

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 10 April 2019

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, 5 April 2019.

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

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

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

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

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:

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

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 - 6)
The Minutes of the meeting of the Planning Committee held on 13th March 2019 are attached for Members' approval.
- 6 PA/342430/18 - Royton Town Hall and Royton Library, Rochdale Road, Royton, OL2 6QJ (Pages 7 - 14)
1) Demolition of existing two storey rear extension. 2) New single storey rear extension, entrance canopy, ramp and step access to rear. 3) Internal alterations, including relocation of library into Town Hall and change of use of existing library to a commercial unit (use classes A1-A5). 4) External alterations and landscaping works.
- 7 PA/342681/18 - Land bounded by Albert Street, Hollins Road and Roman Road, Failsworth, Oldham (Pages 15 - 20)
Approval of reserved matters in respect of access for phase 1 highway and infrastructure works comprising details of the vehicular access from Albert Street including the two armed roundabout (roundabout No. 2) and estate road with junctions into plots B, C, D, E and F and underground attenuation tank to facilitate future phases of mixed use development pursuant to the outline planning permission PA/333717/13.
- 8 MMA/342935/19 - Land of Royley, Royton, Oldham, OL2 5DY (Pages 21 - 30)
Minor material amendment to PA/341270/18 to amend house type design and reduce number of dwellings from 20 to 15.



Oldham
Council

9 Appeals (Pages 31 - 42)

Appeals

This page is intentionally left blank



PLANNING COMMITTEE
13/03/2019 at 6.00 pm

Present: Councillor S Bashforth (Chair)
Councillors Ali, Brownridge, Davis, H. Gloster, Haque, Hewitt
(Vice-Chair), Hudson, Leach, Murphy (Substitute) and Cosgrove
(Substitute)

Also in Attendance:

Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer
Stephen Irvine	Head of Planning and Development Management
Hannah Lucitt	Planning Officer
Graeme Moore	Planning Officer
Kaidy McCann	Constitutional Services
Matthew Taylor	Planning Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Akhtar,
Ball, Harkness and Phythian.

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 MEETINGS**

RESOLVED that:

1. The Minutes of the Planning Committee held on 13th
February 2019 be approved as a correct record.
2. The Minutes of the Planning Committee held on 28th
February 2019 be approved as a correct record.

6 **PA/341416/18 - LAND TO THE EAST OF HEBRON STREET
AND BROWNLOW AVENUE, ROYTON, OLDHAM**

APPLICATION NUMBER: PA/341416/18

APPLICANT: Grasscroft Homes and Property Limited, Annice
Dransfield Douglas & Matthew Drans

PROPOSAL: Erection of 77 dwellings, open space and
associated works and infrastructure - amendments to the
scheme include a revised layout and reduction in the number of
units proposed from 80 to 77

LOCATION: Land to the east of Hebron Street and Brownlow Avenue, Royton, Oldham



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

On being put to the vote 9 VOTES were cast IN FAVOUR OF REFUSAL and 2 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be REFUSED contrary to officer's recommendation for the following reason:

1. The proposed development makes inadequate provision for accessing and exiting the site and Hebron Street. As such, the proposal will lead to congestion and obstruction on Hebron Street and beyond, to the detriment of resident's amenity, the free flow of traffic along the street and area and pedestrian safety. As such, the proposal is unsustainable development and contrary to:
 - Policy 9 of Oldham's LDF Joint DPD which seeks to protect the amenity of existing and future residents; and,
 - Policy 4 of Oldham's Joint DPD which seeks to ensure highways safety by requiring appropriate highways safety measures and schemes are implemented as part of development proposals.
2. The proposal would result in the loss of OPOL land and subsequently would result in a loss of open landscape that would harm to the visual amenity of the area, as well as having a transformative effect on its openness and local distinctiveness. This harm significantly and demonstrably outweighs the benefits of the scheme when weighed against the Local Plan and NPPF policies taken as a whole. As such, the proposal is contrary to:
 - Policy 6 - Green Infrastructure; and,
 - Policy 22 – Protecting Open Land

of the Oldham Local Development Framework, Development Plan Document (November 2011) that seek to protect valued OPOL land.

3. The proposed development would result in the introduction of residential accommodation of poor design, in terms of unacceptable room sizes, that fails to take the opportunity available for improving the quality of accommodation in Oldham and create places that provide an acceptable degree of amenity for future residents. The proposal would therefore be contrary to Policy 9 of the Oldham Local Development Framework Joint Core Strategy and Development Management Policies DPD and the objectives of the National Planning Policy

Framework to secure a good standard of amenity for future occupants of land and buildings.



4. The nature of the noise, activity and disturbance created by the adjacent employment site would be detrimental to the residential amenity of the occupiers of the proposed residential properties. As such, the proposal would therefore be contrary to Policy 9 of Oldham's LDF Joint DPD which seeks to protect the amenity of future residents from noise, increased activity and disturbance.

NOTES:

1. That an Objector, the Applicant and a Ward Councillor attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 12.

7 **PA/342222/18 - LAND TO THE REAR OF 29 -51 SHAW HALL BANK ROAD, GREENFIELD, OL3 7LD**

APPLICATION NUMBER: PA/342222/18

APPLICANT: Wiggett Construction

PROPOSAL: Erection of 20 no residential dwellings with amended road access and associated car parking.

LOCATION: Land to the rear of 29 -51 Shaw Hall Bank Road, Greenfield, OL3 7LD

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

On being put to the vote 10 VOTES were cast IN FAVOUR OF APPROVAL and 1 VOTE was cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED, subject to an additional condition removing permitted development in relation to the conversion of garages.

NOTES:

1. That an Objector and the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 12.

8 **PA/342341/18 - LINNEY LANE, SHAW, OL2 8HD**

APPLICATION NUMBER: PA/342341/18

APPLICANT: Safe and Sound (M/CR) Ltd

PROPOSAL: Demolition of existing building and construction of 17 no. industrial units

LOCATION: Linney Lane, Shaw, OL2 8HD

It was **MOVED** by Councillor H. Gloster and **SECONDED** by Councillor S. Bashforth that the application be **APPROVED**.

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

DECISION: That the application be **GRANTED** subject to the conditions as outlined in the report.

NOTES:

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 12.

9

PA/342449/18 - LAND OFF HAVEN LANE, MOORSIDE, OLDHAM OL4 2QH

APPLICATION NUMBER: PA/342449/18

APPLICANT: Cube Great Places Ltd

PROPOSAL: Reserved matters application (for appearance, landscaping, layout and scale) pursuant to PA/338917/16 for 23 three and four-bedroom detached dwellings.

LOCATION: Land off Haven Lane, Moorside, Oldham OL4 2QH

It was **MOVED** by Councillor Bashforth and **SECONDED** by Councillor Cosgrove that the application be **DEFERRED**.

On being put to the vote 10 **VOTES** were cast **IN FAVOUR OF DEFERRED** and 1 **VOTE** was cast **AGAINST** with 0 **ABSTENTIONS**.

DECISION: That the application be **DEFERRED** for the following reasons:

1. To obtain additional information in relation to the drainage of the site.
2. Consideration of the whether the bungalow (plot 1) can be repositioned further away from 162 Haven Lane.
3. To obtain additional information to ensure trees are protected from the works related to erecting a retaining wall.

NOTES:

1. That an Objector, the Applicant and a Ward Councillor attended the meeting and addressed the Committee on this application.

2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 12.

10 **PA/342693/18 - 2 GROVE AVENUE, FAILSWORTH, M35 0JU**

APPLICATION NUMBER: PA/342693/18

APPLICANT: Mr Wann

PROPOSAL: Conversion and extension of the existing single storey dwelling into 2no. two storey dwellings

LOCATION: 2 Grove Avenue, Failsworth, M35 0JU

It was **MOVED** by Councillor Murphy and **SECONDED** by Councillor Davis that the application be **DEFERRED**.

On being put to the vote 4 **VOTES** were cast **IN FAVOUR OF DEFERRAL** and 7 **VOTES** were cast **AGAINST** with 0 **ABSTENTIONS**.

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

On being put to the vote 10 **VOTES** were cast **IN FAVOUR OF APPROVAL** and 1 **VOTE** was cast **AGAINST** with 0 **ABSTENTIONS**.

DECISION: That the application be **GRANTED** subject to the conditions as outlined in the report.

11 **APPEALS**

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

12 **LATE LIST - 13/03/19**

RESOLVED that the information relating to the submitted planning applications as at 13th March 2019, as contained in the Late List, be noted.

The meeting started at 6.00 pm and ended at 8.02 pm

This page is intentionally left blank

APPLICATION REPORT - PA/342430/18

Planning Committee,

Registration Date: 01/11/2018
Ward: Royton South

Application Reference: PA/342430/18
Type of Application: Full Planning Permission

Proposal: 1) Demolition of existing two storey rear extension. 2) New single storey rear extension, entrance canopy, ramp and step access to rear. 3) Internal alterations, including relocation of library into Town Hall and change of use of existing library to a commercial unit (use classes A1-A5). 4) External alterations and landscaping works.

Location: Royton Town Hall and Royton Library, Rochdale Road, Royton, OL2 6QJ

Case Officer: Graham Dickman

Applicant Agent : Oldham Council
WYG

THE SITE

This application relates to two, adjoining, landmark buildings in Royton Town Centre - Royton Town Hall and Royton Library. The buildings are located on the east side of Rochdale Road opposite the main pedestrianised shopping centre. Immediately to the south an ornate stone archway separates the Town Hall from single storey retail premises, with a further pedestrianised walkway separating the Library from retail units to the north. There is a public square to the rear which also fronts onto modern buildings comprising Royton Leisure Centre and Royton Health and Wellbeing Centre.

Neither building is statutorily listed or within a conservation area, however, they represent important heritage buildings within the townscape.

The Town Hall was constructed in 1880 and is two storey, brick faced with prominent stone detailing and dominated by a centre clock tower with a copper cupola. The building is presently partly occupied by the Council's District Team and Police Community Support Officers, although much of the building is vacant. The Library was opened to the public in 1907 and is designed in a similar style to the Town Hall. It is predominantly single storey, but with accommodation also available within the roof space. The ramp serving the Library entrance is a prominent feature of the front elevation.

Both buildings include substantial modern, flat roof, two storey additions to the rear constructed in the 1960s/70s, and extensive basement areas.

THE PROPOSAL

The proposals have been formulated in order to secure the long-term maintenance and practical use of these heritage buildings, including the relocation of the library into the Town

Hall and the change of use of the existing library to a commercial unit. This would cover a range of potential uses, including retail, financial and professional services offices, cafes/restaurant, drinking establishments, and hot food takeaways (Use classes A1-A5).

External alterations to the building will be focussed on the rear elevation and include the removal of the unsympathetic rear additions. These will be replaced by a much narrower addition to the rear of the Town Hall compared to the existing structures to create sufficient floor space to accommodate the relocation of the library. The depth of the rear extension will be reduced from 15m to 6.5m, beyond which will be a canopy covering a level platform, with steps and an access ramp provided towards the renovated public square. This section of the extension will be faced in a glazed curtain wall with metal louvres and glazed sliding doors into the building.

Following the removal of the modern addition to the rear of the Library, a new facade will be created. Originally it was intended that this section would be overclad with copper cladding, however, following further discussions, this has been replaced by brickwork of a matching colour and configuration to the original building. The proposed window openings will be enhanced by the use of buff coloured artstone surroundings and plinth, again reflecting the style of the original structure.

Internally, most of the existing divisions on the ground floor of the Town Hall will be removed in order to open up the space to accommodate the Library facilities. At first floor level, the divisions will remain allowing for various community uses and relocation of the current functions. The only internal works proposed to the Library are the construction of a new service entrance on the northern elevation and partially altering the internal layout to accommodate this and waste storage facilities.

The public square will be reconfigured with a mix of hard and soft landscaping reflecting the existing design.

RELEVANT HISTORY OF THE SITE:

PA/031799/94 - Construction of new ramp and steps. Approved 11 August 1994

CONSULTATIONS

Highway Engineer	No objections subject to provision of adequate secure cycle storage facilities.
Environmental Health	No objections subject to details of facilities for waste storage and removal.

REPRESENTATIONS

The application has been advertised by site and press notice.

Three letters of objection have been raised on the following grounds:

- Although not attractive, the existing extensions are functional and removal of part of the lettable area would reduce the economic viability of the scheme and employment potential;
- Use of louvres and copper cladding are out of character with the area and will attract vandalism and higher maintenance costs;
- Concerns that entrance to the library is being moved to the rear.

Royton Local History Society - Initially expressed concerns at the external appearance of the addition to the Town Hall. However, following amendments to the design and facing

materials proposed, this objection has been removed.

PLANNING CONSIDERATIONS

Principle of the development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. This requirement is reiterated in Paragraph 2 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 allocated within a Centre 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 2 - Communities

Policy 9 - Local Environment

Policy 15 - Centres

Policy 20 - Design

Policy 24 - Historic Environment

DPD Policy 1 seeks the effective and efficient use of land, prioritising development on previously developed land. Policy 2 supports appropriate development that contributes towards sustainable development which supports the transformation of education and skills, and contributes to improved health and well-being for the people of Oldham. In this context, the proposals will assist in securing the long-term effective use of existing buildings which occupy a highly sustainable town centre location, and in particular allow for the development and future-proofing of the important educational resource provided by the Library.

By making practical use of the underused former Town Hall, the proposals will assist in maintaining a vital public service and securing the physical restoration of the building. In order to achieve this, re-use of the Library building for commercial purposes will allow this part of the building to remain in productive use by means of a range of potential functions which will be appropriate to the town centre location.

DPD Policy 15 recognises the significant contribution that centres such as Royton can make to the borough, acting as focal points for a mix of commercial and social activities, and it is vital to promote and enhance their vitality and viability. Under this Policy, proposals for food, drink, and night-time related uses were required to demonstrate an established need. However, this requirement is not reflected in the NPPF which supersedes the local plan policy, and therefore, such demonstration is not required.

Nevertheless, it is still necessary to show how such uses contribute positively to local environmental quality and visitor experience; do not have an unacceptable environmental impact; contribute to visual appearance, or result in adverse traffic, community safety, or other impacts.

Heritage and Design

Although neither building is statutorily listed or located within a conservation area, they nevertheless contribute strongly to the character of the area, and development should ensure benefit can accrue from the proposals.

DPD Policy 20 promotes high quality design and requires that new development should reflect local characteristics whilst not resulting in a significant adverse impact on the visual amenity of the surrounding area. Policy 24 states that when determining development proposals, the Council will seek to protect, conserve, and enhance the architectural features, structures, settings, historic character and significance of the borough's heritage assets, including locally significant buildings.

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.

NPPF paragraph 197 requires that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss to the significance of the heritage asset.

With regard to the demolition of the rear extensions, these were added in the 1960s and 1970s, they are utilitarian in appearance, and are considered to be unsympathetic to the designs of the main buildings. It is considered the demolition will improve the visual amenity of the area and reveal more of the existing buildings' original elevations. This would be a positive impact.

The proposed extension to the Town Hall will be a single storey in height and will allow for more of the rear elevation of the building to be visible from the public space. The brickwork used will be of a similar colour and palette to those utilised on the original town Hall building. The use of louvres will create a more contemporary feel providing a focus to the new entrance whilst not overpowering the main Town Hall features and scale. The rear wall of the library building will be re-clad in brick of a similar colour and dimensions to those used on the main library building. The stonework which will frame the windows and form the plinth will also be of a similar buff colour to what is currently used. Taking into consideration the visual impact of the existing extension, these changes will have a positive impact.

An existing external flue to the rear of the Town Hall will require replacement. A condition is recommended to ensure this is painted in an appropriate colour to reflect the existing brickwork and reduce its visual impact.

In regard to the impact on listed buildings or conservation area, the nearest designations are Saint Paul's Church and Conservation Area to the west. Having regard to the separation distance and fact that external alterations are confined to the rear, east, elevation of the building, there will be no impact on statutorily listed heritage assets.

These impacts must also be considered in the context of the positive future public benefits of securing the library's relocation, and improving the functionality of a presently under-utilised Town Hall building. In this regard, it is concluded that the benefits associated with the proposal would outweigh any harm to the heritage asset.

Environmental Impacts

DPD Policy 9 requires that development does not adversely affect the environment or human health caused by air quality, odour, noise, vibration or light pollution, or cause significant harm to the amenity of existing and future occupants through impacts on privacy, safety, security, noise, pollution, visual appearance of an area, access to daylight, and other nuisances.

Traffic Impacts

The site is located in a highly sustainable location within Royton Town Centre with ready access to regular bus services, and with residential areas within close proximity to the site. A condition is recommended to ensure secure cycle parking can be achieved, and on this basis the highways Officer has raised no objections.

Grounds of Objection

In respect of the concerns in relation to design issues, the initial proposal for utilisation of copper cladding on the rear elevation has been acknowledged to be unsympathetic and a more appropriate solution has now been incorporated. The scheme achieves a good balance between aesthetics and practicality, and in this context, the use of modern materials does not undermine the value of the heritage asset as described above.

The proposals will result in some loss of floorspace, however, the scheme seeks to ensure practical use of the available space, and in this context, any loss is not deemed significant in securing long-term viability for the buildings.

The removal of the front entrance to the library has resulted from practical considerations in ensuring re-use can be achieved successfully. Whilst access will be to the rear, this will be onto an enhanced public space which serves other public buildings. This elevation therefore functions as a primary approach to the building and does not lessen the appreciation of the value of the library asset.

Conclusion

The proposals for the Town Hall and Library result from a desire to secure the practical future of the buildings and to preserve a valued public service. In this regard, the scale and design of the physical alterations to the building respect the heritage assets, whilst providing an overall public benefit, which accords with national and local policy guidance. The introduction of commercial use into the former library is an appropriate solution in this important town centre location and will further enhance the buildings. There are no environmental, traffic or other impacts which would result from the proposals, and therefore approval is recommended.

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 approved shall be fully implemented in accordance with the approved plans and specifications received on 27 February 2019 which are referenced as:

A090070-337 S-002 Rev 02 - Proposed Site Block Plan
A090070-337 SE-01 Rev 02 - Proposed Section A-A
A090070-337 EL-07 Rev 02 - Proposed South Elevation
A090070-337 EL-08 Rev 02 - Proposed Rear Elevation
A090070-337 EL-09 Rev 02 - Proposed North Elevation
A090070-337 PL-010 Rev 02 - Proposed Ground Floor Plan
A090070-337 PL-011 Rev 02 - Proposed First Floor Plan
A090070-337 PL-012 Rev 02 - Proposed Basement Plan
A090070-337 PL-013 Rev 02 - Proposed Roof Plan
A090070-337 LA1 Rev P1 - Landscape Proposals (received 11 November 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 comprising the construction of any external building works shall take place unless and until samples of the materials to be used in the construction of the external surfaces of the development 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 in the interests of the visual amenity of the area within which the site is located.

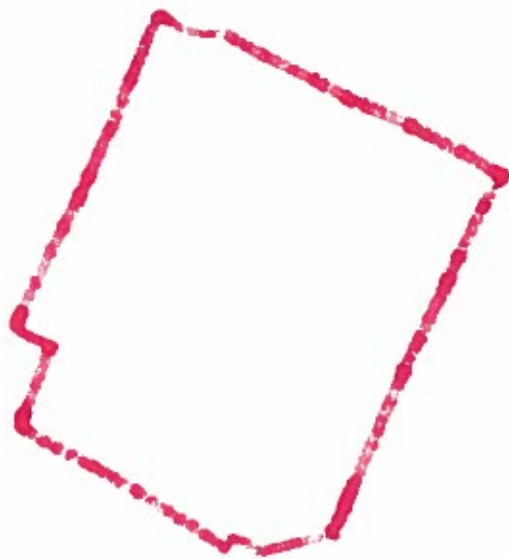
4. Prior to installation, the replacement external flue to the rear of the Town Hall shall be painted in a colour to reflect the existing brickwork of the building, details of which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the appearance of the development is acceptable in the interests of the visual amenity of the area within which it is located.

5. The use hereby permitted shall not commence unless and until adequate secure cycle storage facilities have been provided in accordance with a detailed scheme which has been previously submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall always remain available to users of the development.

Reason - To promote sustainable transport alternatives and ensure adequate cycle storage facilities are available to users of the development.





APPLICATION REPORT - PA/342681/18

Planning Committee, 10 April, 2019

Registration Date: 11/12/2018
Ward: Failsworth East

Application Reference: PA/342681/18
Type of Application: Reserved matters

Proposal: Approval of reserved matters in respect of access for phase 1 highway and infrastructure works comprising details of the vehicular access from Albert Street including the two armed roundabout (roundabout No. 2) and estate road with junctions into plots B, C, D, E and F and underground attenuation tank to facilitate future phases of mixed use development pursuant to the outline planning permission PA/333717/13.

Location: Land bounded by Albert Street, Hollins Road and Roman Road, Failsworth, Oldham

Case Officer: Hannah Lucitt

Applicant Langtree and Oldham Council
Agent : Spawforths

THE SITE

This application relates to a parcel of unused and formerly developed land that measures approximately 6.3 hectares in area. It is characterised by overgrown areas of trees and shrubbery, a part demolished red brick building (to the north west of the site), a large gasometer (to the eastern boundary of the site) and areas of hard standing and palisade fencing throughout.

The site is bounded by the M60 motorway to the east, the Hollins Road roundabout to the north, small scale employment uses along Albert Street to the west, and the Streetbridge public house and New Bridge School to the south.

THE PROPOSAL

This reserved matters application proposes the first phase of access works for a site for which a large mixed use development has previously been granted. The works include details of the vehicular access from Albert Street including a two armed roundabout and estate road with junctions into future development plots. An underground attenuation tank to facilitate future phases of mixed use development is also proposed.

When complete, the existing through access along Albert Street will be closed to vehicular traffic, with a new link provided through the development site to Roman Road.

ENVIRONMENTAL IMPACT ASSESSMENT

In accordance with Regulation 5 of the Environmental Impact Assessment Regulations 2017 the Council has conducted a Screening Opinion in order to establish whether the proposed development was likely to have such significant effects on the environment that an Environmental Impact Assessment (EIA) is warranted. It was concluded that an Environmental Impact Assessment as part of this planning application is not necessary.

RELEVANT HISTORY OF THE SITE: Page 15

PA/333717/13 'Demolition of a gasholder and outline planning application for employment-led mixed use scheme to include: erection of buildings to provide B1/B2/B8 uses, supported by ancillary uses including A1, A3, A4, A5, C1 and D1, and associated engineering works, landscaping, car parking, open space and access from Albert Street. Access to be considered all other matters reserved' was granted conditional planning permission on 7th June, 2013.

CONSULTATIONS

Environmental Health Highway Engineer	No comment. No objections. It is noted that to facilitate the works, the developer will need to enter into a Section 278 agreement under the Highways Act, and that up to date transport assessments and possible off-site highway works may be required as part of the detailed development proposals.
Ramblers Association	Concerns raised in regard to footpaths Oldham 61 and to a lesser degree on Failsworth 20.
Greater Manchester Archaeological Advisory Services	No objection, subject to the inclusion of a condition addressing the need for a Written Scheme of Investigation.
Council Arborist	No objection, subject to the inclusion of a condition requiring a robust planting scheme.
Environment Agency	No comment.
Highways Agency	No comment.
Coal Authority	No objection.
Drainage/LLFA	No objection, subject to the inclusion of a drainage scheme and Flood Risk Assessment.
Greater Manchester Ecology Unit	No objection, subject to the inclusion of conditions for mitigating any impact on birds, badgers and biodiversity.
Transport for Greater Manchester	No objection. It is noted that this layout was part of an outline application from February 2013. No updated modelling has been submitted for review and therefore the only comments provided relate to the design.
Highways England	No objection.

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 publication process.

PLANNING CONSIDERATIONS

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).

The application site is located within a Business and Employment Area and as such careful consideration of the following issues needs to be made;

- Land Use;
- Layout and Design;
- Access and Highways; and,

- Other matters.

Land Use

The application site is identified in the Council's development plan as a key development location for an 'arc of opportunity' for businesses that will underpin the Borough's future economic prosperity. DPD Policy 14 also stipulates that the vision for Hollinwood Business District is "*a new business-led district for Oldham - that meets Oldham's needs for good quality business space in an efficient and attractive environment to support a growing and productive local economy*". It goes on to state that development proposals for B1 (business) and B2 (general industry) will be permitted and should form the focus for the business district. In addition, B8 (storage or distribution), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), C1 (hotels), leisure facilities up to 1,000 square metres gross floor space and retail facilities up to 500 square metres gross floor space will also be permitted where appropriate.

To this end, the submitted design and access statement and parameters plan shows the proposal to comprise of a mixture of A1, A3, A4, A5, C1 and D1 (ancillary) uses, and B1, B2 and B8 (employment) uses. It is stipulated that 20,000 square metres of gross floor space are to be provided for the B1, B2 and B8 uses, and that the A1 use is to be restricted to 500 square metres. Notwithstanding this, the submitted parameters plan clearly shows the employment uses to be contained within the vast majority of the site.

It is therefore considered that proposal is consistent with the Council's aspirations of a business led district for this site and it is considered acceptable in principle against the provisions of DPD Policies 13 and 14. The proposed access arrangements have been assessed in the context of this future development.

Layout and Design

Application (PA/333717/13) sought determination of 'access' arrangements at this outline planning application stage. This covered circulation routes within and through the site and how this fits into the wider highway network. All other matters, namely layout, scale, appearance and landscaping would be reserved for a subsequent planning application although a number of illustrative plans and documents have been submitted.

Under the outline application, Officers were satisfied that the proposed plans demonstrated that the site could accommodate the proposed floorspace and provide a high quality development that reflected the importance of the site's strategic location. The road and pedestrian circulation routes as approved allowed for a perimeter block type development which provides the opportunity for active and positive frontages onto the M60 motorway and the wider public realm.

As such, the proposal accords with DPD Policies 5, 17 and 20.

Access and Highways

Within this reserved matters application, the applicant has submitted construction details of the proposed roundabout and access routes through the site. The proposed development has excellent accessibility to the motorway network and is a sustainable location with good access to public transport. The proposed access site along Albert Street to the south has been restricted to pedestrian access only.

A Transport Assessment was submitted with the previous outline application. It examined the existing conditions and the effect that the proposed development was likely to have on the highway network. TfGM has reviewed the information in the original Transport Assessment, but is unable to comment further without more up to date information. Consequently, the impact will be assessed further once detailed development proposals are submitted for approval under future Reserved Matters applications.

future agreement under the Highways Act.

A separate application for diversions to the public rights of way which cross the site will also be required.

Subject to such assessment, and any necessary future highway works, the proposal is considered compliant with DPD Policies 5 and 9 in regard to highway safety and amenity.

Other matters

Conditions in relation to ecology, ground contamination, archaeology, drainage, and environmental impact are covered by conditions of the outline approval and will continue to apply to future developments on the site.

Conclusion

It is therefore considered that with all of the points above in mind, the proposal complies with national and local planning policies. As such, the proposal will assist in meeting Oldham's need for good quality business space in an efficient and attractive environment. The application is recommended for approval accordingly.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development hereby approved shall be fully implemented in accordance with the approved plan and specifications referenced ST166316-103 Rev P6 received on 29 March 2019.

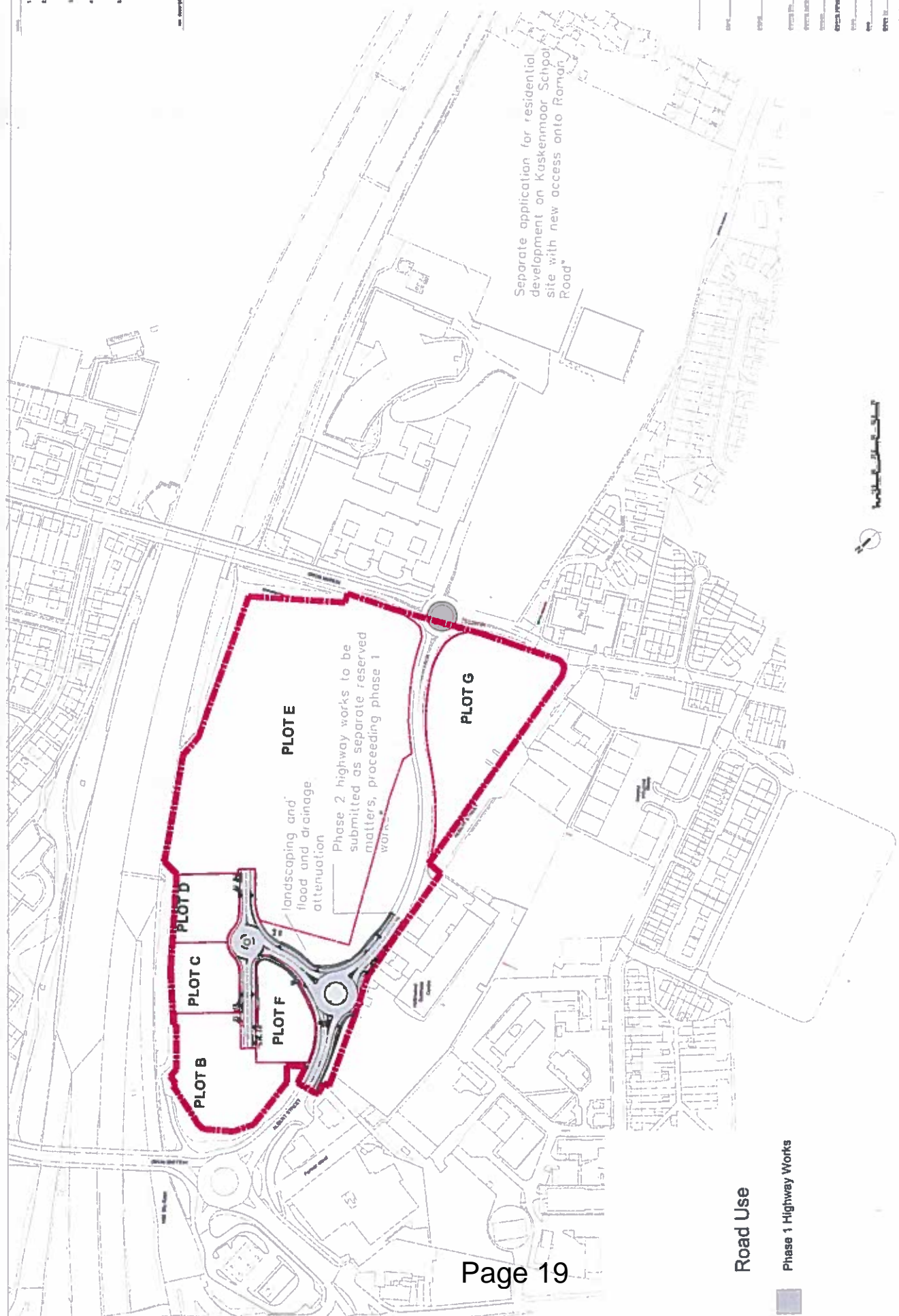
Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

1. FOR ALL PLANS, CHECK THE DIMENSIONS AND FINISHED TERRAIN LEVELS.
2. TO BE MADE IN CONSULTATION WITH ALL CONCERNED PARTIES AND TO BE APPROVED BY THE LOCAL AUTHORITY.
3. ALL WORKS MUST BE COMPLETED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
4. CHECKS ON SITE BY CONTRACTOR BEFORE COMMENCEMENT OF WORKS.
5. ACCESS TO REMAIN UNIMPAIRED THROUGHOUT THE CONSTRUCTION PERIOD.
6. FOR ALL CONSTRUCTION WORKS, A PROTECTIVE FENCING SYSTEM MUST BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SERVICES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PLANT AND EQUIPMENT.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND FOUNDATIONS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND VEGETATION.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND PATHS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PLANT AND EQUIPMENT.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND FOUNDATIONS.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND VEGETATION.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND PATHS.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PLANT AND EQUIPMENT.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND FOUNDATIONS.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND VEGETATION.

see description

DATE	11/01/2018
PROJECT	Highway Upgrade
PROJECT NO.	01234_0000
PROJECT NAME	TRUCKER
PROJECT ADDRESS	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
PROJECT TYPE	Highway Upgrade
PROJECT STATUS	Approved

SEVEN
 SEVEN CONSULTANTS LTD
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



Separate application for residential development on Kaskenmoor School site with new access onto Romrod Road*

Phase 2 highway works to be submitted as separate reserved matters, proceeding phase 1 landscaping and flood and drainage attenuation works

APPLICATION REPORT - MMA/342935/19

Planning Committee, 10 April, 2019

Registration Date: 18/02/2019
Ward: Royton North
Application Reference: MMA/342935/19
Type of Application: Minor Material Amendment

Proposal: Minor material amendment to PA/341270/18 to amend house type design and reduce number of dwellings from 20 to 15.
Location: Land of Royley, Royton, Oldham, OL2 5DY
Case Officer: Graeme Moore

Applicant J Walker Homes Ltd
Agent : Nicol Thomas Ltd

THE SITE

The application site consists of a single parcel of land located at the end of Royley, in Royton.

The overall area of the site is approximately 0.29 hectare. The land rises in levels from south to north and from west to east. The existing site will be formulated to suit required levels. The neighbouring land to the perimeter of the site will be maintained as existing with the introduction of retaining structure walls where necessary. Existing residential development adjoins the site to the north, west, and south, with Highlands Road to the east.

A new site access and cul-de-sac is to be provided from Royley which will serve the majority of the development, with two properties accessed direct from Highlands Road.

Since the previous application was approved, there has been some site works undertaken, but no construction has started on site.

THE PROPOSAL

This application seeks a Minor Material Amendment to approved application PA/341270/18. The main reason for the amendments is that the landowner has come to an agreement with First Choice Homes for them to develop the site and deliver the proposed housing units.

The changes will result in a reduction in the overall number of dwellings from 20 to 15. This is achieved through the replacement of the block of 8 apartments with a pair of semi-detached houses on the eastern side of the site fronting onto Highlands Road, and the addition of a further dwelling on part of the site previously reserved for car parking for the apartments. With the exception of the houses fronting Highlands Road, which will have their own driveways and attached garages, the remainder of the development will continue to be served by an extension to Royley.

Other changes include:

- the removal of single storey rear projections from two different house types;
- deletion of detached garages from two plots;
- the replacement of formerly two-and-a-half storey three bedroom houses with a split-level design;
- various alterations to window detailing and internal layout.

PLANNING HISTORY

PA/341270/18 - Erection of 12 no. dwellinghouses and 8 no. apartments. Approved 08/06/2018

PA/338037/16 – Proposed residential development of 4 no. dwellings. Approved 24/6/2016

PA/053258/07 - Reserved matters application in relation to PA/50959/06 for all reserved matters (scale, appearance and landscaping) for erection of 28 no. apartments. Approved 26/7/2007

RELEVANT PLANNING POLICIES & 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 2 of the National Planning Policy Framework (NPPF 2018).

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 & Sustainable Transport
Policy 9 - Local Environment
Policy 11 - Housing
Policy 20 - Design

REPRESENTATIONS

The application has been publicised on the Council's website, by neighbour notification, and by site notice. No written representations have been received.

CONSULTATIONS

Highways Engineer - No objections subject to provision and retention thereafter of the access and parking spaces in accordance with details of construction, levels, and drainage to be approved, and for details of works to Highlands Road to achieve tie-in with the existing highway, relocation of a street lighting column, and adequate highway width for reversing vehicles.

Environmental Health - No objections.

PLANNING CONSIDERATIONS

Principle of the development

The principle of residential development on this site was established under the original approval (PA/341270/18). Consideration is therefore limited in this case to the revised layout and house types.

Design and Amenity

Guidance within Section 12 of the NPPF is relevant, together with DPD Policy 20.

The properties all have an active frontage, either to the new cul-de-sac or to Highlands Road. The siting of the dwellings further provides a secure environment to the front of

the properties with private amenity space provided in the rear gardens of the houses. All houses are designed to have private rear access with all refuse storage areas contained within rear gardens apart from the type 'C' houses which have them in purpose built structures at the front of the dwellings.

The scale of the new build respects the local vernacular, all of which is to a domestic scale and constructed in traditional materials. All elevations facing towards existing dwellings will be a maximum of two storey in height. Consequently, there is considered to be no issues in relation to overlooking with the existing properties. Where properties face directly onto the site from Royley Crescent, the existing houses are at a relatively elevated position in a relationship which is effectively the same as that which was approved under PA/341270/18.

In relation to the properties facing on to Malvern Close to the south, there is a 15m distance from the side elevations of the existing properties to the rear of the new houses, which would maintain adequate levels of privacy.

The amended detached houses which are accessed via Highlands Road will create a more favourable relationship to the existing houses on this street and do not give rise to any concerns in relation to overlooking or visual impact.

Boundary treatments have not been amended from the original permission. These detail retaining walls to be utilised and traditional 1.8m high timber fencing to rear boundaries.

Taking account of the context and character of the site and surrounding area, it is considered that the revised designs and layout of the site would ensure a development which would be acceptable and in accordance with relevant national planning guidance and local planning policy.

Highways

Guidance within Section 9 of the NPPF is relevant, together with DPD Policies 5, 9 and 20.

The application has been assessed by the council's Highways Officer who, following an amendment to the site access road layout, has no objections to the proposal subject to conditions in relation to provision and retention of parking spaces and necessary alterations to Highlands Road.

In addition, it is considered that the proposed development can be adequately accommodated on the local highway network without any detrimental impacts upon pedestrian or highway safety. For these reasons the proposal is considered to be acceptable when assessed against the aforementioned policies.

Conclusion

The proposal has been fully assessed against national and local planning policy guidance. The principle of development has been previously established, and the revised scheme will continue to create a satisfactory form of development which will benefit the surrounding area, make use of a vacant urban site, and protect the amenity of existing and future residents.

For the reasons set out in this report, the proposal is considered to be acceptable and conditional approval of planning permission is recommended.

1. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications received on 28/01/2019, which are referenced as M2873 PL 102-1 Rev C, M2873 C 102-2 Rev A, M2873 PL 103 Rev A, M2873 PL 105 Rev A, M2873 PL 106 Rev A, M2873 PL 107 Rev A, M2873 PL 108 Rev A, and M2873 01 Rev L received 26/03/2019.

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

2. No development comprising the construction of any dwelling shall commence unless and until samples of the materials to be used in the external surfaces of that dwelling 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.

3. No development comprising the construction of any dwelling shall commence until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning authority. The scheme shall be completed in accordance with the approved plans before any of the houses are first occupied.

Reason - To reduce the risk of flooding.

4. No development comprising the construction of any dwelling shall commence unless and until details of the construction, levels, and drainage of the access and car parking spaces for the development have been submitted to and approved in writing by the Local Planning Authority. The approved access and parking spaces shall be provided in accordance with the approved details and site layout plan Ref: M2873-01 Rev L prior to first occupation of the dwelling to which it relates. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

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

5. 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.

6. Prior to the commencement of any development, details of a scheme for protecting the nearby properties from noise and vibration from demolition/construction works shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in full accordance with the approved measures.

Reason - To protect the occupiers of nearby premises from unnecessary disturbance from noise and vibration.

7. No development comprising the commencement of the construction of any dwelling shall take place unless and until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours and hard

surfacing materials. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme.

All hard and soft landscape works for the site to comply with this condition shall be carried out in accordance with the approved details at latest during the first planting season following the first occupation of any dwelling, or in accordance with an alternative programme which has been approved in writing by the Local Planning Authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

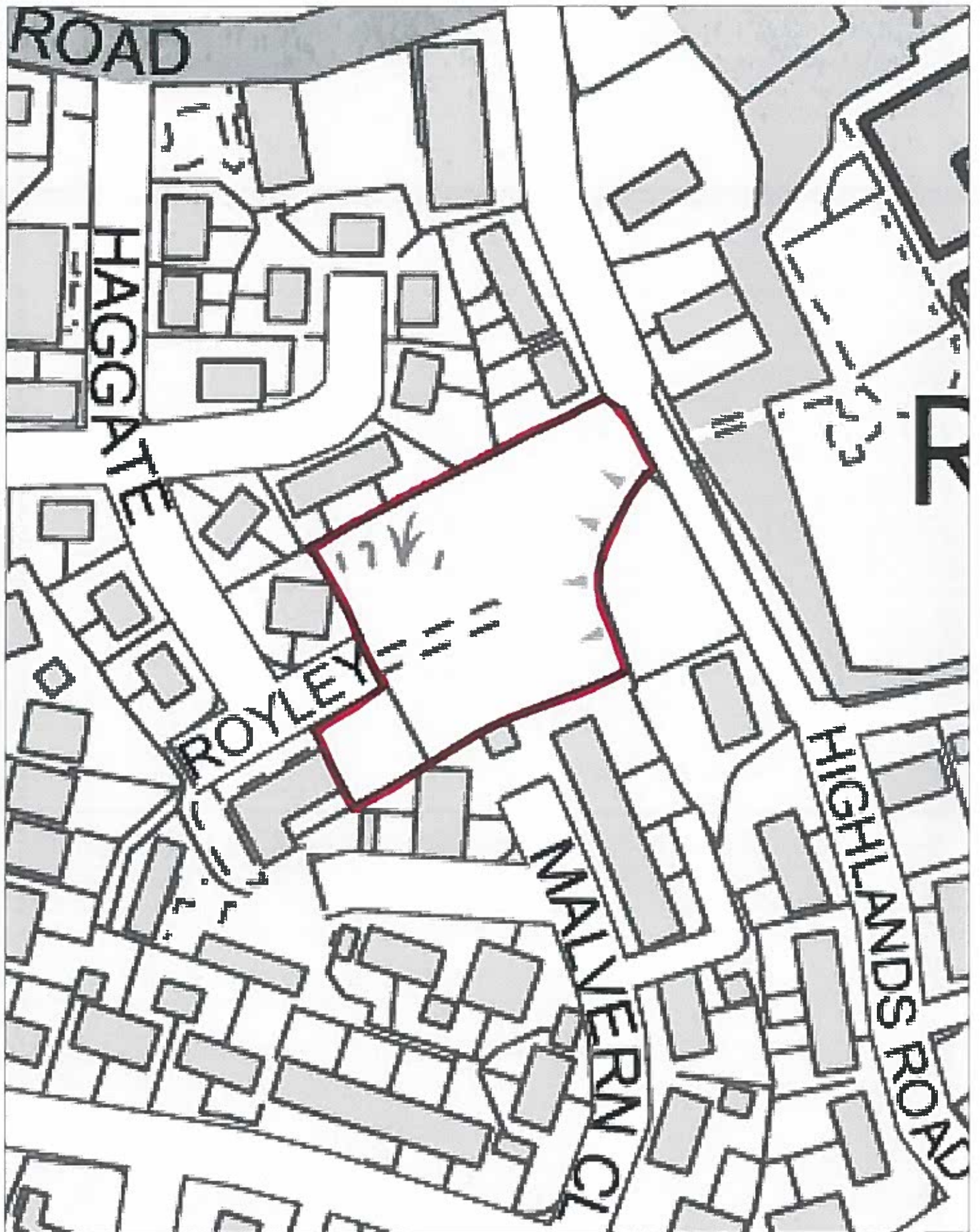
Reason - To ensure that the development site is landscaped to an acceptable standard in the interests of protecting the visual amenity and character of the site and its surroundings.

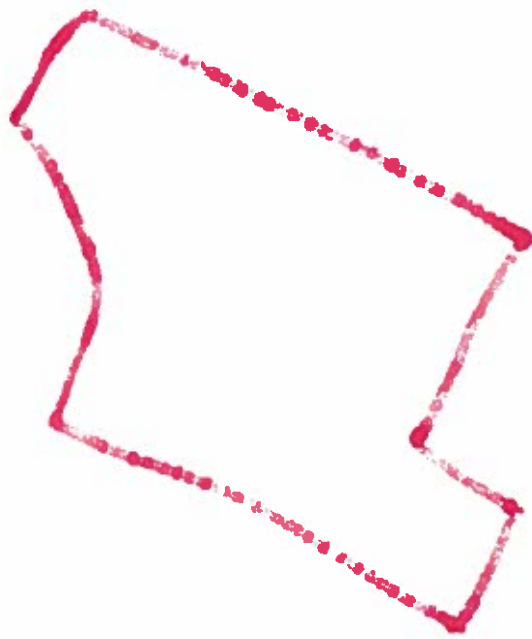
8. No development comprising the commencement of construction of any dwellings shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatments to be erected. The boundary treatment shall be completed before the use of the dwelling to which it relates is commenced in accordance with the approved details.

Reason - To ensure an acceptable form of development is achieved in the interests of amenity as such details were not submitted with the application.

9. Notwithstanding the details shown on the approved Site Layout plan, no works to the dwellings accessed from Highlands Road shall be commenced unless and until details have been submitted to and approved in writing by the Local Planning Authority showing the boundary treatment and tie-in details to the adopted highway near to 24 Highlands Road, including the relocation of the street lighting column, and a clear reversing distance of 6.0 metres for vehicles reversing out of the proposed driveways. All works that form part of the approved scheme shall be implemented before either of the dwellings accessed from Highlands Road are first occupied and shall be retained thereafter.

Reason - To facilitate the movement of pedestrians and vehicular traffic in the interests of highway safety.





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

March 2019

PLANNING APPEALS

WRITTEN REPRESENTATION

PA/341548/18	115-117 Yorkshire Street, Oldham, OL1 3SY
PA/341698/18	Nimble Nook Service Station, Chadderton, OL9 9QP

HEARINGS

HOUSE HOLDER

ADVERTISEMENTS

APPEAL DECISIONS

PA/341695/18	23-25 King Street, Oldham, OL8 1DP
Original Decision	Del
Appeal Decision	Allowed

PA/341390/18	Texaco Hollinwood Filling Station, 257 Manchester Road, Oldham Council
Original Decision	Del
Appeal decision	Allowed

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.

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.



Appeal Decision

Site visit made on 2 January 2019

by **K Winnard LL.B (Hons) Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 12th March 2019

Appeal Ref: APP/W4223/D/18/3215972

48 Surrey Avenue Shaw Oldham Lancashire OL2 7DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Dyer against the decision of Oldham Metropolitan Borough Council.
 - The application Ref. HH/341919/18, dated 30 May 2018, was refused by notice dated 24 August 2018.
 - The development proposed is ground floor front extension and erection of front and rear dormers following hip to gable roof extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have adopted the Council's description of the development as this more accurately describes the proposed development.

Main Issues

3. The effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

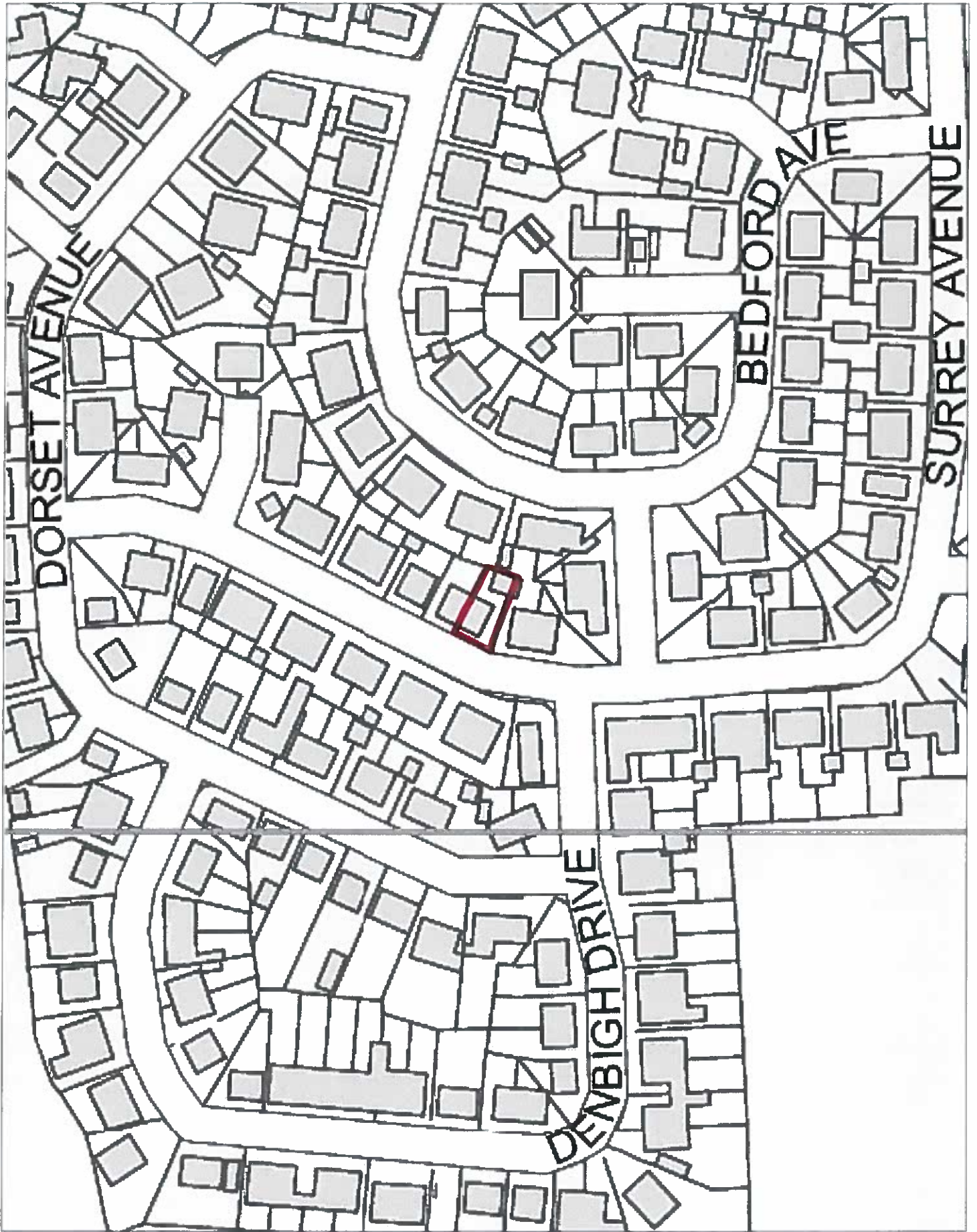
4. The appeal property is located in a residential area, where the predominant design of dwellings is bungalows. Several of these bungalows have been altered in a variety of ways, from the addition of small-scale dormers on either or both roof slopes of the dwelling to larger scale dormers extending across the whole width of the dwelling, again on either or both roof slopes. There are a limited number of dwellings where these larger dormers extend either above or level with the ridge line, and where hip roofs have been removed. Notwithstanding these varying additions to bungalows on the estate, the area itself still retains a generally cohesive character of modest, single storey development.
5. The appeal property itself is one of a pair of semidetached bungalows, which are modest in design and scale, uniform with each other and set back behind a small front garden with a low boundary wall. The cumulative effect of the

proposed additions to the property, including the front extension, the scale and design of the front and rear dormers occupying most of the existing roof slopes, together with the proposed alteration of the hip roof to a gable end would be an incongruous addition, disproportionate to the size of the appeal property and out of keeping with its modest design.

6. In addition, the raising of the existing ridge height of the property by an additional 0.2 metres adds to the massing and bulk of the extension further dominating the property, and would draw the eye and be visually obtrusive, detracting from both the character and appearance of the host dwelling and the area. It would also detract from the appearance of balance with the neighbouring property and remove the symmetry between the two properties.
7. As such, the proposed development would be contrary to Policies 9 and 20 of the Oldham Local Development Framework: Development Plan Document - Joint Core Strategy and Development Management Policies which provide, amongst other matters, that development should not have a significant adverse impact on the visual amenity of an area and that it should reflect the character of the area reinforcing local identity. The proposal would also be contrary to the National Planning Policy Framework which encourages good design and seeks to promote development sympathetic to local character.
8. I appreciate the wish of the appellant to create additional living accommodation for his family. However, it is likely that the alterations would remain long after the current personal circumstances have ceased. I can also appreciate the frustration of the appellant given that other properties on the same residential estate have had large dormer extensions permitted. I do not have any details of the circumstances in which those large extensions, with alterations to the roof height and removal of hip roofs, have been accepted and so cannot make comparisons with the current appeal proposal. However, the existence of these extensions does not justify development which would otherwise be unacceptable. In any event, I have determined the appeal proposal on its own merits and for the reasons above have concluded that the proposed development would cause harm.
9. Accordingly, I dismiss the appeal.

K Winnard

INSPECTOR





Appeal Decision

Site visit made on 5 February 2019

by **Kate Mansell BA(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2019

Appeal Ref: APP/W4223/D/18/3216580

146 Green Lane, Oldham, OL8 3BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Abid and Raihana Hussain against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/342033/18, dated 20 June 2018, was refused by notice dated 28 August 2018.
 - The development proposed is a first floor side extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development set out above, which is taken from the application form, does not make specific reference to the projection of the first floor extension to the rear. It is clear from the plans that the development comprises a first floor side and rear extension. The appellants have used this description within the appeal statement. Moreover, the Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The main issue is whether or not the proposal preserves or enhances the character and appearance of the Garden Suburbs Conservation Area (CA).

Reasons

4. A conservation area appraisal for the Garden Suburbs CA has not been submitted to me. Nevertheless, from my site visit and the evidence before me, I consider that the significance of the CA is derived from the founding principles of a garden suburb. This is reflected in the low density development on tree lined streets. Within the CA, dwellings are generally spaciouly laid out in an orderly and consistent manner with generous gaps between them, particularly at first floor level.
5. The character of the CA is also derived, in my view, from the form and appearance of dwellings. The majority of houses on Green Lane within the CA are semi-detached; they are intentionally varied in their design and architectural style but importantly, they are characterised by the symmetry between them. Each pair of houses typically share specific design features including roof profile, fenestration treatment, bay detailing and building materials. In doing so, there is consistency of form along the street, which contributes to a cohesive street scene. Additionally, on my site visit I saw that

but in my view, such limited public benefit does not outweigh the less than substantial harm that would be caused to the significance of the designated heritage asset.

13. I therefore conclude that the proposal would have a harmful impact on the character and appearance of the Garden Suburbs CA, which it follows, would not be preserved or enhanced. Accordingly, it would be contrary to Policies 9, 20 and 24 of the Local Development Framework Development Plan Document Joint Core Strategy and Development Management Policies (2011). These policies seek to secure high quality development that has no significant adverse impact on the visual amenity of the area as well as protecting, conserving and enhancing heritage assets and their settings. They are consistent with the objectives of the National Planning Policy Framework to consider the impact of development on designated heritage assets, which should be preserved or enhanced, with which the proposal would also conflict.

Other Matters

14. I appreciate that the Council has not raised any specific concerns about the effect of the scheme on the living conditions of neighbouring residents. I also appreciate how the provision of additional space may improve the living conditions of the appellants and future occupants of the appeal property. However, these are not matters that diminish the harm that I have identified in respect of the main issue.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

Kate Mansell

INSPECTOR





Appeal Decision

Site visit made on 11 February 2019

by **Alison Partington BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th March 2019

Appeal Ref: APP/W4223/W/18/3217215

47 Market Street, Shaw OL2 8NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Schofield (RH Schofield Construction) against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/341651/18, dated 3 April 2018, was refused by notice dated 30 May 2018.
 - The development proposed is the extension of the rear dormer approved on PA/338114/16 and construction of a new dormer window to front elevation.
-

Decision

1. The appeal is allowed and planning permission is granted for the extension of the rear dormer approved on PA/338114/16 and construction of a new dormer window to front elevation at 47 Market Street, Shaw OL2 8NP in accordance with the terms of the application, Ref PA/341651/18, dated 3 April 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Plan Layout as Existing Drwg No 20; Elevations as Existing Drwg No 21; Plan Layout as Proposed Drwg No 22; Elevations as Proposed Drwg No 23; and Section Details Drwg No 24.
 - 3) The development shall be carried out using those materials specified on approved plan Drwg No 23.

Background and Main Issue

2. The appeal relates to an end terrace property. The evidence indicates that in 2016 permission was granted for the change of use of the ground floor to a shop with residential on the upper floors, a rear extension and a rear dormer¹. The majority of this work has been completed, but the rear dormer has not been constructed. The appeal scheme proposes to enlarge the rear dormer and also to construct a dormer window at the front.
3. The main issue in the appeal is the effect of the proposal on the character and appearance of the host property and the surrounding area.

¹ Application Reference PA/338114/16

Reasons

4. The appeal property is located within Shaw town centre. The surrounding area contains a wide variety of buildings that vary significantly in design, height, scale, age and materials. They also display a range of roof forms with flat, pitch, hipped and mansard roofs all evident along Market Street. Although not a common feature, there are a number of units which have front dormers.
5. The proposed front dormer would be centrally located in the roof plane, and would align with the first floor window on the building. It would be modest in size and would have a pitch roof, matching the host property. In the light of this it would not be overly dominant feature on, or an unsympathetic addition to, the host property.
6. Whilst none of the other properties within the terrace have dormer windows on the front roof plane, the large flat roof on the property at the other end of the terrace, gives the terrace an inconsistent roof scape. Given this, the inconsistency found in roof types and heights in the area, and the similar dormers found on the opposite side of Market Street, I am satisfied that the dormer would not be an incongruous feature, or appear out of keeping with the wider area.
7. The Council have drawn my attention to the negative impact the front dormer at No 40 has on the character and appearance of the area. Nevertheless, I consider the detrimental impact it causes is predominantly due to its size, flat roof design and materials, rather than from the fact that it is the only dormer on this small terrace.
8. As a result of the access tracks to the side and rear of No 47, the rear elevation of the appeal property is visible within the public realm. However, the height and relatively close proximity of the surrounding buildings limits this visibility to the immediate vicinity only.
9. The flat roofed rear dormer already approved on the property extends over the majority of the roof plane. It is proposed to increase the depth of the dormer so that it extends over part of the previously approved rear extension as well. Whilst the resulting dormer would be a considerable size, it would not be significantly larger than that already approved on the property. Taking this into account, along with the limited visibility of the rear roof plane, and the lack of any consistency in the rear elevations of the nearby properties, I consider that the proposed larger rear dormer would not have an adverse visual impact on either the appeal property or the wider area.
10. Consequently, I am satisfied that the proposal would not unacceptably harm the character and appearance of the host property or the surrounding area. Accordingly, there would be no conflict with Policies 9 and 20 of the *Oldham Joint Core Strategy and Development Management Development Plan Document (adopted November 2011)* which seek to achieve good design that, amongst other things, reflects, protects and improves the character of the area.
11. For the reasons set out above I conclude the appeal should be allowed.
12. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the

interests of the character and appearance of the area a condition is required to control the external appearance of the proposal.

Alison Partington

INSPECTOR

341651

PO

