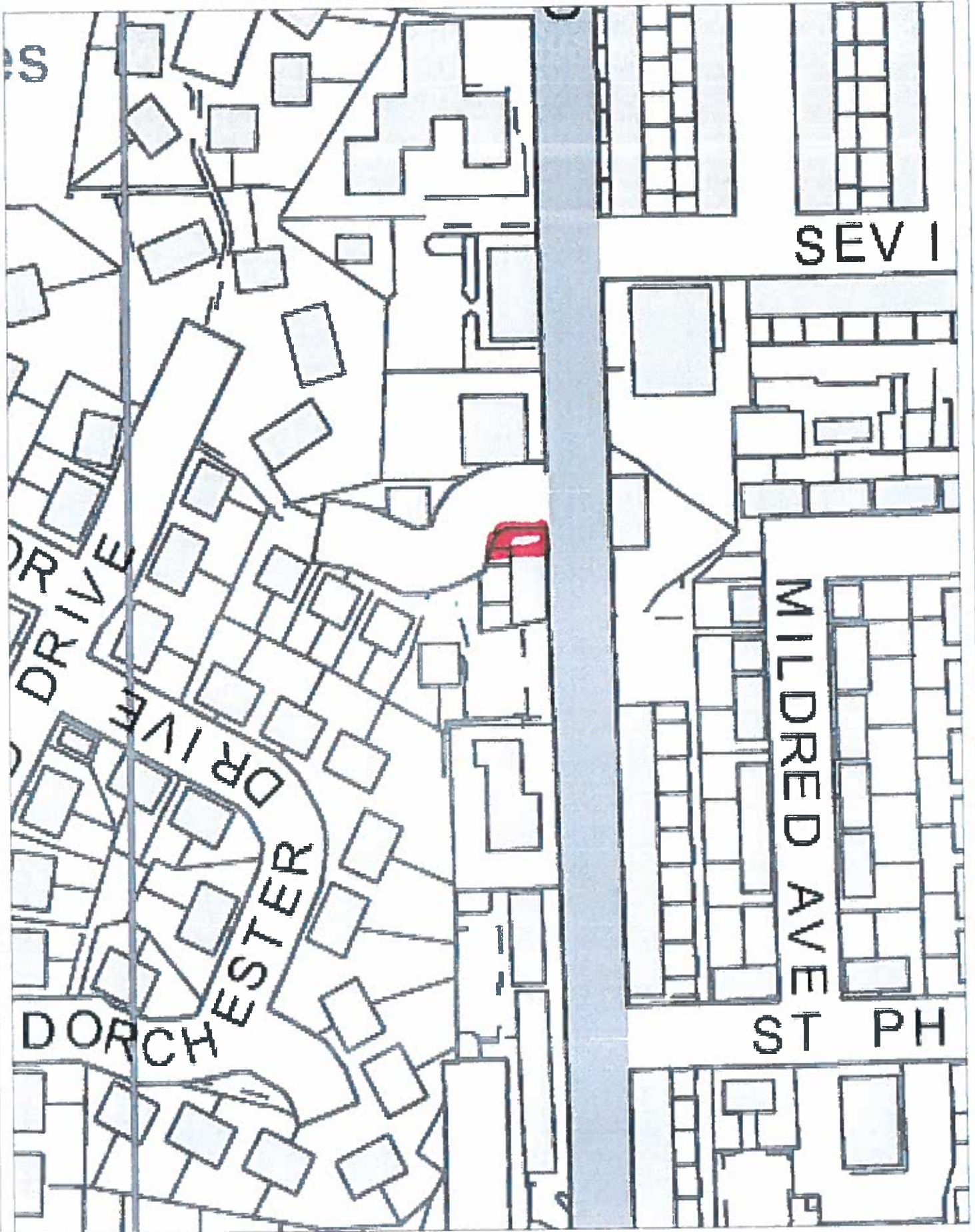
6. The materials to be used in the construction of the external surfaces of the

development hereby permitted shall match those used in the existing building.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity.

7. Prior to first occupation of bedrooms 4 and 9 as shown on the approved plan, the bedroom windows in the rear elevation of the building shall be provided with and permanently obscurely glazed in accordance with a scheme which has been previously submitted to and approved in writing by the Local Planning Authority. The obscured glazing scheme shall remain in perpetuity.

Reason - To respect the amenity of 2 and 4 Arlington Close.



APPLICATION REPORT - PA/341172/17

Planning Committee, 17 October, 2018

Registration Date: 04/01/2018
Ward: Chadderton South

Application Reference: PA/341172/17
Type of Application: Full Planning Permission

Proposal: Retrospective application for the construction of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field.

Location: Yew Tree Community School, Alcester Street, Chadderton, OL9 8LD

Case Officer: Richard Byrne

Applicant Agent : Yew Tree School
Pentagon Sport Ltd

UPDATE REPORT – 17 October 2018

Members may recall this application was deferred to allow additional time for the applicant to demonstrate how the parking within the school will accommodate vehicles for users of the proposed pitch and how the parking is managed and effectively implemented. In addition, further information was required to show how surface water will be managed across the artificial pitch.

Management of Parking

A Parking Management Plan (PMP) has been submitted by the applicant. The PMP shows two points of access to the pitch. The first, a double gate, is only opened for emergencies and maintenance which leads directly from Alcester Road. The second gate is for user access via the car park and partly around the south west side of the school building.

The PMP sets out the anticipated use of the site which comprises:

- During school hours the pitch will be used for the children already on the site. Spectators/parents are not permitted to watch.
- The after school sports clubs will carry on using the new pitch. The parents collecting their children after these clubs will be permitted to access the car park to park and wait for pick up (typically an hour after school has finished and the car park is then empty)
- Outside of school hours the sports pitch will be only used between 8am – 7pm (weekdays), 9am – 1pm (Saturdays) and 10am – 1pm Sundays.
- Non-school users using the site at weekends or after school are:
- Estimated at maximum of 18 players, 2 coaches, 10 spectators. Total users at once 30 (20 cars – maximum)
- Limited in the number of spectators to parents who attend with their children (therefore 2 persons per car)
- Limited to local junior clubs known to the school

Enforcement of the PMP

- All parents collecting children from after school events on the pitch will be written to advising them they must use the car park only

- The school staff running the after-school activities will have a gate key, they will ensure the gate is open for parents to park and collect their children. They will lock the gate when the event is finished.
- The bookings will be managed to avoid overlaps, minimising disruption as cars leave while cars arrive.
- Non-school users will only be allowed to use the facility:
 - After 5.30pm on school week days (To avoid cross over with school users of the car park)
 - Between 8am – 7pm (weekdays), 9am – 1pm (Saturdays) and 10am – 1pm Sundays outside of school term time;
 - At least 30 minutes after any prior user's booking has finished(To avoid cross over with other non-school users of the car park)
 - For a minimum of one hour (To reduce change overs)
 - Non-school users will be limited to trusted, known local clubs that will be issued keys and their members will be written to advising them that they must use the car park only.
 - The school management team will review the PMP each month taking feedback from residents and users to ensure that it has effectively met its aims.

Officer comments – traffic and parking

The Highway Engineer has carefully considered the submitted PMP and considers the document sets out clearly how parking will be managed.

Given that the use of the school attracts far more vehicle movements than the anticipated use during the normal school day, it is considered that the local highway network will not be adversely affected by the additional traffic generated by the sports pitch outside of school hours.

During school holidays the level of highway use is naturally lower and it is considered the use of the pitch would not adversely affect highway safety.

It is therefore considered the PMP sufficiently sets out how the anticipated users and demand will be accommodated within the existing school car park. As such it is considered this addresses the previous concerns and is acceptable in respect of the effect on highway safety. It is considered expedient in amending condition 3 of the original recommendation to secure the implemented and ongoing management of the PMP.

Officer comments - Drainage

The original recommendation report stated the proposed pitch is laid on an open texture surface course which is based on a crushed aggregate layer with 100 mm perforated pipes running at 10 metre intervals leading to a natural soakaway.

Upon further investigation it is considered the method of construction and the pitch finishing surface would allow the flow of water through the material to the ground below. The perforated pipes through the base would remove any excess which is then taken to a natural soakaway located near to the westerly corner of the pitch dissipating across the existing playing field. Given the existing playing field surrounds the artificial pitch it is considered this to be the most appropriate method of attenuation of surface water on the artificial pitch.

Taking into account the permeable nature of the artificial pitch it is considered the development would not be significantly different to the land which was previously part of the existing playing pitch. Given the size of the existing playing pitch it is considered there would be sufficient capacity to accommodate a peak of surface water from the artificial pitch. The additional information has been assessed by the Council's Drainage Engineer and has raised no objection to the proposal.

As such given the acceptable method of drainage and the pitch is in situ it is recommended that condition 5 attached to the original recommendation is removed.

Taking into account the artificial pitch is within the confines of the existing playing field the onus of any future maintenance would rest with the school. Therefore it is recommended to remove condition 6 attached to the original recommendation.

Officer comments - Conclusion

It is considered the submitted PMP demonstrates an acceptable arrangement for the management of traffic into the site and for parking within the existing car park.

The drainage of the artificial pitch is considered acceptable.

It is therefore recommended that planning permission is granted.

ORIGINAL REPORT - 6 June 2018

THE SITE

This application relates to Yew Tree Community School, Alcester Street, Chadderton. The area of the development is part of the existing playing field adjacent to the north eastern boundary and a car park serving the school.

THE PROPOSAL

Planning permission is sought for the construction of a multi-use games area with an artificial surface. The proposed pitch is enclosed by a green 3 metre high paladin welded mesh fence. The pitch would measure 60 metres in length by 30 metres in width and is laid with a 50mm high artificial grass on a 400 mm compacted surface.

The applicant states that the pitch would be used by the pupils during the school day and a limited number of local children's teams during the evenings, weekends and in the day outside of term time. Notwithstanding the normal school day the proposed pitch would be open to external use between 0800 Hours – 1900 Hours (Monday to Friday), 0900 Hours – 1300 hours (Saturdays) and 1000 Hours – 1300 Hours (Sundays and Bank Holidays).

RELEVANT HISTORY OF THE SITE

PA/333930/13 - 1) Single storey extensions (including link building with the creation of an internal courtyard and extension to main entrance) 2) Extension of car parking 3) Various external alterations to elevations. Granted 31 October 2013.

PA/059470/11 - Extension of existing car park from 19 spaces to 29 spaces. Granted. 26 April 2011

There have also been various other minor applications associated with the school.

RELEVANT PLANNING POLICIES AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 11 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated on the Proposals Map associated with this document.

The following DPD Policies are considered to be relevant:

Policy 1 - Climate change and sustainable development;
 Policy 5 - Promoting accessibility and public transport choices;
 Policy 6 - Green Infrastructure
 Policy 9 - Local environment;
 Policy 19 – Water and Flooding;
 Policy 20 - Design;
 Policy 21 - Protecting Natural Environmental Assets;
 Policy 23 - Open spaces and sports; and,

CONSULTATIONS

Pollution Control	No objection subject to the attachment of a planning condition to restrict the times of the use of the pitch.
Traffic Section	No objection in principle subject to the submission of a parking management plan secured by planning condition.
Sport England	No objection as the proposal broadly meets the requirements of paragraph 74(iii) of the NPPF and the following exception to Sport England Policy: 'E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'.
Drainage Engineer	Drainage plan required
The Ramblers Association	No objection

REPRESENTATIONS

The proposed development has been advertised by means of individual consultation letters sent to the occupiers of the neighbouring properties and a site notice erected adjacent to the site. As a result of the publicity two representations have been received and are summarised as follows:

- Opening times are queried;
- Adverse effect to highway safety;
- Inadequate vehicular parking;
- Increase of noise and general disturbance;
- Increase in light pollution and air pollution;
- Effect on house prices.

PLANNING CONSIDERATIONS

The main issues for consideration comprise the following:

- Principle of land use;
- Design and Appearance;
- Residential Amenity;
- Highway safety; and,
- Effect on drainage.

Principle of land use

DPD Policy 2 states that the Council will support development that contributes to the health and wellbeing of people. DPD Policy 23 states that the development of a site that is currently or was most recently used as open space or for sport and recreation will be permitted provided it can be demonstrated the development brings significant benefits to the community that would outweigh the harm resulting from the loss of open space.

The existing area is currently used as part of the school playing field for the delivery of

physical education and for children's outdoor play. The proposed new artificial playing field with associated fencing would provide an all-weather facility which would benefit the school and external community users including local clubs.

In terms of open space and sports provision, the proposal would provide an improvement to the existing and create a new facility with a significant benefit to the community. Whilst the proposal would not provide new space as such, it would provide an enhanced facility to the existing playing field which would enable sport to be played throughout the year whereas at present the grass playing field can only be used during periods of good weather.

On the basis of the above, it is considered that the proposal would give rise to considerable benefits to the school and to the wider community through the provision of an enhanced playing facility and is supported by local and national planning policy.

Furthermore, Sport England has been consulted and in response it does not wish to raise an objection. Sport England considered the proposal would broadly meet the requirements of Paragraph 74 of the NPPF and that it constitutes the provision of a facility where the benefits to the development of sport outweigh any detriment caused by the loss of part of the playing field.

Design and Appearance

The new pitch would be surfaced with artificial grass and enclosed with a modest 3 metre high paladin fence.

It is considered the pitch and enclosing fence would assimilate against the setting of the school and the backdrop of the playing field. It will not compromise the views from any onlookers, looking into the site.

Security

It is considered that the proposed pitch is appropriately enclosed which promotes its security when not in use. Given the perimeter of the school is also enclosed by a fence and views of the pitch can be readily seen it is not considered the development would further harm the level of site security.

Residential Amenity

DPD Policy 9 aims to safeguard the users or occupiers of adjoining land or properties from significant impacts associated with development proposals. It also requires developments to be appropriate for their intended end users or occupiers.

Taking into account the open nature of the pitch, the enclosing paladin fencing and the separation distance to residential properties it is not considered there would be a loss of sunlight, daylight, or outlook, that there would be an overbearing impact on the existing neighbouring properties that are adjacent to the school field boundary. The resulting effect to residential amenity relates to the noise and general disturbance from balls hitting the enclosing fencing and from users/spectators during open play.

Effect on Gordon Avenue, Sycamore Avenue and Williams Crescent

This new pitch does not have any floodlighting and therefore would only be able to be used during daylight hours. There are therefore no light issues raised by the proposed pitch. Nevertheless, it is recognised that residents would be likely to experience more shouting from players / spectators than currently experienced and this additional noise outside of normal school hours could affect the enjoyment of the rear gardens which back onto the school field or when windows are open. In these circumstances, there will be some loss of residential amenity to these residents.

The applicant states that the use of the pitch would be restricted to the use of the school during term time. After school and during holidays the pitch would be available for use for

up to 9 a side matches. Chaddy Park Football Club and Midway FC have expressed an interest in the use of the pitch during evenings, weekends and outside of school term time.

The anticipated hours of use would finish at 1900 hours during the weekday and 1300 on weekends. It is therefore not considered that the noise from the pitch will be significant enough to outweigh the community benefit of providing a multi-weather pitch which will be used by the school children and local sports clubs. Given the absence of an objection from Environmental Health, it is considered that the noise levels from such a usage will be of a type or length of time that would not unduly cause disturbance to such an extent it would be difficult to sustain a reason for refusal on having an adverse effect on residential amenity.

Highway safety

The existing car park which serves the school will provide a parking space for 35 vehicles available for the users of the proposed pitch outside of school hours. The control of the gate for access would be in the control of either a member of staff of the school or regular users of the pitch (such as sports clubs).

The traffic section acknowledges parking demand in the area is high and there is an existing problem in the area with congestion caused by parked vehicles during the school drop off and pick up periods.

Taking into account the anticipated level of usage governed by the size and the availability of the existing car park outside of the school day, it is considered the peak amount of vehicles can be accommodated safely off the public highway. In this instance it is considered expedient to require the submission of a parking management plan to ensure that parking within the school grounds is managed during the use of the pitch to alleviate any significant impact on the public highway and to highway safety from parked vehicles.

Effect on drainage

The proposed pitch is laid on an open texture surface course which is based on a crushed aggregate layer with 100 mm perforated pipes running at 10 intervals leading to a natural soakaway. This would enable the permeable surface to manage the flow of surface water.

It is considered expedient to attach a condition to require the details of the drainage to be submitted and a maintenance plan be submitted once the works are complete. This is to ensure that the drainage issues are assessed in totality, once the development is completed. .

Details of the pitch construction and its drainage are considered to be acceptable in principle.

Other Issues

Property Values

Residents have raised concern that the proposal would have a detrimental impact on property values in the area. In response it is noted that this is not a material planning consideration that can be taken into account in considering the merits of a proposal.

Effect on air pollution

It is noted the school is located in an air quality management area due to the close proximity to major and local transport routes. Given the absence of an objection from the Environmental Health section of the Council and the size of the sports pitch it is not anticipated that the level of use would result in significant rise in air pollution to recommend refusal of the application.

Conclusion

There are a number of positive planning considerations which weigh in favour of this proposal. The proposal would provide an additional sport facility for the school which can additionally be used by local groups for sport and recreation purposes which is in line with national and local planning policy that seeks to improve and increase the number of such facilities. The development would promote healthy communities and the benefits sports participation brings.

The effect of noise has been balanced against the benefits the development would bring, taking into account the fact that no floodlighting is proposed and the use would mainly be during daylight hours.

The effect on drainage and highway safety, subject to planning conditions, is acceptable.

Overall, it is considered the proposed pitch is acceptable.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development hereby permitted shall be fully implemented in accordance with the following plans and specifications:

Location Plan - received 22 May 2018;
Proposed Block Plan received 4 January 2018;
Proposed Site Plan received 8 December 2017; and,
Proposed elevations of the paladin fence - received 8 December 2017.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

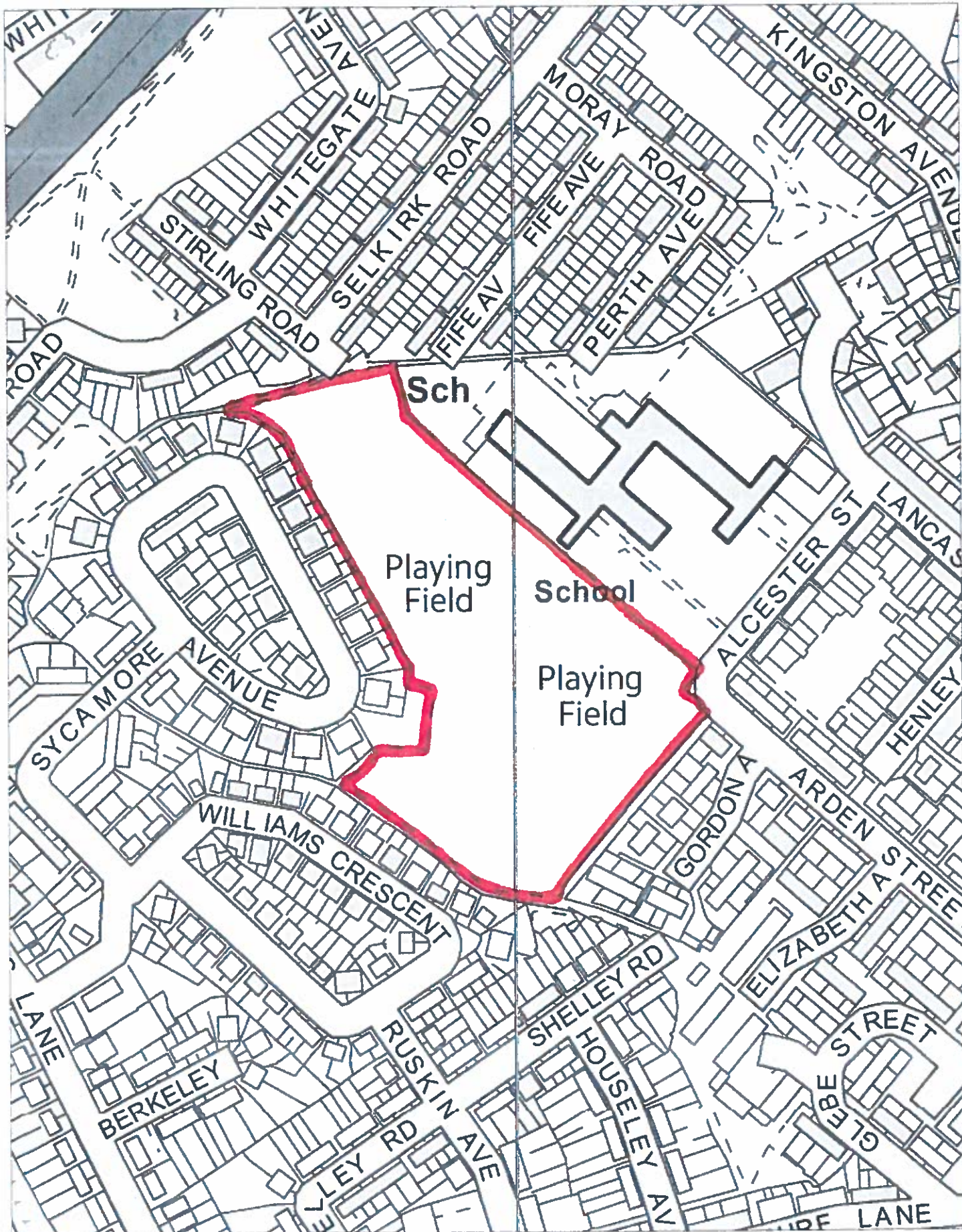
2. The development hereby approved shall be carried out in full accordance with the Parking Management Plan (author: Pentagon Play (North)) received 4 July 2018.

Reason - To ensure that adequate off-street parking facilities are provided for the development so that parking does not take place on the highway to the detriment of highway safety.

3. The use hereby approved shall not operate outside of the following hours:

0800 Hours – 1900 Hours (Monday to Friday)
0900 Hours – 1300 hours (Saturdays)
1000 Hours – 1300 Hours (Sundays and Bank and Public Holidays)

Reason - To protect the residential amenity of adjacent residents from noise and disturbance.



APPLICATION REPORT - PA/341711/18

Planning Committee, 17 October, 2018

Registration Date: 11/06/2018
Ward: Saddleworth North
Application Reference: PA/341711/18
Type of Application: Outline Planning Permission

Proposal: Demolition of existing mill complex and erection of 13no. new residential properties including associated site works. Access and layout to be considered all other matters reserved.

Location: Harrop Court Mill, Harrop Court Road, Diggle, OL3 5LL

Case Officer: Hannah Lucitt

Applicant Agent : Roundhay Properties Ltd.
HNA Architects Ltd

THE SITE

Harrop Court Mill is a complex of mill buildings that has been expanded in various stages historically. The construction ranges from traditional Saddleworth vernacular stone buildings to modern style metal industrial sheds.

The northern element, a two storey (and basement) stone Victorian mill has been the subject of alteration and repair.

A small section of the mill was converted into residential units which have been unoccupied since 2010. The industrial building has been unoccupied since 2016.

The site is largely derelict and in a general state of disrepair throughout.

The access road is approximately 3.5m wide with no footpaths, with a pinch point located at the corner of the main mill building. It is used for access to a number of residential properties before and after the site as well as an industrial unit located further up Harrop Court Road.

The road is not adopted. There is a level car park area to the north and further vehicular access to the south.

The site also features a culverted watercourse which currently runs underneath the mill buildings.

The existing buildings have a footprint of approximately 2415m². The site has a total area of 1.47 acres (0.59 ha)

THE PROPOSAL

This application proposes the demolition of the existing mill complex and the erection of 13 dwellings, and associated alterations to the access, and works to the existing culvert.

The proposed alterations to the access include the widening of the existing road at the pinch point (adjacent proposed unit 11), and improvements to the access road surfacing.

The application also proposes redirecting the existing culvert to form an above ground stream to the rear of the site.

Access and layout to be considered all other matters reserved.

The proposed layout shows a mixture of detached, semi-detached and terraced units across the site, and the inclusion of a parking courtyard, amenity space, and private car parking spaces serving each of the dwellings.

RELEVANT HISTORY OF THE SITE:

No relevant planning history.

CONSULTATIONS

Highway Engineer	No objection, subject to the inclusion of a condition addressing the provision and retention of car parking spaces clear of the highway.
Environmental Health	No objection, subject to the inclusion of conditions addressing waste storage facilities, waste water and sewerage, and contaminated land
LLFA & Drainage	No comment.
Natural England	No comment.
Greater Manchester Ecology Unit	No objection, subject to the inclusion of conditions addressing bat surveys, protection of nesting birds, demolition methodology, and details required at reserved matters.
Greater Manchester Police	No objection.
Architectural Liaison Unit	
The Ramblers Association	No objection.
United Utilities Asset Protection	No objection, subject to the inclusion of conditions addressing foul and surface water, and a surface water drainage scheme.
Environment Agency	No comment.

REPRESENTATIONS

This application was publicised by way of a site notice, press notice and neighbour notification letters. Nine neighbour letters (eight objection and one neutral) were received, which raised the following concerns:

Highway safety and amenity

- Proposed development would have an unacceptable impact on highway safety;
- Insufficient parking is proposed and the proposed development would exacerbate existing parking issues locally;
- Proposed development should include repair of road surface by the Local Authority, traffic calming measures, and the road should be adopted;
- Existing access is not suitable for heavy vehicles as it damages services;
- Proposed car parking spaces would block doors of existing dwellings;
- Access will be required throughout the construction process.

Drainage

- Proposed development would exacerbate surface water drainage issues.

Environmental Health

- Construction would caused rodent problems; and,
- Bin store serving the dwellings is not sufficient.

Ecology

- Proposed development may be harmful to local wildlife.

Design

- Proposed development will change character of the area;
- The site is a locally designated heritage asset, and some elements of the development should be retained as such; and,
- Concerns raised about design and external facing materials.

Other matters

- If piling is required, sufficient insurance should be obtained, should adjacent properties be damaged;
- Proposed development would decrease value of existing nearby dwellings; and,
- Concerns have been raised in regard to asbestos removal.

Saddleworth Parish Council recommended approval.

PLANNING CONSIDERATIONS

The main issues to consider are:

1. Land Use;
2. Design and impact on residential amenity;
3. Parking and highway safety;
4. Public open space;
5. Ecology;
6. Drainage;
7. Trees; and,
8. Other matters.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 2 within the National Planning Policy Framework (NPPF) reiterates that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham. It contains the Core Strategies and Development Management policies used to assess and determine planning applications. The application site is located within the Green Belt by the Proposals Map associated with the Joint Development Plan Document. Therefore, the following policies are considered relevant:

- Policy 1 - Climate change and sustainable development;
- Policy 3 - An address of choice;
- Policy 5 - Promoting accessibility and sustainable transport choices
- Policy 9 - Local environment;
- Policy 11 - Housing;
- Policy 22 - Protecting Open Land; and,
- Policy 23 - Open spaces and sports.

Saved UDP Policy D1.5 and the NPPF are also relevant.

Land Use

Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings and

development on 'previously developed land' prior to the use of Greenfield sites - an approach echoed by Policies 3 and 11. Policy 1 also seeks to meet Oldham's housing needs and demands by focusing residential development in sustainable and accessible locations in areas including rural settlements such as the Saddleworth Villages whilst ensuring that the borough's green belt is maintained and that development respects the natural, built and historic environment.

The application site comprises previously developed land evident by the existing structures and buildings. The NPPF regards the construction of new buildings as inappropriate within the Green Belt unless one of the listed exceptions in Paragraph 145 applies. The "*limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings)*" is one of those exceptions.

However, this only applies where the proposed development would not have a greater impact on the openness of the Green Belt, and the purpose of including land within it, than the existing development.

Effect on the openness of the Green Belt

In terms of issues of openness and visual amenity, in the Court of Appeal case of *Turner v Secretary of State for Communities and Local Government and East Dorset Council (2016)* it was observed that visual impact is implicitly part of the concept of the openness of the Green Belt, and that such assessment is not restricted to volumetric comparison only. It is open to the decision taker to consider the impact on openness in the context of the site itself, the type and character of development proposed, and how this relates to the existing situation.

The proposed development would include the demolition of the existing mill complex. The proposed development, comparatively, would have a far less volumetric impact on the openness of the Green Belt in regard to volume of built development within the application site.

Effect on the visual amenity of the Green Belt

In respect of the impact on visual amenity the proposed development is sited adjacent to Harrop Court Road, and the Public Right of Way (SADD 53 Footpath). It is clearly visible from public vantage points within the Green Belt from short and long distance views.

The mill complex was largely of two storeys, and for the most part, has a significant and unsympathetic impact on the openness of the Green Belt. The proposed development would be well spaced, to allow views in and out of the site to the Green Belt beyond the proposed development.

It is not considered that the proposed development would detract from the visual amenity of the Green Belt.

Therefore, the principle of development is considered acceptable, subject to the site being within a sustainable location, and justifying the loss of an employment facility.

Supporting Oldham's Economy

The proposed development would result in the loss of a site most recently used for employment purposes.

DPD Policy 14 states that it is important Oldham has a range of sites to support the local economy. Employment areas are spread across the borough. They provide land for existing firms to expand and for new firms to locate here, so providing for job opportunities. Development proposals which would result in the loss of a site currently or most recently used for employment purposes to other uses should include measures to outweigh the loss of the site and support Oldham's economy and the regeneration plans of the borough.

This can be demonstrated by the developer:

- a. through a marketing exercise that there is no market for the uses listed above. The marketing exercise should be agreed with the council before commencing and be of a professional standard; or
- b. through a viability exercise that the continued use/development of the site for the uses listed above is unviable; or
- c. that the development of the site for alternative uses would benefit the regeneration areas identified by the council as being in need of investment or would benefit the community of an area.

The application site has not been identified by the council as being in need of investment.

The applicant has submitted a Viability Report, which has been assessed by the Strategic Regeneration Team. This helped determine whether refurbishment of the property, as an employment use, was a viable option, in order to satisfy the requirements of DPD Policy 14.

On the basis of the additional information submitted, the Council's Strategic Regeneration Team consider that the proposed development does comply with DPD Policy 14.

Given the above, and the Council's acknowledged need for sustainable housing sites, it is considered that the principle of development is acceptable, subject to the site being within a sustainable location.

Is the site within a sustainable location

Policy 3 states that the Council's aims to promote development in sustainable locations and on previously developed sites. In the case of proposals on a non-allocated site, it states that such developments will only be considered favourably where a deliverable 5-year supply of housing land cannot be demonstrated, where it contributes towards the delivery of the borough's regeneration priorities, or where it contributes to the delivery of affordable housing needs.

DPD Policy 3 states that new residential developments should be located within 480m of at least two 'key services'. These are specifically defined as areas of employment, major retail centres, local shopping parades, health related facilities and services, schools, post offices and community uses.

The Diggle Hotel, a community facility, and Kilngreen Church, are within a ten minute walk of the application site. It is therefore considered that it is reasonable to conclude that the site is located in a sustainable position in close proximity to at least two key services as required by Policy 3.

Policy 5 requires minor development to achieve 'low accessibility' as a minimum which is defined as being within approximately 400m of a bus route with a service, or a combination of services, running less frequently than medium accessibility. The nearest bus stop is approximately 320m from the application site. Therefore, it is considered reasonable to suggest that the site is well placed in terms of access to bus routes.

Having regard to the above it is considered that the principle of the proposal is acceptable given that the site is in a sustainable location.

Design and impact on residential amenity

DPD Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

The proposed residential use of the site is appropriate to the character of the immediate area. The layout of the proposed development will be designed to avoid adverse impacts on the amenity of future occupants and the occupants of existing neighbouring properties. The proposed layout suggests that recommended minimum separation distances have been

considered in order to protect privacy and prevent intervisibility between the application site and surrounding properties.

The existing large areas of hardstanding used for parking are stark in appearance. The indicative hard and soft landscaping, that will form part of the development, will improve the appearance of the site and have a positive impact on the visual amenity of the area, to the benefit of surrounding residents and the street scene.

Notwithstanding the above, the detailed site scale, appearance, and landscaping of the proposed development would be considered as part of any reserved matters application.

Parking and highway safety

'Access' is a matter to be considered under this application.

Harrop Court Road is an unadopted highway and is the main access for existing residential units and a mill complex.

The additional traffic generated by thirteen dwellings is likely to be significantly less than the amount of traffic that could potentially be generated if the existing Mill operated at full or even part capacity. The type of traffic generated by the dwellings will be less industrial, with the majority being private motor vehicles and infrequent service /delivery vehicles.

The parking provision shown on the site layout is adequate, and it is considered that all users of the highway will have the ability to continue to use Harrop Court Road safely.

The existing access road is unmade and unadopted. The concerns raised by residents in regard to the condition of Harrop Court Road are acknowledged, however, it is not considered that the proposed development would have any significant impact on the condition of Harrop Court Road as existing.

It is not the intention of the Council to adopt Harrop Court Road.

The Highway Engineer has been consulted, and does not consider that the proposed development will have an adverse impact on highway safety and amenity.

Given the above, the proposed development is considered to be in accordance with DPD Policy 9.

Public open space

DPD Policy 23 states that all residential developments should contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.

No on-site open space, that is accessible and usable by the public is proposed within this proposed development, as it would not be feasible, due to space constraints, to provide open space on site. Instead, based on the surpluses and deficiencies of various types of open space in the area as identified in the Open Space Interim Planning Position Paper 2012, the applicant has agreed contribution of £113,694.36 towards the improvement of public open space within Ward Lane, to improve play, footpath, pond and woodland infrastructure, as suggested by the Council's Environmental Management section.

Ecology

NPPF Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment. The inclusion of the deculverting of the Brook means that the development is highly likely to achieve significant net gain for biodiversity. Negative impacts resulting from loss of bird nesting habitat and trees should be relatively easily mitigated through soft landscaping. The mitigation could also be associated with

the housing through landscaping of gardens and provision of bird and bat boxes within the new build.

Greater Manchester Ecology Unit has been consulted in regard to the application, and is generally supportive, subject to a number of conditions addressing the need for additional bat surveys, protection of nesting birds, demolition methodology, and details required at reserved matters.

Drainage

The site is located within an area susceptible to surface water flooding, and works to the existing culvert are proposed. The details of a surface water drainage scheme and works to the culvert are required by way of condition. No objections have been received from any consultees in respect of the proposals.

Trees

Policy D1.5 aims to protect existing trees on development sites. There are existing trees, not proposed to be felled, within the site, and on the periphery of the site. Landscaping is a 'reserved matter'. If these trees are proposed to be felled then this will be fully considered under the Reserved Matters application.

Other matters

Asbestos removal is not controlled by the Local Authority Planning Department. The financial impact of the proposed development on nearby dwellings is not a material planning consideration, and cannot be considered under this application.

The impact on residential amenity and design and public open space in regards to appearance, scale, layout, and landscaping will be considered further upon receipt of a Reserved Matters application.

RECOMMENDATION

It is recommended that Committee resolves to grant permission:

- (1) subject to the conditions in the report and to completion of a Section 106 legal agreement in respect of a contribution of £113,694.36 towards the provision or improvement of existing public open space, specifically improvements to play, footpath, pond and woodland infrastructure at Ward Lane.**
- (2) to authorise the Head of Planning & Development Management to issue the decision upon satisfactory completion of the legal agreement.**

1. Approval of 1) Scale 2) Appearance and 3) Landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or two years from the date of approval of the last of the reserved matters.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall be fully implemented in accordance with the approved plan and specifications:

- Drawing no. 1208/SK003 received 10th September 2018

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

4. No development comprising the construction of any external walls shall be commenced unless and until samples of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be 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.

5. No dwelling shall be occupied unless and until the access and parking spaces for that dwelling situated clear of the highway have been provided in accordance with the layout as shown within the approved plan (Drawing no. 1208/SK003 received 10th September 2018). The parking spaces so provided shall be available at all times thereafter for the parking of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided for the development and that parking does not take place on the highway to the detriment of highway safety.

6. Prior to the commencement of any development, details of arrangements for the disposal of foul waste, and a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

7. No site clearance or development shall take place until a report concerning the use of the site by bats, prepared by a suitably qualified person, has been submitted to and approved in writing by the local planning authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be undertaken in accordance with a timetable to be agreed in writing by the Local Planning Authority.

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

8. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written

confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason - To ensure the protection of birds.

9. No demolition, development, site clearance, or earth moving shall take place or material or machinery be brought on site until a method statement to protect the Brun Clough Brook, and any features or species of ecological interest from accidental spillages, dust and debris has been submitted to and approved in writing by the Local Planning Authority.

The method statement shall be accompanied by a Water Framework Directive Assessment of the potential impacts and a Landscape and Environmental Management Plan for the Brun Clough Brook. The content of the plan shall include:

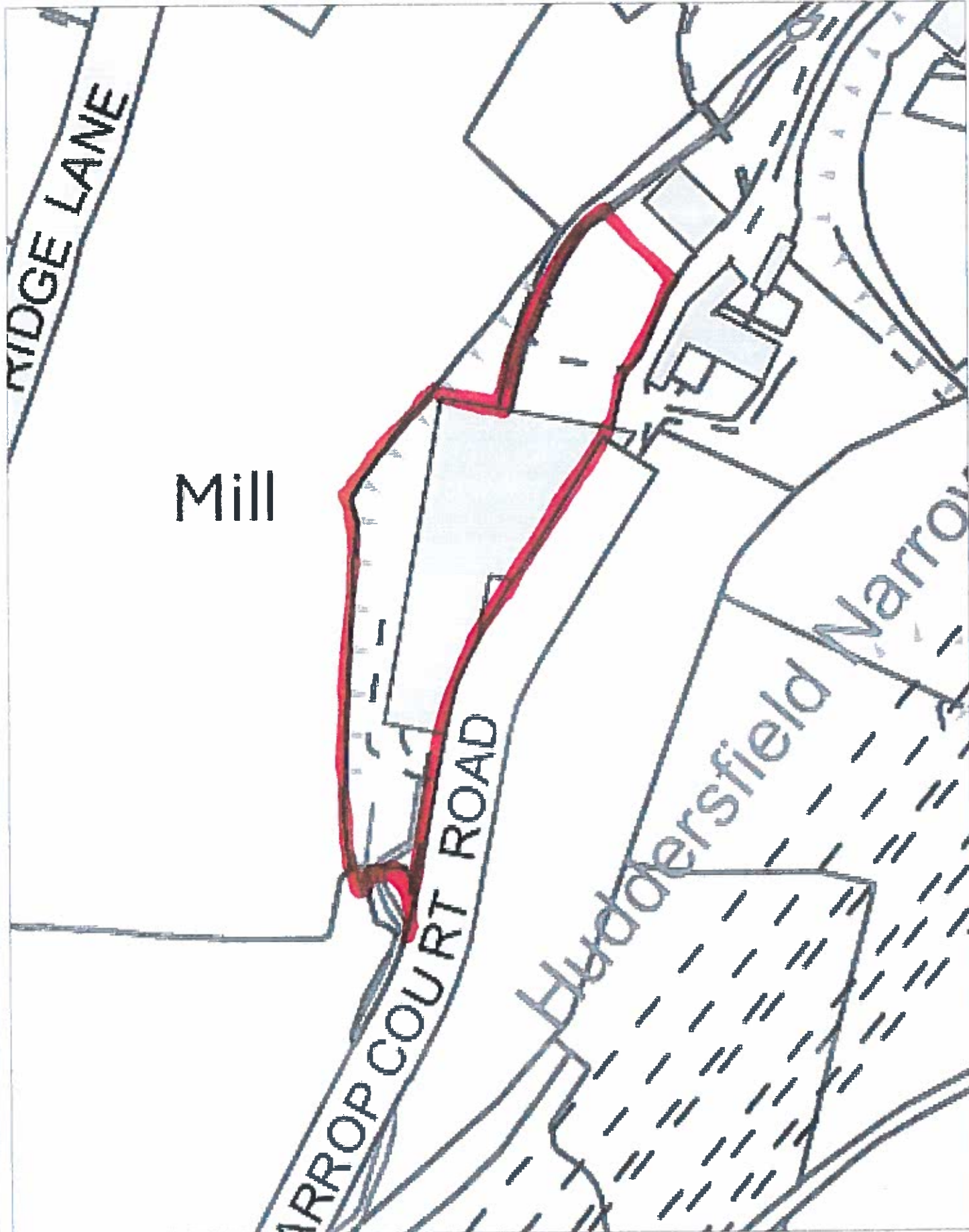
- a) detail of channel width, route, cross-sections and in-channel works
- b) Soft landscaping proposals, to include the use of native trees, shrubs, marginal and aquatic vegetation
- c) Timing of works
- d) Monitoring of channel stability
- e) Monitoring of landscaping
- f) Maintenance
- g) Organisation responsible

All approved measures shall be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason - To protect local wildlife

10. 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. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

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



341711



APPLICATION REPORT - PA/341850/18

Planning Committee, 17 October, 2018

Registration Date: 17/05/2018
Ward: Saddleworth North

Application Reference: PA/341850/18
Type of Application: Full Planning Permission

Proposal: 1) Demolition of existing single storey (ecclesiastical) west porch and construction of new single storey extension to provide entrance porch, Vicar's Vestry, and WC accommodation 2) Construction of new entrance doorway and DDA compliant entrance ramp.

Location: Saint Thomas Church, Church Street, Delph, Oldham, OL3 5DR
Case Officer: Hannah Lucitt

Applicant Agent : Parochial Church Council of St Thomas, Friarmere
Lloyd Evans Prichard

THE SITE

Saint Thomas Church is located within Delph Conservation Area. The detached building was constructed in 1884, with the addition of the Parish Hall to the east elevation, possibly at the turn of the nineteenth century, and the flat roof porch extension to the west during the later 20th century.

THE PROPOSAL

This application proposes the demolition of the existing single storey (ecclesiastical) west porch, and the construction of new single storey extension to provide entrance porch, Vicar's Vestry and WC accommodation to the west elevation.

The proposed single storey flat roof addition would project a maximum of 5.7m from the rear of the building, will be 7.7m in length, and 3.5m in total height. Windows are proposed to each elevation, with the entrance doors to the south elevation.

The proposal would result in the loss of a Sycamore tree.

In addition, it is proposed to create a new entrance door on the southern elevation facing Church Street between the church and parish hall. This will be formed by the alteration of an existing window. A new external ramp will be constructed to serve the doorway and will occupy a presently unused section of hardstanding.

RELEVANT HISTORY OF THE SITE:

No relevant planning history.

CONSULTATIONS

Environmental Health	No objection.
Conservation & Design Advice	No objection, subject to the inclusion of conditions addressing materials, window and door specification, and the protection of the original stonework.
Council's Arborist	No objection, subject to the inclusion of a Section 106 agreement for tree planting on council owned land close

Highway Engineer to the site.
No objections to the amended scheme.

REPRESENTATIONS

This application was publicised by way of a site notice, press notice and neighbour notification letters. No responses were received by virtue of this notification process.

PLANNING CONSIDERATIONS

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 2 within the National Planning Policy Framework (NPPF) reiterates that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham (DPD). It contains the Core Strategies and Development Management policies used to assess and determine planning applications.

The application site is unallocated by the Proposals Map associated with this document.

Therefore, the following policies are considered relevant:

Development Management Policies:

Policy 9 - Local Environment;
Policy 16 - Local Services and Facilities;
Policy 20 - Design;
Policy 24 - Historic Environment; and
Saved UDP Policy D1.5 Trees.

Principle of Development

The application site is currently an established church and associated parish hall but the applicant has demonstrated the need to provide improved facilities within the building along with an access ramp suitable for use by disabled persons. The main use of the building will continue following the development.

The scale of the proposed development is modest, and is considered necessary in order for the church to continue to function and provide the services required which accords with Policy 16 of the DPD.

Given the above, the principle of development is considered acceptable.

Design and impact on the Conservation Area

DPD Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

Policy 24 states that development within or affecting the setting of a conservation area, including views in or out, must serve to preserve or enhance the character or appearance of the area. Proposals for all new development, including alterations and extensions to buildings and their re-use, must have a sensitive and appropriate response to context and good attention to detail. Proposals must not adversely affect important architectural or

historic features or distinctive local features or structures unless it can be demonstrated that the development brings substantial benefits to the community.

NPPF Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 192 requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and the desirability of new development making a positive contribution to local character and distinctiveness.

The existing flat roof porch extension to the west contributes little architecturally to the church. Its relatively simple design and use of a flat roofed construction to prevent interference with the large west window of the Church, make this a fairly innocuous addition. The proposal to rebuild a larger version, still set back from the south elevation of the Church, would have no impact architecturally.

The new central entrance door and ramp alter the historic form of the south elevation, breaking the relatively uninterrupted horizontal emphasis of the existing window fenestration.

Given the above, it is considered that the proposal would cause 'less than substantial harm' to the heritage asset i.e. Delph Conservation Area.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The applicant has provided a Design and Access Statement to address the harm as identified above, which includes the introduction of important uses within the building which are currently lacking, such as the disabled person's WC and a ramped access point.

The new central entrance door and ramp has similarly been designed to reflect the character of the existing building and would have an acceptable impact on its setting. The proposed development has clearly been designed to reflect the existing structure, with materials more sympathetic to the stone used within both the host building, and in the retention of windows of architectural merit.

It is considered that conditions addressing materials, window and door specification, and the protection of the original stonework, should be included within any recommendation for approval, to outweigh any harm.

Given the above, it is considered that the 'less than substantial harm' caused by virtue of the proposed development, would be outweighed by the public benefits provided by the applicant. The proposed development would therefore broadly serve to enhance the Delph Conservation Area, in compliance with DPD Policies 9, 20 and 24 and Part 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

Trees

The impact that the proposed development might have on the tree protected by the Tree Preservation Order has been considered. Saved Policy D1.5 of the largely superseded Unitary Development Plan for Oldham is concerned with the protection of trees on development sites. The applicant has submitted an Arboricultural Impact Assessment which suggests that the large, healthy, sound, prominent tree has a high amenity value and would be removed to facilitate the development. **Page 35**

The Council's Tree Officer has commented that over the coming years, due to the future growth of the tree and the somewhat restrained growing area available, there will be conflict between the tree and the church/ wall/ footpath.

In order to address the loss of the tree, the applicant has agreed to a contribution to provide three oak trees to be planted on Council owned land in the area.

Regrettably, for these reasons and the public benefits claimed, it is considered that the loss of the tree is considered acceptable, on balance, in accordance with Policy D1.5.

Consequently, it will be necessary for the applicant to provide a legal obligation to provide funding for replacement trees, and for this reason the application needs to be presented to Planning Committee.

Residential Amenity

DPD Policy 9 outlines that new development proposals must not have a significant adverse impact upon the amenities of neighbouring properties. In this regard it is important to consider the impact on the neighbouring properties alongside the application site at Church Street, Gartside Street, and Lawton Street.

In this instance, it is not considered that the proposed development would have a significant impact on the amenity of neighbouring dwellings due to the modest scale of development, and the separation distance between the application site and neighbouring dwellings to the side, front and rear.

It is considered that the impact on neighbouring amenity is acceptable in accordance with DPD Policy 9.

Highway Safety

The original proposals included new ramped accesses to either end of the building which have now been deleted. The ramp at the eastern end would have necessitated widening of the existing access from Lawton Street and demolition of part of the boundary wall. The removal of this element ensures there will be no alteration to the existing parking and access arrangements, and on this basis the Highway's Engineer has raised no objections.

RECOMMENDATION

That Committee is minded to approve the application subject to the following conditions and to the completion of a Section 106 obligation to secure a contribution of £900 to be used for 3 oak trees to be planted on Council owned sites in Delph, and to authorise the Head of Planning and Development Management to issue the decision on completion of the obligation.

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

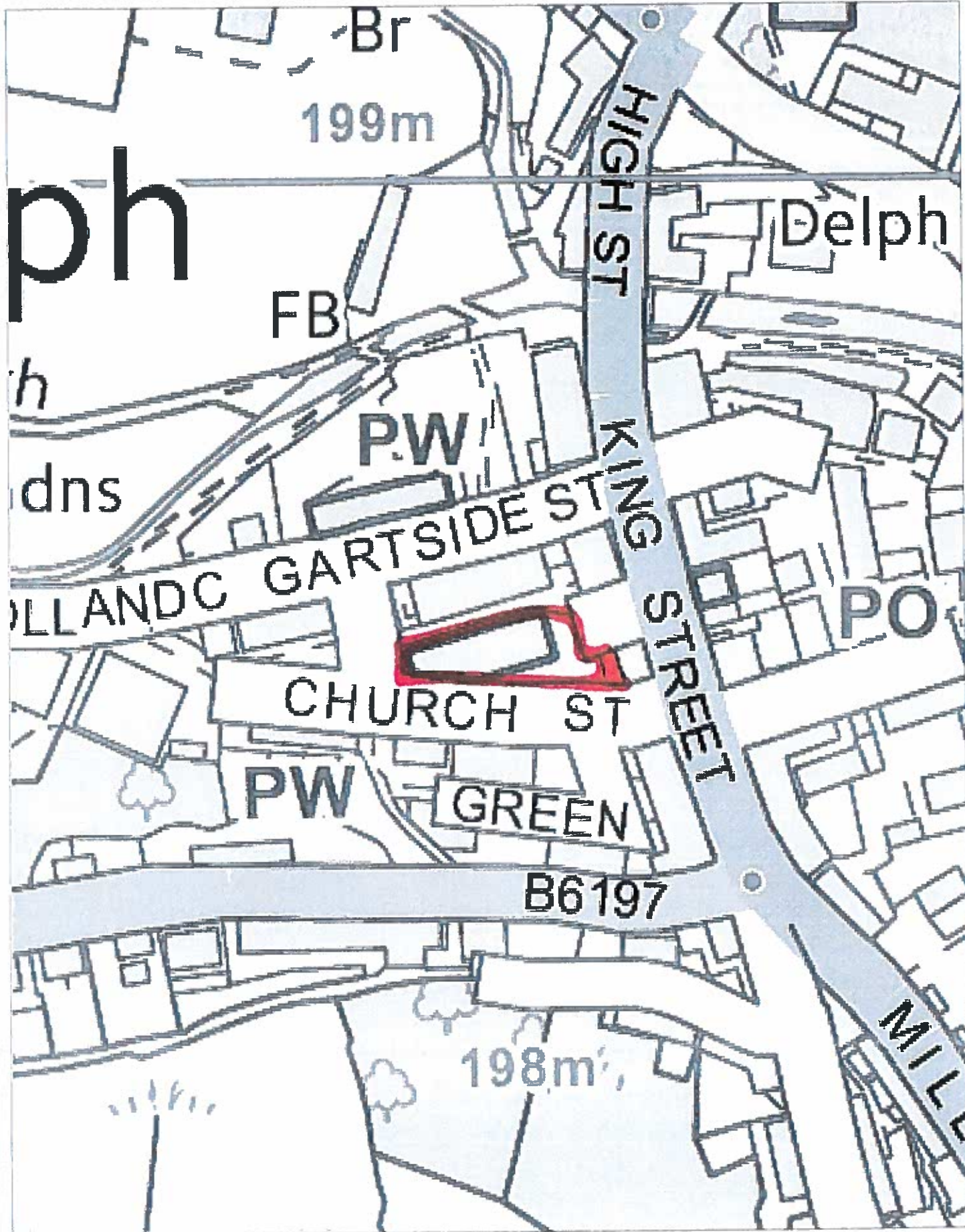
2. The development hereby approved shall be fully implemented in accordance with the approved plan and specifications:

4136B 009 Rev F (Elevations and Floor Plan drawings) received 4 October 2018

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No development involving the construction of any external walls, roofs or other surfaces shall take place unless and until samples of the materials to be used in the construction of the external surfaces of the development, including all windows and doors, hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The materials to be 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.



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Metropolitan Borough 

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Email: planning@oldham.gov.uk
Web: www.oldham.gov.uk

341850

Date: 09/10/18

Scale 1:1250



PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT APPLICATIONS

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

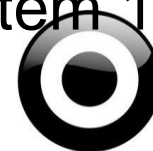
1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of 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 Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.



Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

2018

PLANNING APPEALS

WRITTEN REPRESENTATIONS

PA/341119/17 87-89 Yorkshire Street, Oldham, OL1 3ST

PA/341635/18 600 Huddersfield Road, Oldham, OL4 3NN

PA/341695/18 23-25 King Street, Oldham, OL8 1DP

PA/341390/18 Texaco Hollinwood Station. 257 Manchester Road, Oldham, OL8 4RH

PA/341435/18 922 Middleton Road Chadderton, Oldham. OL9 9SB

HOUSE HOLDER

ADVERTISEMENTS

APPEAL DECISIONS

HH/341513/18 380-382 Hollins Road, Oldham, OL8 3BE

Original Decision Del

Appeal Decision Dismissed

RECOMMENDATION - That the report be noted.

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 as defined by that Act.

Item number: 00



Files held in the Development Control Section

The above papers and documents can be inspected from 08.40am to 4.30pm on level 12, Civic Centre, West Street, Oldham.