

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 5 June 2019

Time 6.00 pm

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Mark Hardman in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Mark Hardman Tel. 0161 770 5151 or email mark.hardman@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, 31 May 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.

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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, Brownridge, Davis, H. Gloster, Harkness, Hewitt,
Hudson, Phythian, Hulme, Ibrahim, Iqbal, Jacques, Malik and Dean (Chair)

Item No

- 1 Apologies For Absence
- 2 Appointment of Vice Chair
To invite consideration of the appointment of the Vice Chair of the Committee for the Municipal Year 2019/20.
- 3 Urgent Business
Urgent business, if any, introduced by the Chair
- 4 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 5 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 6 Minutes of Previous Meetings (Pages 1 - 6)
The Minutes of the meetings of the Planning Committee held on 10th April and 23rd April 2019 are attached for Members' approval.
- 7 Planning Application / PA/340499/17/ Land between Burnley Lane and Chadderton Way, on the site formerly occupied by Constellation Mill. (Pages 7 - 16)
Erection of a motor dealership (Sui Generis), incorporating showroom, workshop, offices, storage/spare parts and 4 MOT bays with separate valeting bays, to include associated parking, landscaping and vehicle access arrangements.
- 8 Planning Application / PA/342449/18 Land off Haven Lane, Moorside, Oldham OL4 2QH (Pages 17 - 28)
Reserved matters application (for appearance, landscaping, layout and scale) pursuant to PA/338917/16 for 23 three and four-bedroom detached dwellings.



- 9 Planning Application / PA/342633/18 Shaw Street Metal Company Ltd, 4-6 Hill Street, Shaw, OL2 8PQ (Pages 29 - 34)
- Change of use of office (Class B1a) to a 9 bedroomed House in Multiple Occupation (Sui generis).
- 10 Planning Application / PA/342751/19 1 Wesley Street, Failsworth, Manchester, M35 9EB (Pages 35 - 40)
- Retrospective application for change of use from dwelling (Class C3) to 7 bedroom House in Multiple Occupation (sui generis use), including retention of conservatory lounge to side.
- 11 Planning Application / LB/342813/19 Manor Mill, Victoria Street, Chadderton, OL9 0DD (Pages 41 - 50)
- Replacement of existing windows with uPVC.
- 12 Planning Application / PA/342888/19 Land to east of Alexandra Centre Retail Park, Park Road, Oldham, OL4 1SA (Pages 51 - 58)
- Proposed soccer centre (Use Class D2) with associated car park and access arrangements
- 13 Planning Application / PA342907/19 18 Pole Lane, Failsworth, Manchester, M35 9PB (Pages 59 - 64)
- Change of use from a six bedroom House in Multiple Occupation (Use Class C4) to a seven bedroom House in Multiple Occupation (Sui Generis).
- 14 Planning Application / PA/342978/19 Moss Lane Industrial Estate, Moss Lane, Royton, OL2 6HR (Pages 65 - 70)
- Erection of commercial units to be used for a purpose that falls within either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution uses)
- 15 Planning Application / PA/343049/19 THE COACH HOUSE, Selkirk Avenue, Oldham, OL8 4DQ (Pages 71 - 76)
- 1) Proposed demolition of existing house 2) Retention of part existing facade and erection of replacement detached two and a half storey dwelling 3) Associated landscape and external works including new drop kerb
- 16 Planning Application / PA/343071/19 Land at Saint Johns Street, Porter Street and Edward Street, Oldham, OL9 7QS (Pages 77 - 90)
- Erection of 68 no. dwellings



- 17 Planning Application / HH/343092/19 Running Hill Cottage, Running Hill Lane, Dobcross, OL3 5JS (Pages 91 - 96)
- Extension of a two storey side and rear extension and a single storey side extension and detached garage.
- 18 Planning Application / MNA/343101/19 Heyside Congregational Church, Hebron Street, Royton, OL2 6LU (Pages 97 - 102)
- Minor material amendment relating to app no. PA/341925/18 to amend the apartments to 9 no. flats with 1 no. office
- 19 Planning Application / PA/343103/19 Roscoe Mill, Roscoe Street, Oldham, OL1 1EA (Pages 103 - 106)
- Proposed car park comprising 93 new car parking spaces including 6 blue badge spaces and two electric charging spaces, new parking machines, street lighting and pedestrian links to Roscoe street.
- 20 Planning Application / PA/343126/19 Copster Hill Road Depot, Copster Hill Road, Oldham, OL8 1QB (Pages 107 - 120)
- Erection of a Hindu Temple facility including prayer hall, multi-function hall, teaching and ancillary spaces as well as landscaped garden and parking.
- 21 Planning Application / PA/343147/19 Land to the west of Greengate, Oldham. (Pages 121 - 130)
- Erection of commercial units to be used for a purpose that falls within either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution uses). Associated parking, landscaping and infrastructure.
- 22 Appeals (Pages 131 - 132)
- Appeals



PLANNING COMMITTEE
10/04/2019 at 6.00 pm

Present: Councillor S Bashforth (Chair)
Councillors Akhtar, Ali, Brownridge, Davis, H. Gloster, Hewitt (Vice-Chair), Hudson, Phythian, Price (Substitute) and Murphy (Substitute)

Also in Attendance:

Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer
Stephen Irvine	Head of Planning and Development Management
Graham Dickman	Development Management Team Leader
Kaidy McCann	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ball, Haque, Harkness and Leach.

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 held on 13th March 2019 be approved as a correct record.

6 **PA/342430/18 - ROYTON TOWN HALL AND ROYTON LIBRARY, ROCHDALE ROAD, ROYTON, OL2 6QJ**

APPLICATION NUMBER: PA/342430/18

APPLICANT: Oldham Council

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

It was MOVED by Councillor Murphy and SECONDED by Councillor Hudson 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:

That the Applicant attended the meeting and addressed the Committee on this application.

7 **PA/342681/18 - LAND BOUNDED BY ALBERT STREET, HOLLINS ROAD AND ROMAN ROAD, FAILSWORTH, OLDHAM**

APPLICATION NUMBER: PA/342681/18

APPLICANT: Langtree and Oldham Council

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

It was MOVED by Councillor Hudson 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.

8 **MMA/342935/19 - LAND OF ROYLEY, ROYTON, OLDHAM, OL2 5DY**

APPLICATION NUMBER: MMA/342935/19

APPLICANT: J Walker Homes Ltd

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

It was **MOVED** by Councillor S. Bashforth and **SECONDED** by Councillor Price 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.

9

APPEALS

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

The meeting started at 6.00 pm and ended at 6.20 pm

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PLANNING COMMITTEE
23/04/2019 at 6.00 pm



Oldham
Council

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

Also in Attendance:

Alan Evans

Group Solicitor

Wendy Moorhouse

Principal Transport Officer

Stephen Irvine

Head of Planning and Development Management

Graham Dickman

Development Management Team Leader

Sian Water-Browne

Constitutional Services

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

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 **PA/342924/19 - DEVELOPMENT ZONE R1, FOXDENTON STRATEGIC SITE, BROADWAY/FOXDENTON LANE, CHADDERTON, OLDHAM, GREATER MANCHESTER, OL9 9QR**

RESERVED MATTERS APPLICATION RELATING TO PA/337091/15 FOR THE ERECTION OF 137 RESIDENTIAL DWELLINGS.

LOCATION: DEVELOPMENT ZONE R1, FOXDENTON STRATEGIC SITE, BROADWAY/FOXDENTON LANE, CHADDERTON, OLDHAM, GREATER MANCHESTER, OL9 9QR

WARD: CHADDERTON CENTRAL

APPLICATION: PA/342924/19

PROPOSAL: Approval of reserved matters in respect of appearance, landscaping, layout and scale in connection with the previous outline approvals.

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

On being put to the vote, the Committee voted UNANIMOUSLY IN FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED subject to the conditions as set out in the report and the Late List.



NOTES:

1. The Applicant's agent 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 6.

6

LATE LIST

RESOLVED that the information contained in the Late List relating to the submitted planning application as at 23rd April 2019, be noted.

The meeting started at 6.00 pm and ended at 6.17 pm

APPLICATION REPORT - PA/340499/17

Planning Committee, 5 June, 2019

Registration Date: 23/10/2017
Ward: Chadderton North

Application Reference: PA/340499/17
Type of Application: Full Planning Permission

Proposal: Erection of a motor dealership (Sui Generis), incorporating showroom, workshop, offices, storage/spare parts and 4 MOT bays with separate valeting bays, to include associated parking, landscaping and vehicle access arrangements.

Location: Land between Burnley Lane and Chadderton Way, on the site formerly occupied by Constellation Mill

Case Officer: Graham Dickman

Applicant Inchcape Estates Ltd.
Agent : SRA Architects

THE SITE

This application relates to a presently vacant, naturally vegetated site located at the junction of Burnley Lane and Chadderton Way, formerly occupied by Constellation Mill. Established residential properties on Burnley Lane, and the Rifle Range public house, adjoin the site to the south/south-west, from which they are separated by a rear access track. To the south-east are the rear gardens of residential properties on a modern development on Bronville Close.

The site is generally level, but with a significant rise to a plateau in the north-east corner. A culverted watercourse crosses the site. Past uses of part of the site include a mill, tennis club and some houses.

THE PROPOSAL

It is proposed to erect a new Volkswagen motor dealership, which it is intended to relocate from an existing constrained site at Manchester Road, Chadderton. The main showroom and workshop building will be located in the north-east corner of the site close to the Chadderton Way frontage. The showroom will be located at the northern end of the building, and include vehicle displays at ground level. There will be full-height glazing to the three exposed elevations, with the use of obscured glazing at first floor level on the elevation facing towards Bronville Close.

The workshop will be attached to the southern side of the showroom and will be faced in a mix of light and dark grey composite cladding. The showroom will have a height of 9.5 metres, with the workshop being slightly lower.

A valeting bay building will be constructed to the south of the showroom/workshop, close to the eastern boundary. This will have a height of approximately 3.5 metres.

Both buildings will be situated approximately 15 metres from the boundary, the intervening space being occupied by vehicle parking spaces and access and a landscaping strip. The remainder of the site will be laid out for customer, used car, and workshop/servicing parking. Boundary treatments will comprise a mix of 2.4m high powder-coated, vertical rail fencing to the northern and western boundaries of the secure parking areas, with 2.4m powder-coated palisade fencing where the site adjoins the Passageway to the south and alongside

the boundary with Bronville Close, from where it will be screened by the existing timber fencing which marks the garden boundaries.

Vehicular access and egress to the site has been subject to amendment following discussions with the Council's Highway Engineers. This will now comprise a single, in-bound access direct from Chadderton Way, retaining the exiting lay-by on this frontage, and a separate egress taken onto Farm Street, which then links onto Chadderton Way.

RELEVANT HISTORY OF THE SITE:

None relevant

CONSULTATIONS

Pollution Control	No objections subject to implementation of gas protection measures, details of waste storage, and lighting.
Highways England Highway Officer	No objections. No objections subject to conditions to ensure satisfactory access and egress construction in relation to the adjacent highway.
LLFA/ Drainage Greater Manchester Police Architectural Liaison Unit	No objections. The proposed development should be designed and constructed in accordance with the recommendations contained within the submitted Crime Impact Statement.
The Ramblers Association	Express concern at the loss of the public right of way which crosses the site, and suggest that an alternative route be created within the landscaped areas fronting the site.

REPRESENTATIONS

The application has been advertised in the press and by site notice. In addition, 43 notification letters have been sent to the occupiers of neighbouring residential properties.

2 letters of objection have been received on the following grounds:

- the need for clarity on where construction access will be taken (following damage to the adjacent access track during site clearance);
- that the height of building/fence will block light;
- there will be noise from the workshop, light intrusion from floodlights, a loss of privacy through overlooking;
- a loss of property value; and,
- a restriction of previously available access from the rear gardens onto the land due to the erection of the boundary fence.

PLANNING CONSIDERATIONS

- Principle of Development
- Traffic Impacts
- Impact on Public Footpath
- Design, Layout and Landscaping
- Impacts on Residential Amenity
- Impact on public right of way
- Flooding and contamination
- Air Quality and Energy

Principle of 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 unallocated 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 4 - Promoting Sustainable Regeneration and Prosperity
Policy 5 - Promoting Accessibility and Sustainable Transport Choices
Policy 6 - Green Infrastructure
Policy 9 - Local environment
Policy 14 - Supporting Oldham's Economy
Policy 17 - Gateways and Corridors
Policy 19 - Water and Flooding
Policy 20 - Design
Policy 22 - Protecting open land

The National Planning Policy Framework is also a material consideration in the assessment of the application.

Land use and principle of development

DPD Policy 1, in the context of this application, seeks the effective and efficient use of land, prioritising development on previously developed land. Annex 2 of the NPPF defines "previously developed land" as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. Although presently cleared, the site has historically been used for industrial purposes.

Despite its former industrial use, the site is not specifically allocated for replacement employment use, however, its location provides an opportunity, in accordance with DPD Policy 14, whereby sufficient land will be made available for existing firms to expand and new firms to locate in the Borough.

The proposed development will allow an existing business located within the Borough to remain and expand, in an area adjacent to Chadderton Way, on which a number of motor retail franchises have become established, and there is ready access to the surrounding highway network.

In this context, the proposal will represent a positive contribution to the Council's objectives and accord with relevant local and national planning policies.

Traffic Impacts

DPS Policy 9 states that development should ensure it minimises traffic levels and does not harm the safety of road users. NPPF paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

A Transport Assessment has been submitted with the application. In addition, the proposed arrangements for vehicular access and egress have been discussed in detail with the Council's Highway Engineers, who have suggested a suitable solution to ensure no adverse impacts on Chadderton Way and the adjacent highways.

Concerns have been expressed by a local resident regarding use of the access track to the rear of Burnley Lane properties during construction, and in this context, it would be recommended that use of this access is prevented to the new development, both during construction and subsequently, both in terms of highway safety and the general amenity of

neighbouring residents. This is addressed by a condition restricting access off Burnley Lane.

Impact on public footpath

With regard to the objection received from the Ramblers Association, it is noted that Public Footpath Chadderton 26 presently crosses the site, and is a legacy of the historical use of the site. Although continuing to provide a 'cut-through', this is across undulating, unmade ground. Due to its route cutting across the site, retention would severely limit the site's development potential, and whilst an alternative around the edge of the site has been considered, this would merely duplicate the retained route along Chadderton Way and be of limited benefit. Nevertheless, should planning permission be granted it will be necessary for a formal footpath closure to be sought separately.

Design, Layout and Landscaping

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, an approach also reflected in Policy 20.

Part 12 of the NPPF requires that development should function well and add to the overall quality of an area, be visually attractive as a result of good architecture, layout and landscaping, be sympathetic to local character and history, establish or maintain a strong sense of place, to optimise the potential of a site, and to create places that are safe, inclusive and accessible.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, and that whilst great weight should be given to outstanding or innovative designs, they should fit in with the overall form and layout of their surroundings.

The nature of the development will ensue that the large majority of the site will have an open aspect, with occupation solely to vehicle parking and storage, and small scale ancillary street furniture. The main building will reflect the functional design of similar buildings in the locality, with large areas of glazing to the frontage portion of the main building. Furthermore, its orientation will limit the prominence of its physical presence on the street scene.

Other than a group of trees along the Chadderton Way frontage, which will largely require removal to facilitate the new access to the development, the site is otherwise largely site devoid of attractive vegetation. Enhanced replacement planting will be required alongside the prominent external site boundaries, particularly along Farm Street, although it is recognised that, given the retail nature of the use, screen planting would inevitably be restricted on the Chadderton Way frontage. Nevertheless, it is considered that the development would ensure an appropriate visual presence in the locality reflecting nearby commercial developments.

Impacts on Residential Amenity

DPD Policy 20 requires that new development should reflect local characteristics, whilst not resulting in a significant adverse impact on the visual amenity of the surrounding area. NPPF paragraph 127 requires that development secures a high standard of amenity for existing and future users.

A Noise Impact Assessment accompanies the application. The assessment concludes that, in the context of the existing acoustic environment which is dominated by traffic noise, the development will result in a low impact. This view is shared by the Council's Environmental

Health team which is satisfied that amenity impacts associated with activity from the site can be satisfactorily managed. Any subsequent nuisance which may occur from on-site activities can be readily controlled under Environmental Protection legislation. The concerns in relation to construction traffic have been noted earlier, and controls over the location of the access will be subject to a condition of approval.

Details of on-site operational and security lighting have been submitted to demonstrate that any lighting can be suitably sited and designed to ensure there are no adverse impacts on adjacent residential properties. The final specification will also be subject to condition. Similarly, the submitted plans show that any security cameras will be sited to ensure no direct views into neighbouring properties.

In respect of the physical impact of the development, this will largely be limited to the relationship with the neighbouring properties on Bronville Close. The main showroom/workshop building attains a height of approximately 9.5 metres at a distance of 15 metres from the adjacent garden boundaries, and 25 metres from the rear of the houses themselves. In this context there will be no issues associated with overshadowing of the neighbouring residents, particularly towards the southern end of the site where the gardens are at a slightly higher level. The valeting building has been re-sited since the initial submission, to ensure a similar degree of separation.

With respect to concerns in relation to loss of access to the land, the site is privately owned and, other than the public right of way, there are no known access rights and the owner would be able to enclose the land as necessary. With regard to loss of value, there is no evidence to demonstrate this would occur, and this is therefore not a material planning consideration.

Flooding and contamination

DPD Policy 19 seeks to direct development away from areas at risk of flooding and encourages the use of sustainable drainage systems (SUDS) in new development. Criterion (b) of the policy states that developments must minimise the impact of development on surface water run-off. The allowable discharge rates must be agreed with the council for all developments, which must where possible be achieved through the implementation of SUDS.

The site is located within Flood Zone 1 with no record of flooding affecting the site. Ground conditions are anticipated to be unsuitable for the design of infiltration structures for surface water disposal. Detailed drainage proposals have been submitted and the Council's Drainage team has raised no objections to those proposals.

DPD Policy 9 requires that development is not located where a source of potential hazard exists, whilst NPPF paragraph 178 requires planning policies and decisions to ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from natural hazards or former activities such as mining.

A Geo-environmental Report has been submitted. No objections have been raised by the Environmental Health team subject to a condition to ensure the investigation of potential landfill gas ingress on the site.

Air Quality and Energy

Policy 9 requires that development should not result in unacceptable levels of pollution or exposure of people in the locality.

The site is outside an Air Quality Management Area. Nevertheless, an Air Quality Assessment has been submitted indicating that predicted concentrations of Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) are well below the respective air quality objectives as

required by the Greater Manchester Air Quality Action Plan 2016-2021.

DPD Policy 18 requires measures to be incorporated to secure energy efficiency in new development proposals. The submitted Energy & Sustainability Statement indicates that energy efficient lighting will be installed throughout the development controlled by PIR and microwave sensors, whilst external lighting will incorporate smart sensors to vary output according to daylight levels. A high efficiency VRV heat recovery air source heat pump system will provide part of the renewable energy element of the development.

CONCLUSION

The proposed development would represent an appropriate land use on this prominent site which it will bring back into productive use. The development is capable of being implemented without any significant harm to traffic, environmental, and amenity issues, and is therefore recommended for approval, subject to the following conditions.

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 1 May 2019 which are referenced as:

3387/A1/001-P1 - Proposed Site Plan
3387/A2/001 - Ground Floor Plan
3387/A2/002 P1 - First Floor Plan
3387/A4/001 P1 - Showroom Elevations
3387/A2/010 - Valet Building
3387/A6/001 - External Details
3387/A6/002 - Refuse Area Details

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 erection of any external walls shall take place unless and until samples of the materials to be used in the construction of the external surfaces of that building 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.

4. No external operational lighting, or security lighting/cameras, shall be installed unless the prior written approval of the Local Planning Authority has been received for the specification of the equipment, including the size and siting of any supporting columns and the angle and luminance of the equipment.

Reason - In order to protect the amenity of the occupiers of the adjacent residential properties.

5. No vehicular access to the development site shall be obtained, either during the construction period or subsequently, from the adjacent access track located to the rear of the neighbouring properties on Burnley Lane.

Reason - To protect the amenity of the occupiers of the neighbouring residential properties.

6. The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement (CIS) dated 09/10/2017 (URN:2017/0692/CIS/02), including the security specification listed within section 4 of the appendices within the submitted CIS.

Reason - To ensure the site is designed to minimise the threat from crime.

7. The development hereby approved shall not be brought into use unless and until the access and car parking spaces have been provided broadly in accordance with the approved plan received on 23rd April 2019 (Ref: Dwg No. 3387/A1/001-P1). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. 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.

8. No development of the site shall commence unless and until the developer has submitted the following full design and construction details of the required improvements to the Chadderton Way Access Arrangements, such details to be approved in writing by the Local Planning Authority. The works that form the approved scheme shall be completed prior to the first use of the development commencing. The details to be submitted shall include:

- How the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations,
- Full signing and lighting details,
- Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),
- An independent Stage Two Road Safety Audit (taking account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

Reason - To ensure that the means of access to the application site is acceptable to the Local Highway Authority in terms of highway safety and the continued efficient operation of the local highway network.

9. No development of the site shall commence unless and until details of the embankments and structures on the boundary of the site have been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before the development is brought into use.

Reason - To ensure that the development is acceptable to the Local Highway Authority in terms of highway safety.

10. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the

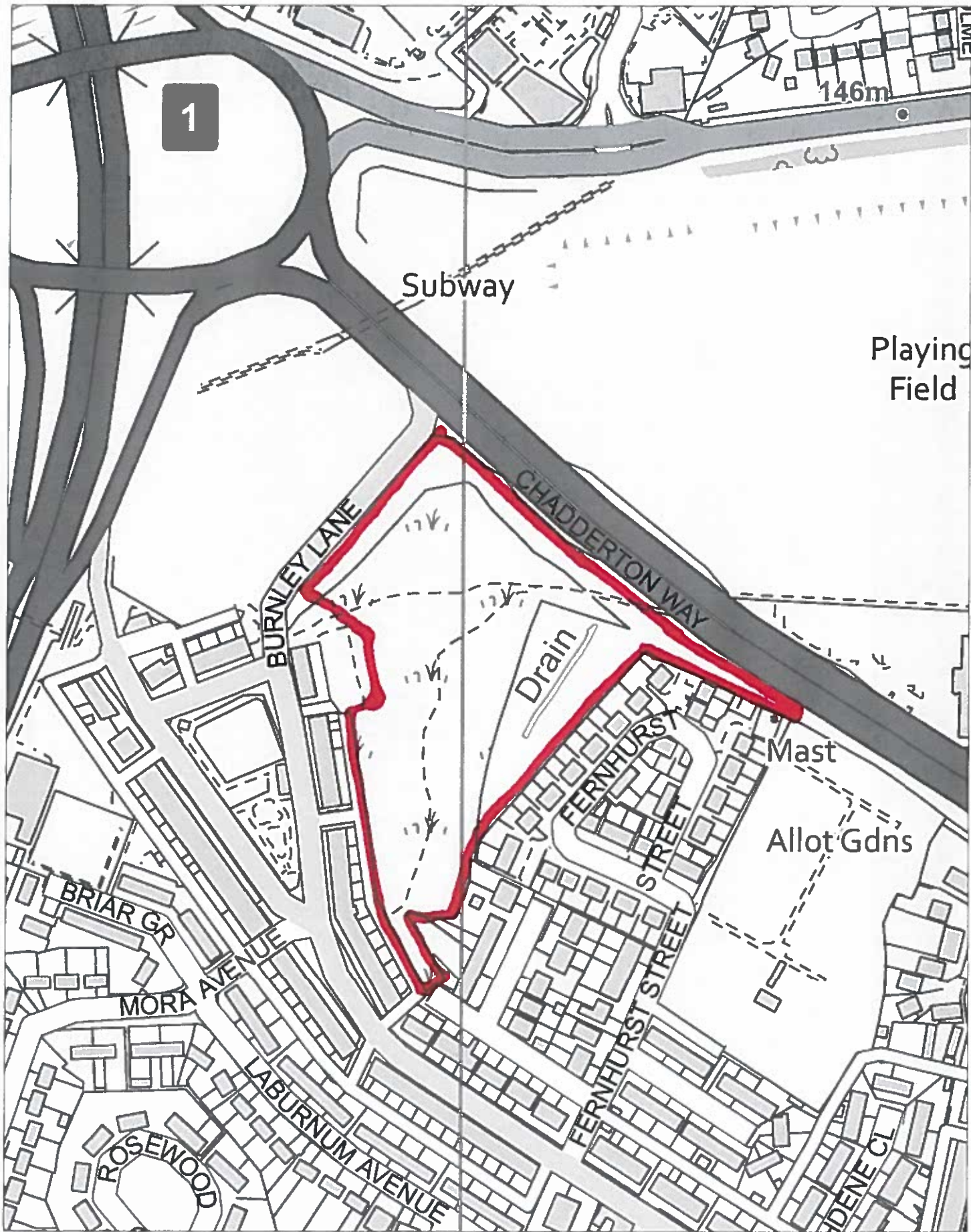
development.

11. Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan the occupier shall submit their travel plan to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of occupation of the development.

Reason - To ensure the development accords with the Council's sustainable transport policies.

12. The development shall be implemented in accordance with the Drainage Management document 9010-SWF-XX-XX-RP-D-0201 dated April 2019, and the associated drainage documents submitted on 1 May 2019.

Reason - To secure a satisfactory system of drainage.



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APPLICATION REPORT - PA/342449/18

Planning Committee, 5 June, 2019

Registration Date: 15/10/2018
Ward: Saint James'

Application Reference: PA/342449/18
Type of Application: Reserved matters

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
Case Officer: Graeme Moore

Applicant: Cube Great Places Ltd
Agent : Euan Kellie Property Solutions

UPDATE

The application was deferred from the previous Planning Committee held on the 13th March 2019 in order to check certain elements of the scheme. Principally these were:

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.

Drainage

In relation to point 1 re: drainage, the applicants have stated that the drainage strategy has been developed to ensure that the new scheme does not exceed the existing typical flow rate of 9.9 l/s from the site and to meet the criteria outlined by United Utilities (limiting it to 5 l/s). Therefore, the overall surface water drainage system has been designed to accommodate 1 in 100 year design storm plus a 30% allowance for climate change (CC). As a result, a proposed underground cellular storage tank has been utilised along with the suitable flow controls (hydro-brake) to restrict the final surface water discharge to a maximum of 5 l/s.

In accordance with the requirements of NPPF (National Planning Policy Framework) and accompanying Planning Practice Guidance, a review of the development site was undertaken for the use of suitable SUDS techniques. Due to the nature of the underlying strata across the site it is not practicable to rely on infiltration techniques. Therefore, these have not been included in the overall strategy.

For the proposed scheme, the runoff and subsequent flows generated from all storms up to and including the 1:100 +30% CC year rainfall event will be attenuated to the 'design flow rate', and the resultant volume stored below ground. This is to be achieved by the installation of a hydro-brake, installed in a surface water manhole prior to the outfall into the combined drain and the construction of a cellular storage system adjacent to the flow control manhole.

In developing the surface water design for the proposed site, various Sustainable Drainage

Systems (SUDs) were considered. The results were as follows:

Soakaways & Infiltration Permeable Pavements

Permeability testing was undertaken. However, during the tests the water level did not achieve an acceptable infiltration value as the drainage characteristic of the soil is practically impermeable. Therefore, the installation of the soakaways will not be possible to disposal of surface water runoff.

Rainwater Harvesting

Rain water harvesting was considered, but deemed not a feasible option for this site.

Landscape Areas

There are proposals for providing open public space / landscaping for the site. The total area is approximately 300m². These permeable areas were considered in the design of detention basin / below ground cellular storage.

Swales & Above Ground Storage Ponds

Swales and detention basins are an efficient way to attenuate surface water runoff. The site design levels along the eastern boundary could accommodate the use of swales & above ground storage ponds to protect against site flooding from the adjacent land upstream.

The proposed swale and detention basin is to be provided to intercept the upstream surface water runoff from third party land. However, it cannot be guaranteed that this drainage system would be sufficient to cope, since the surface water runoff is outside our site boundary. Furthermore, the attenuation of such large unknown volume was not within the scope of design work.

Below Ground Cellular Storage Systems

SUDS have been implemented by the proposed use of a sub-surface cellular storage system with a controlled gravity outfall into the public combined sewer network. Flows will be controlled to pre-development levels to be agreed with United Utilities Water Limited.

A cellular storage tank, in the form of VersaVoid modular geo-void system by Environmental Sustainable Solution Ltd (ESS) or similar approved, has been proposed.

Foul Drainage

All foul water will drain from a separate foul water gravity network and discharge into the existing combined drain located along Haven Lane, via a new manhole to be constructed on line with the existing drain. The new manhole shall be constructed on line with the existing drain.

Overall, Officers consider the drainage scheme to be thorough and acceptable. Furthermore, the drainage strategy has been drawn up in conjunction with United Utilities. As such, there are no grounds for drainage concern in relation to this scheme.

Bungalow (plot 1)

In relation to point 2, the applicant has submitted an amended layout (Dwg. No. 1002 Rev G) which shows an increase in separation between plot 1 and 162 Haven Lane from 1.2m to 3.5m.

The submitted plans goes on to state, (as was previously mentioned in the report of 13th March 2019) that the separation distances between the proposed dwellings (plots 3-5) and 162 Haven Lane is 31m at a minimum, which far exceeds what is normally required by planning policy.

In addition, the applicants have submitted a 'Sun Path Study' which shows the shadows that would be cast during various seasons at both 10am and 3pm. There would be an impact, specifically in the winter months, where a shadow would be cast on the rear garden of 162 and 160 Haven Lane in the late afternoon. However, given the time of year, this is not unusual and is not considered to be something that could justify a refusal in this instance. Additionally, there is a submitted 3D CGI image which better shows the relationship between plot 1 and 162 Haven Lane. Having considered the image, it again does not give rise to concerns that would justify a refusal in this instance, in terms of loss of privacy, loss of light, an increased sense of enclosure or a rise in overlooking.

Properties on Haugh Hill Road, have, as previously stated a separation distance of at least 27m, with a maximum of 33m. It is noted that the properties will be on average 1.8m - 2m higher than those existing properties located on Haugh Hill Road and Havenside Close. However, notwithstanding the comments submitted by an objector in relation to the raising of the land levels, it is considered that the separation distances do not give rise to any concerns in relation to an overbearing or oppressive impact of properties on Haugh Hill Road.

Tree Protection

Turning to point 3 of the reason(s) for deferral, a submitted site section (Dwg. No. 1004 Rev C) demonstrates that the proposed retaining wall would be positioned so that it would not affect the root protection zones of the protected trees. The boundary fence would remain as originally proposed. Therefore, there is not considered to be any concern or impact on the protected trees, created by the boundary fence. However, for completeness, it is considered pertinent to retain the original condition that was proposed in relation to the protection of the TPO'd trees.

Other Matters

Members should be aware that a further representation has been received which raises issues in relation to the following:

- Previous decisions;
- Impact on 162 Haven Lane;
- Distances between properties in the proposed layout;
- National Space Standards; and
- Highways.

Previous Decisions

In relation to the previous Inspectorate decisions, there is a fundamental flaw in the argument that the objector puts forward, in so much as they believe that these refusals have some bearing on the future decisions of the Council.

Whilst this may have been the case if the scheme had been refused, the outline application was approved after an informal hearing in November 2017 by a Planning Inspector. The Members overturn of Officers recommendation to approve the scheme was considered unreasonable. Costs were subsequently awarded against the Council because of this at a level of £35,000. This approval overrides the previous decisions and is a significant material consideration in this application that carries substantial weight.

It should be pointed out that the outline permission and this reserved matters application - should it be approved, would be read as one permission. This means that the conditions imposed on the outline would apply to the reserved matters permission (and any other conditions imposed as part of the reserved matters permission).

Overall, the principle of the development has already been established under outline approval PA/338917/16 following the result of the aforementioned appeal. Furthermore, the access to the site formed part of that approval and is therefore not open for re-assessment

as part of this application. Therefore, the only matters to be determined under this application are the layout, appearance, scale and landscaping for the 23 dwellings.

162 Haven Lane

In relation to 162 Haven Lane, it is considered that the impact is addressed in the body of this update.

National Space Standards

Since the application was previously heard at the March planning committee, the applicant has worked on the internal layouts of the dwellings to ensure that they meet the Nationally Described Space Standards (NDSS). In most of the cases, this has involved the re-classification of a double bedroom to that of the single bedroom. However, it is noted that a number of the three bedroom properties have a single bedroom which is still below 7.5 sq m. Having said that, they now all include a built in wardrobe of between 0.7 and 0.9 sq m. Under para 10 (h) of the NDSS a built in wardrobe counts towards the Gross Internal Floor Area (GFA) of a room and thus, whilst the single bedrooms themselves are below 7.5 sq m, once the built in wardrobes are included, the GFA either meets or exceeds the required 7.5 sq m

Distances between properties in the proposed layout

The objector makes reference to the fact that the distances between some of the properties does not adhere to OMBC policy that back to back distances should be 21m. It is a common planning practice for distances between dwellings to be 20m or more across most LPA's. However, for the record, OMBC does not have a planning policy which defines the distances between properties and it is up to the professional judgement of planning officers to assess whether or not the distances are acceptable. Whilst it is noted that some of the distances between the properties in the layout are less than 21m, this is not in itself a reason for refusal. The topography of the layout and the internal arrangements means that some compromise is acceptable in this instance. There are no loss of privacy, increased overlooking, loss of day light, loss of sun light or increased sense of enclosure issues created by this scheme that would sustain a reason for refusal.

Highways

Finally, in relation to the Highways comments, an objector has submitted various queries in relation to aspects of the scheme and internal layout, these are:

The proposal fails to demonstrate the gradients of the private driveways:

- In response, it is noted that condition 4 of this permission references the existing layout plan (Ref: Dwg No.1002 Rev D) and states that the gradients will have to be agreed with the highways authority before the dwellings can be occupied.

The width of the driveways to plots 19-23 should be minimum of 6m:

- In response, the Highways Officer has stated that a 5m wide driveway is an acceptable width for cars to manoeuvre.

To enable a safe access from plots 19-23, the combined driveways and shared access way should be 11.5m, but currently measures 11m:

- In response, the Highways Officer has stated that an 11m distance is adequate for the safe manoeuvring of vehicles.

The driveway to plot 16 is at a 45 degree angle and is not acceptable in terms of highway safety:

- In response, the Highways Officer states that a vehicle will still be able to manoeuvre

in and out safely of the driveway.

The site access was approved by the planning inspector at the appeal in 2017. However the permission was subject to traffic calming being installed on Haven Lane. The full extent of this traffic calming is not shown anywhere within the documentation which is either remiss of the applicant or they are trying to hoodwink the neighbours / council:

- In response, it is quite clear from the appeal decision that the traffic calming scheme was agreed at the outline stage under drawing no. 2044-001 Rev C. The drawing clearly shows the indicative location of both the speed cushions and raised table, which, subject to detailed design with OMBC Highways (and further consultation under the Highways Act) will be constructed before the first dwelling is occupied.

Overall, Officers have worked with the applicant to overcome the concerns raised by the councillors at the Planning Committee of 13th March 2019. Having addressed the concerns raised, Officers recommend that permission still be granted, in accordance with the recommendations of the original report.

THE SITE

The application relates to an irregularly-shaped parcel of land measuring *circa* 0.91 hectares in area to the east side of Haven Lane. The site is characterised by rough grassland and extends in a north-easterly direction to the rear of semi-detached properties on Haugh Hill Road and in an easterly/south-easterly direction to the rear of detached houses on the cul-de-sac of Havenside Close. Ground level rises in a general easterly direction across the site where it abuts a wide expanse of open farmland to its eastern boundary. Adjoining land to the east falls within an area of Green Belt. The application site is, however, unallocated in the Local Plan.

The site boundaries are formed by a combination of dry stone walls to Haven Lane (west) and the rear of properties on Haugh Hill Road (north). A hedgerow runs along the boundary with the entrance to Havenside Close and continues in a fragmented form to the rear of nos. 1-5 Havenside Close backing onto the site. A row of mature trees are located on adjoining land flanking the southern boundary and screen the site from a single storey nursery building set on higher ground beyond. The eastern perimeter is marked by low post-and-wire fencing.

Surrounding uses are predominantly residential in character and include a mix of detached, semi-detached and terraced dwellings of various eras laid to different densities.

In addition, a development of 46 dwellings by Redrow is nearing completion on land to the east side of Haven Lane further to the south of the site close to the junction with Counthill Road. Whilst not on adjoining land, dwellings and garages to the eastern edge of this development are visible from the application site.

THE PROPOSAL

This is a reserved matters application pursuant to PA/338917/16 for the layout, appearance, scale and landscaping for 23 dwellings. The scheme was granted outline planning permission on appeal in November 2017. Costs were awarded against the council for unreasonable behaviour in refusing this application.

The type and number of the dwellings are:

- 1 x Type A, 3 bed, 6 person dormer bungalow;
- 3 x Type B, 3 bed, 5 person detached, two storey dwelling;
- 3 x Type C, 3 bed, 6 person detached, two storey dwelling;
- 9 x Type D, 4 bed, 7 person detached, two storey dwelling;
- 1 x Type E, 4 bed, 7 person detached, two storey dwelling; and
- 6 x Type F, 4 bed, 7 person detached, two storey dwelling.

The site is accessed via Haven Lane in accordance with the access layout that was approved under the original outline permission set out on plan ref. 2044-001C. The access plan shows the access leading to the proposed development and the proposed traffic calming measures which include both a raised table at the entrance to the development and speed cushions.

PLANNING HISTORY

- PA/338917/16 - Outline application for residential development of up to 23 dwellings (Use Class C3) with all matters reserved except access.

Following refusal of the application at Planning Committee, an appeal was submitted (APP/W4223/W/17/3175644) and an informal hearing was held on the 14th November 2017. Upon conclusion of the informal hearing the Inspector upheld the appeal and granted outline permission for 23 dwellings on the site in question. Costs were also awarded against the Council.

- PA/336309/14 – Outline application for the erection of 30 dwellings with access and layout to be considered. Appearance, landscaping and scale to be reserved – Refused 12th February 2015 for the following reasons:
 - *The proposed development would fail to secure a satisfactory level of affordable housing and public open space to adequately mitigate the impact of the development on the wider area, contrary to the NPPF and policies 10 'Affordable Housing' and 23 'Public Open Space' of the Oldham LDF Joint Development Plan Document.*
 - *The layout and density of the proposed development represent an overdevelopment of the site, which would result in an unacceptable impact on the street scene and the character of the surrounding area. As such, the development fails to promote high quality design and is thereby contrary to policy 9 'Local Environment' and 20 'Design' of the Oldham LDF Joint Development Plan Document, and the National Planning Policy Framework.*
- PA/336723/15 – Outline application for 29 no. dwellings. Access to be considered. All other matters reserved (Re-submission of PA/336309/14) – Refused 13th July 2015 for the following reasons:
 - *The density of the proposed development, having regard to the number of dwellings proposed, represents an overdevelopment of the site, which would result in an unacceptable impact on the street scene and the character of the surrounding area. As such, the development fails to promote high quality design and is thereby contrary to policy 9 'Local Environment' and 20 'Design' of the Oldham LDF Joint Development Plan Document, and the National Planning Policy Framework.*
 - *The development of this unallocated greenfield site does not satisfy the criteria for managing the release of housing land. As such the proposal is contrary to the requirements of Policy 3 in the Joint Development Plan Document which forms part of the Local Development Framework for Oldham.*

Appeals were submitted against the refusal of both applications (references APP/W4223/W/15/3130698 and APP/W4223/W/15/3134326). The Inspector dismissed both appeals in a combined decision letter dated 8 December 2015.

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 policies are relevant to the determination of this application.

Joint Core Strategy and Development Management Policies Development Plan Document adopted 9 November 2011 (the 'DPD')

Core Strategy

Policy 1 Climate Change and Sustainable Development

Development Management Policies

Policy 9 Local Environment
Policy 19 Water and Flooding
Policy 20 Design

Supplementary Planning Guidance

Oldham and Rochdale Residential Design Guide

REPRESENTATIONS

The application has been publicised on the Council's web-site, by press advertisement and by site notice. A total of 22 letters of objection have been received objecting on the following grounds:

- Impact of the properties on existing dwellings in relation to overlooking and loss of privacy;
- Impact of the scheme in relation to highway safety;
- Increased parking problems;
- Lack of infrastructure and facilities to accommodate the development;
- Lack of school places;
- Drainage problems to surrounding properties;
- Impact on wildlife; and
- Loss of rural image of Moorside.

Other, non-material objections were also raised, such as the impact on house prices and the loss of views of the open countryside.

CONSULTATIONS

Highways Officer - No objections to the scheme provided that it is carried out in accordance with the approved plans.

United Utilities - No objections.

Environmental Health - Request conditions in relation to landfill gas and contaminated land. However, these were established at the outline stage.

LLFA/Drainage - No objection.

PLANNING CONSIDERATIONS

4. Principle of the development
5. Design and Layout
6. Residential Amenity
7. Flood risk and drainage

8. Highways and Traffic

ASSESSMENT

Principle of the development

The principle of the development has already been established under outline approval PA/338917/16 following the outcome of the aforementioned appeal. The access to the site formed part of that approval and is therefore not open for re-assessment as part of this application. Therefore the only matters to be determined under this application are the layout, appearance, scale and landscaping for the 23 dwellings.

It is noted that a number of the objections reference the suitability of the site, including the access and availability of infrastructure and services. It must be reiterated that these are not issues open for further consideration at this reserved matters stage.

Design and Layout

Guidance within Section 12 of the NPPF is relevant, together with DPD policies 1, 9 and 20, which provide guidance on the design of new development. Further guidance is also given in the Oldham & Rochdale Residential Design Guide.

A group of eight detached dwellings are located on Havenside Close to the south. Five of these (nos. 1-5) back onto the site. Dwellings flanking the northern boundary include a pair of semi-detached houses (nos. 162-164 Haven Lane) to the north-west corner orientated at an angle to the northern boundary and a row of semi-detached dwellings on Haugh Hill Road (nos. 2-20) back onto the site.

The submitted scheme shows six different dwelling types are to be utilised within the development. All are two storeys high, apart from plot 1 which takes the form of a dormer bungalow.

Generally speaking the dwellings are all relatively modest in terms of their proportions. Plots 2-10 are 6m wide and 10m deep with a ridge height of approximately 7.8m, this is followed through to plots 11 – 16. As can be seen from the plans, plots 17 through to 23 are the larger dwellings in the development being approximately 7m wide and 11m deep, with the ridge height of approximately 7.8m.

The nearby developments all have the same 2 storey mass and dual pitched roofs, with the following features also prevalent:

- Street frontage eaves line broken periodically by feature gables or 'eyebrow' dormer windows;
- Variation in building line in response to site access and boundary constraints where necessary;

A mixed palette of external wall finishes including red brick, render and cladding; and

- Appropriately positioned feature bay windows in order to add character to the property and optimise natural surveillance.

A different style was adopted on the recent Redrow development located further up Haven Lane, which has imposed the corporate 'Arts and Craft' architectural style on the area, rather than following the existing relatively simple architectural approach that is prevalent in the area.

Taking these factors into account, it is considered that the approach taken by the proposed development is appropriate, with 2 storey heights maintained, traditional dual pitched roofs, with strong gables and the materials being red brick, with render utilised to accentuate key buildings. Dry stone walling is also proposed in key locations, which is typical feature of the nearby area and encloses the proposed public open space fronting onto Haven Lane.

Consequently, it is considered that the appearance of the proposed properties will not cause harm to the character and amenity of the area.

Turning to the landscaping proposed, two areas of Public Open Space (POS) are proposed, one of which is located at the site entrance and will be utilised as part of the sustainable drainage (SUDS) strategy for the development. A further area is proposed at the eastern edge of the site at the top of the development. The boundary of the site to the east will be grassed and enclosed by a timber post and rail fence. As noted previously, dry stone walling provides a feature entrance to the site.

Turning to the dwellings themselves, all of the properties will have high quality block paving installed to the driveways. Properties on the northern boundary (plots 1-10) will have a 2.1m high fence inside the existing dry stone wall between themselves and the existing properties on Haugh Hill Road. Plots 17-23 will have additional trees planted, in addition to the existing trees that are to be retained coupled with a 2.1m high fence.

Additionally, the applicants have submitted an Arboricultural Impact Assessment and Method Statement in order to ensure that the existing trees are protected during the construction phase of the development.

Taking account of the context and character of the site and surrounding area, it is considered that the overall design concept, the layout of the site and the scale and design of the buildings and associated infrastructure are acceptable. Furthermore, the proposed location, scale and massing of the dwellings would have no impacts upon any surrounding building or properties in regard to issues such as overlooking, overshadowing or having an overbearing or oppressive impact.

Overall, it is considered that the visual and physical impact of the proposed development would be acceptable and in accordance with the aforementioned national planning guidance and local planning policy.

Residential Amenity

In relation to the layout and its impact on the neighbouring properties which surround the edge of the development to the north and south-west, there will undoubtedly be some impact associated with the development. The addition of dwellings on the existing boundaries could give rise to overlooking if not properly designed. However, it is important to note the separation distances, with almost all of the properties achieving a distance of over 22m between habitable room windows of facing properties - an acceptable distance between properties.

Although the proportions of the proposed dwellings are considered modest, it is noted that in the submitted site sections, some of them sit at least 1m higher than the neighbouring properties on Haugh Hill Road, whilst plots 17-23 are approximately 3m higher than those on Havenside Close. However, given the separation distances involved – in the case of plots 17-23 this is 31m - there are no concerns with overlooking of the existing properties.

The one exception is a proposed dormer bungalow style property on the estate entrance. The proposed property abuts directly up to 162 Haven Lane at a 45 degree angle. It is considered that, due to the bungalow style adopted, the impact would be minimal. Furthermore, the positioning of the proposed dormer bungalow would be no different to that which currently exists at the junction with Haugh Hill Road and Haven Lane.

Flood risk and drainage

National guidance contained within Section 14 of the NPPF and policy 19 of the DPD are relevant.

The site is not within an area identified as being at risk from flooding within the Environment Agency's Indicative Flood Maps. Drainage is also not a reserved matter at this stage, with

details required to be submitted in accordance with condition 9 of PA/338917/16. These details have, however, been submitted with the Reserved Matters application and have been commented on by the council's Drainage team and United Utilities. No issues have been raised in this regard.

Therefore, in taking account of the planning history of the site, and the comments of the technical consultees, it is considered that the proposal would not increase flood risk at the site or within the wider area, and that the site could be adequately drained. The proposal is therefore considered to be acceptable when assessed against the aforementioned national planning guidance and local planning policy.

Highways and Traffic

Guidance within Section 9 of the NPPF document is relevant, together with policies 5, 9 and 20 of the DPD, set out the standards and criteria against which the highway implications of the development are assessed.

As with the drainage submission, the principle of the highways aspect of the scheme was established with the outline consent and approved drawing 2044-001C details the traffic calming measures proposed as part of the development. Members will be aware that the highways arrangements were the subject of the appeal. The result of which was the Planning Inspector considered the scheme acceptable in highways terms, despite residents and members concerns. In relation to the internal layout of the scheme, there have been no objections raised by the Highways Officer in relation to the submitted scheme.

The layout provides for at least two off-street spaces per dwelling, some of the properties also benefit from an additional integral garage. Therefore, taking account of the scale and nature of the development and the technical advice given by the Council's Highways Officer, it is considered that there would be adequate access, servicing, circulation and car parking arrangements and that the proposal would not have 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. It is considered that the proposal is acceptable in terms of the appearance and impact upon the visual amenity of this site and surrounding area. The proposal will have no detrimental impacts upon the environmental quality of this locality. The site can be adequately drained and will not give rise to flooding problems. The proposal, subject to the imposition of planning conditions, accords with the aforementioned policy guidance.

For the reasons set out in this report the proposal is considered to be acceptable when assessed against national and local planning policy and approval of planning permission is recommended, subject to the following conditions:

1. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications schedule, received on 17/05/2019, which is referenced as ISS/18-053/20. The works shall be carried out in accordance with the details shown on the approved plans listed in the schedule and in any other approved documents forming part of the application.

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

2. Development shall be carried out in accordance with the submitted materials schedule (ref. 18-053 Haven Lane External Materials, Rev B) dated 27th February 2019. Any changes to the materials schedule shall be submitted to and approved in

writing to the Local Planning Authority.

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. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

4. No dwelling shall be brought into use unless and until the access and car parking space for that dwelling has been provided in accordance with the approved plan received on 25th February 2019 (Ref: Dwg No.1002 Rev D). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority. 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. Visibility splays measuring 2.0 metres by 2.0 metres at the junction of the driveways with the access roads shall be provided and maintained free of all obstructions exceeding 0.6 metre in height to each side on land under the applicants control.

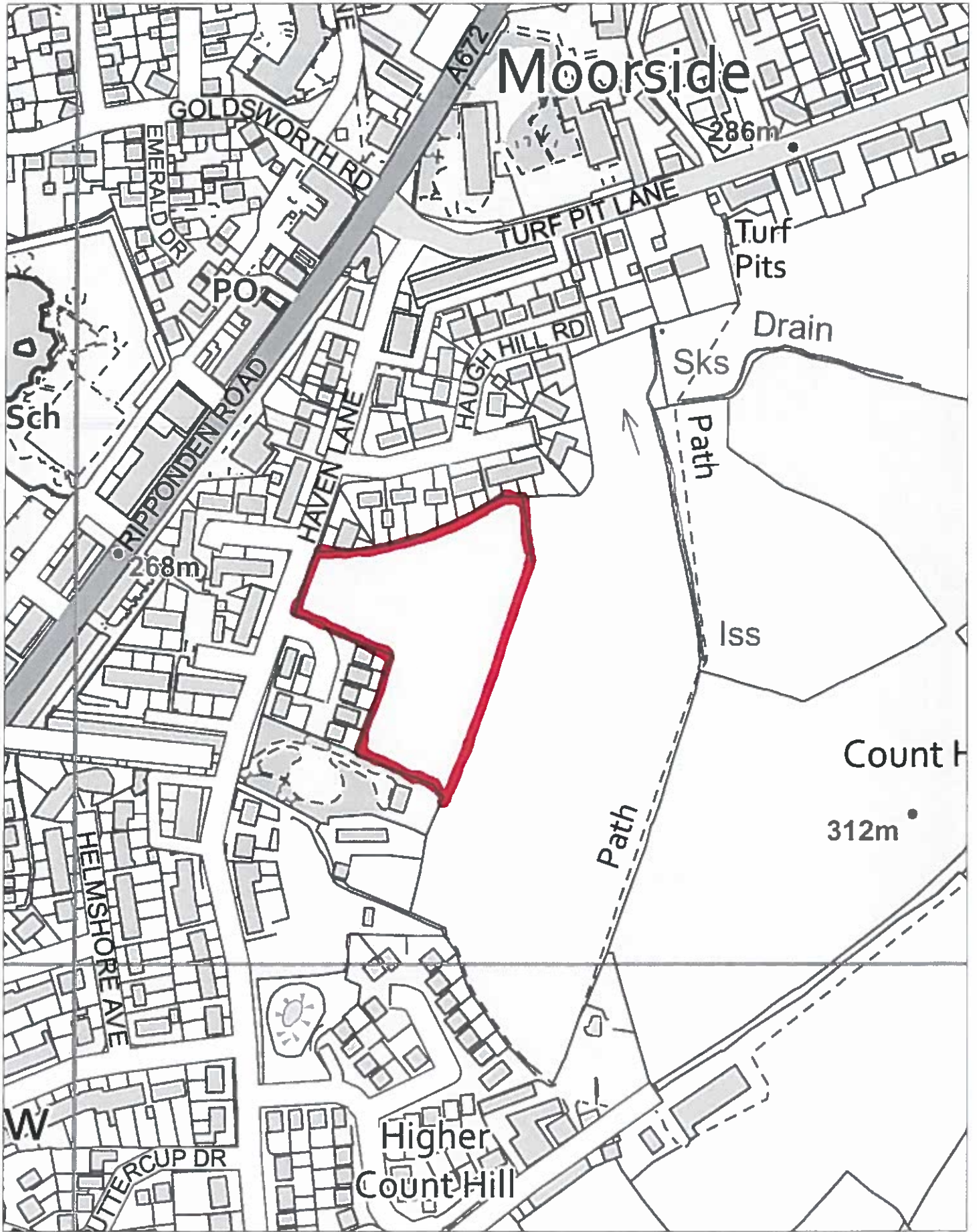
Reason - To facilitate the intervisibility of users of the driveways and the highway in the interests of highway safety.

6. The submitted drainage details submitted pursuant to condition 9 of PA/338917/16 shall be carried out in accordance with the submitted drainage plan (ref: 096511-CA-0-GF-DR-S-001-P06 - Drainage Layout) and shall be maintained thereafter for the lifetime of the development.

Reason - To ensure satisfactory drainage of the site and to ensure that the development can be adequately drained.

7. Before any works commence on the proposed retaining wall (shown on the Site Section Ref: 1004 Rev B), details shall be submitted to and approved in writing to the Local Planning Authority which demonstrate that the proposed retaining wall does not detrimentally impact on the existing trees, which are protected by Tree Preservation Order TPO/425/01.

Reason: In order to protect the existing protected trees.



APPLICATION REPORT - PA/342633/18

Planning Committee, 5 June, 2019

Registration Date: 12/12/2018
Ward: Shaw

Application Reference: PA/342633/18
Type of Application: Full Planning Permission

Proposal: Change of use of office (Class B1a) to a 9 bedroomed House in Multiple Occupation (Sui generis).

Location: Shaw Street Metal Company Ltd, 4-6 Hill Street, Shaw, OL2 8PQ
Case Officer: Richard Byrne

Applicant Agent : Mr Wrigley
 Aequo Properties Ltd.

THE SITE

The application relates to a three storey brick property located on a cul-de-sac in a commercial area of Shaw immediately to the north of the Asda supermarket, towards which the front elevation faces. To the east is a two storey brick building used as a day nursery across a small parking area, and to the west, it is attached to a two storey commercial building. A further, single storey commercial building is located to the rear.

THE PROPOSAL

Planning permission is sought for the change of use from offices (Class B1a) to a 9 bedroom House in Multiple Occupation (sui generis use). The amended configuration of the building would be as follows:

- Ground floor - Entrance, hallway, staircase to first floor, bathroom, toilet and 4no. bedrooms.
- First Floor - Landing, staircase to ground and second floor, Kitchen/living room, 3no. bedrooms and bathroom.
- Second Floor – staircase to first floor, 2no. bedrooms, bathroom and an office.

RELEVANT HISTORY OF THE SITE:

PRCU/339666/17 - Prior approval for change of use of building from offices (use Class B1(a)) to 5, one-bed flats (use class C3) under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 – Prior Approval Required and Granted 28/03/17

CONSULTATIONS

Environmental Health	No objection to the amended scheme.
Highway Engineer	No objection

REPRESENTATIONS

The application has been advertised by means of neighbour notification letter and site notice. However, no representations have been received as a result of this publicity, including from Shaw & Crompton Parish Council.

PLANNING CONSIDERATIONS

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).

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 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 Sustainable Transport Choices
Policy 9 - Local environment
Policy 11 – Housing
Policy 20 - Design

Land Use and Principle of Development

In terms of the principle of development, DPD Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings, meet Oldham's housing needs and demands in sustainable locations, and to promote high quality and sustainable design. Policies 3, 5 and 11 reflect this approach and encourage residential development on previously developed land.

Policy 3 requires that minor residential developments be located within a ten minute walk of at least two 'key services', whilst Policy 5 requires that all minor residential development should achieve 'Low Accessibility' as a minimum which is defined as being within approximately 400 metres of a bus route.

In this respect, the site is located within easy walking distance of Shaw district centre and the Asda supermarket, along with Saint Pauls Methodist Church and other facilities. These are regarded as 'key services' for the purposes of Policy 3. Insofar as public transport options are concerned, the site is located within close proximity of bus routes on Market Street providing links to Oldham town centre and Rochdale, and to the Shaw Metrolink stop.

It therefore occupies a highly sustainable location.

More specifically, DPD Policy 11 states that Houses in Multiple Occupancy shall not be permitted unless it can be demonstrated that the proposal does not adversely affect:

- (a) the local character of the area;
- (b) the level of residential and workplace amenity of future and neighbouring occupants;
- and
- (c) traffic levels and the safety of road users.

Effect on local character of the area

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20 as it requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

Given the proposed change of use does not require any external alterations, the proposal will not have an adverse effect upon the character and appearance of the street scene as a whole. The area has a mixed use character and in this context the level of type of activity

associated with the proposed use would be appropriate to its setting.

It is therefore considered that the development complies with DPD Policies 1 and 20.

Effect on amenity

Policy 9 states that the Council will seek to protect existing levels of amenity. As such, development proposals should not cause significant harm to neighbouring land uses through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances.

Although this application is for a HMO, the use will have a similar character to that allowed under the previous prior approval for change of use to five, one-bed flats. That permission remains capable of implementation.

The standard of accommodation has been assessed by the Environmental Health team, and following amendment to the layout and replacement of one of the bedrooms in the roofspace with an office for the building supervision, all the rooms within the amended HMO layout comply with both the national 'Technical Housing Standards - nationally described space standard' and Oldham Council's Standards for Houses in Multiple Occupation document, and is therefore considered to be of a suitable size and configuration for the future occupiers having regard to the requirements of Policy 9.

There are existing commercial uses adjacent to the site which have the potential to cause noise and disturbance affecting the future occupiers of the proposed HMO. Consequently, it is considered appropriate to require a scheme of sound insulation to be incorporated to protect residents from any potential noise nuisance from adjacent businesses.

Parking and highway safety

Having regard to the highly sustainable nature of the location, and the availability of on-street parking in the locality, it is not considered that there are any justifiable highway grounds to refuse the application.

Conclusion.

It is considered that the conversion of the building to a HMO will provide a suitable standard of accommodation in this sustainable location, and therefore accords with relevant local and national planning policies.

RECOMMENDATION

It is recommended that Committee resolves to grant permission 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 amended plan and specification received on 25/04/2019, which is referenced as 'Drawing for Planning', Revision B.

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

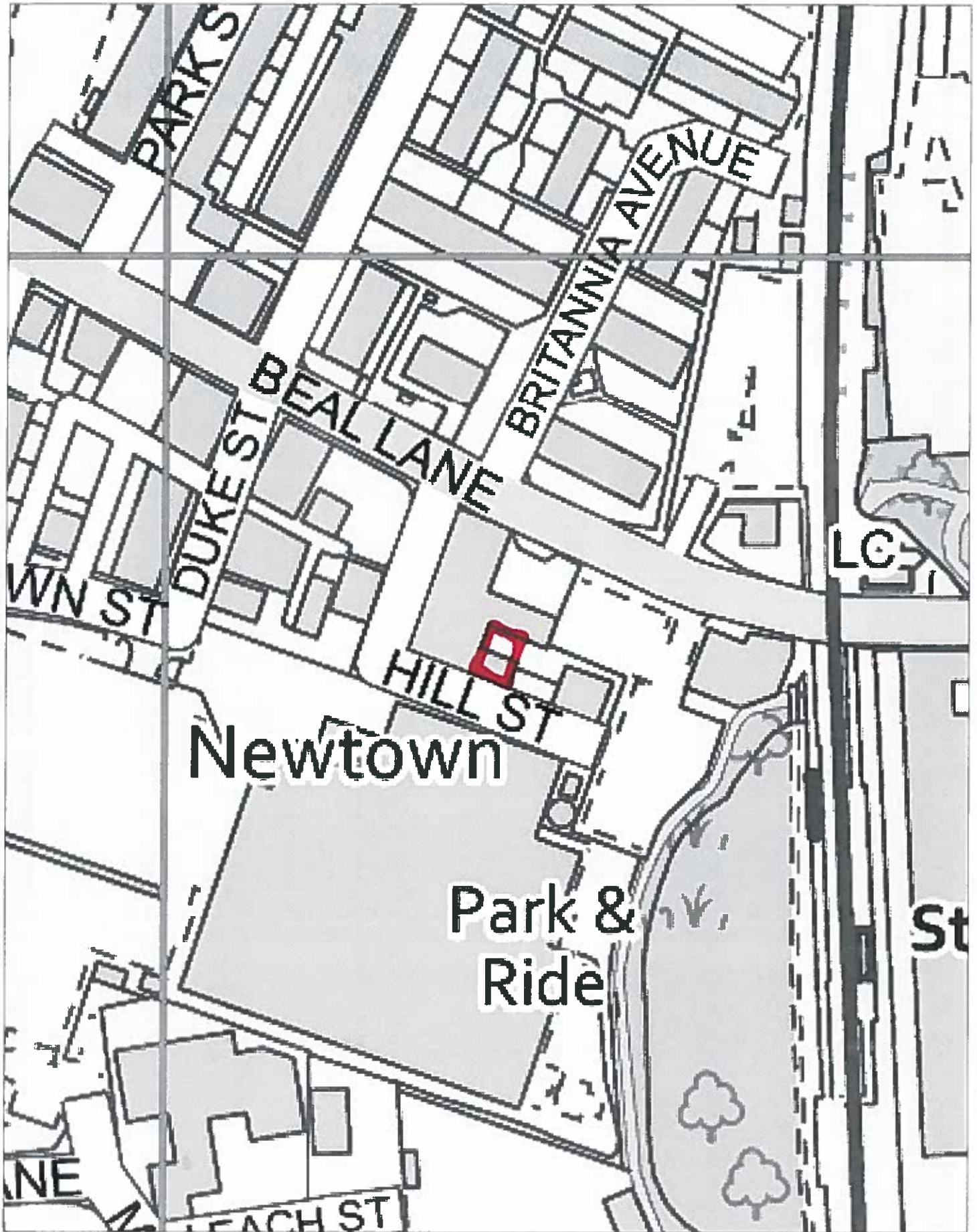
3. No development shall take place unless and until a scheme for protecting the bedrooms from noise from adjacent commercial activity has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the

approved scheme shall be completed before the bedrooms are first occupied.

Reason - To ensure the protection of the occupiers of the accommodation.

4. Prior to the first occupation of the accommodation hereby approved, facilities within the site for the storage of refuse, and for the safe storage of cycles, shall be provided in accordance with a scheme which has previously been submitted to and approved in writing by the Local Planning Authority. The duly approved facilities shall be retained thereafter.

Reason - To ensure a satisfactory standard of amenity and to promote sustainable transport choices.



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APPLICATION REPORT - PA/342751/19

Planning Committee, 5 June, 2019

Registration Date: 12/03/2019
Ward: Failsworth East

Application Reference: PA/342751/19
Type of Application: Full Planning Permission

Proposal: Retrospective application for change of use from dwelling (Class C3) to 7 bedroom House in Multiple Occupation (sui generis use), including retention of conservatory lounge to side.

Location: 1 Wesley Street, Failsworth, Manchester, M35 9EB

Case Officer: Matthew Taylor

Applicant: Clifford Properties Ltd.
Agent : Ashton Planning

THE SITE

The application relates to a two storey end terrace property located on the corner of Wesley Street and Shepley Street and includes a small side/rear garden. The property appears to have been subject to previous rear extensions.

The property is located in a mixed use area with the south of the site being characterised by residential uses whilst to the north is Oldham Road (A62) which is the main road link between Oldham town centre and Manchester city centre. Directly behind the application site is a car park that serves a short terrace of retail units that front onto Oldham Road which contributes to the local shopping parade.

THE PROPOSAL

Retrospective planning permission is sought for the change of use from a dwelling (Class C3) to 7 bedroom HMO (sui generis use), including retention of conservatory to side and the erection of a 1.7m high boundary wall.

More specifically the configuration of the building would be as follows:

- Ground floor - Entrance, hallway, staircase to first floor, kitchen, lounge (within side conservatory), Bathroom and 3no. bedrooms.
- First Floor - Landing, 4no. bedrooms and bathroom.

The conservatory to be retained is positioned to the side of the property fronting onto Shepley Street and has a tiled roof.

The proposed 1.7m high boundary wall is to replace the existing waney lap fencing that will match the brickwork of the existing property.

RELEVANT HISTORY OF THE SITE:

No relevant planning history.

CONSULTATIONS

Highway Engineer

Recommended condition to require the provision of cycle parking on site.

Environmental Health	Raised no objection, but noted that the property is subject to HMO licensing requirements.
Greater Manchester Police Architectural Liaison Unit	Advice provided on security measures.

REPRESENTATIONS

This application has been referred to the Planning Committee for determination on the request of Councillor Briggs.

The application has been advertised by means of neighbour notification letter and site notice. However, no representations have been received as a result of this publicity.

PLANNING CONSIDERATIONS

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).

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 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 Sustainable Transport Choices
- Policy 9 - Local environment
- Policy 11 – Housing
- Policy 20 – Design

The principle of the development

DPD Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings, meet Oldham's housing needs and demands in sustainable locations, and to promote high quality and sustainable design. DPD Policies 3, 5 and 11 reflect this approach and encourage residential development on previously developed land.

Policy 3 requires that minor residential developments be located within a ten-minute walk of at least two 'key services', whilst Policy 5 requires that all minor residential development should achieve 'Low Accessibility' as a minimum which is defined as being within approximately 400 metres of a bus route.

In this respect, the site is located within a ten-minute walk of the local shopping parade on Oldham Road, Higher Failsworth Primary School and Higher Memorial Park. These are regarded as 'key services' for the purposes of Policy 3.

In addition, the site is on the fringe of the allocated Failsworth (District) Centre and this weighs heavily in support of the proposal's highly sustainable location.

Insofar as public transport options are concerned the site is located within 400m of bus routes on Oldham Road, providing links to Oldham town centre and Manchester city centre, and a ten-minute walk from the Hollinwood Metrolink stop.

DPD Policy 11 states that houses in multiple occupancy shall not be permitted unless it can

be demonstrated that the proposal does not adversely affect:

- (a) the local character of the area;
- (b) the level of residential and workplace amenity of future and neighbouring occupants; and
- (c) traffic levels and the safety of road users.

(a) Local character of the area:

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20 as it requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

The application property is located in a prominent position on the corner of Wesley Street and Shepley Street.

The change of use to a HMO has resulted in the erection of the side conservatory, as the inhabitants require an additional living room and this addition to the host dwelling is clearly visible from the public domain and as such has an impact on the street scene as a whole.

However, having regard to the proposed 1.7m high boundary wall, to be constructed in brick to match the host dwelling, it is considered the development does not significantly detract from the area as the majority of the glazing will be screened from the public domain by the wall and the roof is of tile construction. In addition, it is not considered the extension extends beyond a well-established building line along Shepley Street.

Whilst the proposal will result in the loss of a family house, such use is limited in attraction due to the restricted garden area. Furthermore, it should be noted that with a reduction of one bedroom, permission would not be required to operate as a small, 6 bedroom HMO.

It is therefore considered that the development complies with DPD Policies 1 and 20.

(b) Effect on amenity:

DPD Policy 9 states that the Council will seek to protect existing levels of amenity. As such, development proposals should not cause significant harm to neighbouring land uses through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances.

Although this application is for a HMO it is considered the scheme is essentially still residential and similar to the current property use. It is therefore considered that any outlook and potential for overlooking from the property already exists and the proposed HMO would not materially alter the level of residential amenity for the surrounding properties. Similarly, the noise associated with the use is considered to be similar to that of a large family home.

It is important to consider the amenity of future occupiers of the proposed development. In this regard, all the rooms within the HMO comply with both the Technical housing standards – nationally described space standard and Oldham Council's Standards for Houses in Multiple Occupation document. Therefore, the proposed accommodation is considered to be of a suitable size to be considered acceptable for the future occupiers having regard to the requirements of Policy 9.

(c) Parking and highway safety:

The Council's Highway Engineer has been consulted regarding the proposals and has raised no objections on highway safety grounds as the change of use is located in a sustainable location with excellent links to public transport and access to a wide range of amenities. The only available parking in the area is time restricted, but it is acknowledged that occupants of Houses of Multiple Occupation generally have access to their own

vehicles. Any future residents would have the responsibility of ensuring their ability to park safely and legally elsewhere. Therefore it is not expected there will be any significant impact on the local highway network to the detriment of highway safety.

However, It is noted that the scheme makes no provision for cycle storage. The developer has agreed to provide this on-site, and the details will be required by condition.

Conclusion.

It is considered that the conversion of the building to a HMO and retention of the side conservatory will not harm the character of the surrounding area and is acceptable in principle.

With all the above points in mind it is considered that the proposed development satisfies the requirements of all the relevant local and national planning policies, and that the proposal would therefore comprise a sustainable form of development by providing both residential accommodation in a highly sustainable location which would be compatible with the character of the local area.

RECOMMENDATION

It is recommended that Committee resolves to grant permission subject to the inclusion of the following conditions:

1. Within three months of the date of this permission, secure cycle parking facilities shall be provided within the site, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development.

2. Within three months of the date of this permission the boundary wall, render panels and bin store hereby approved shall be fully implemented in accordance with the amended plans and specifications, which are referenced as follows:

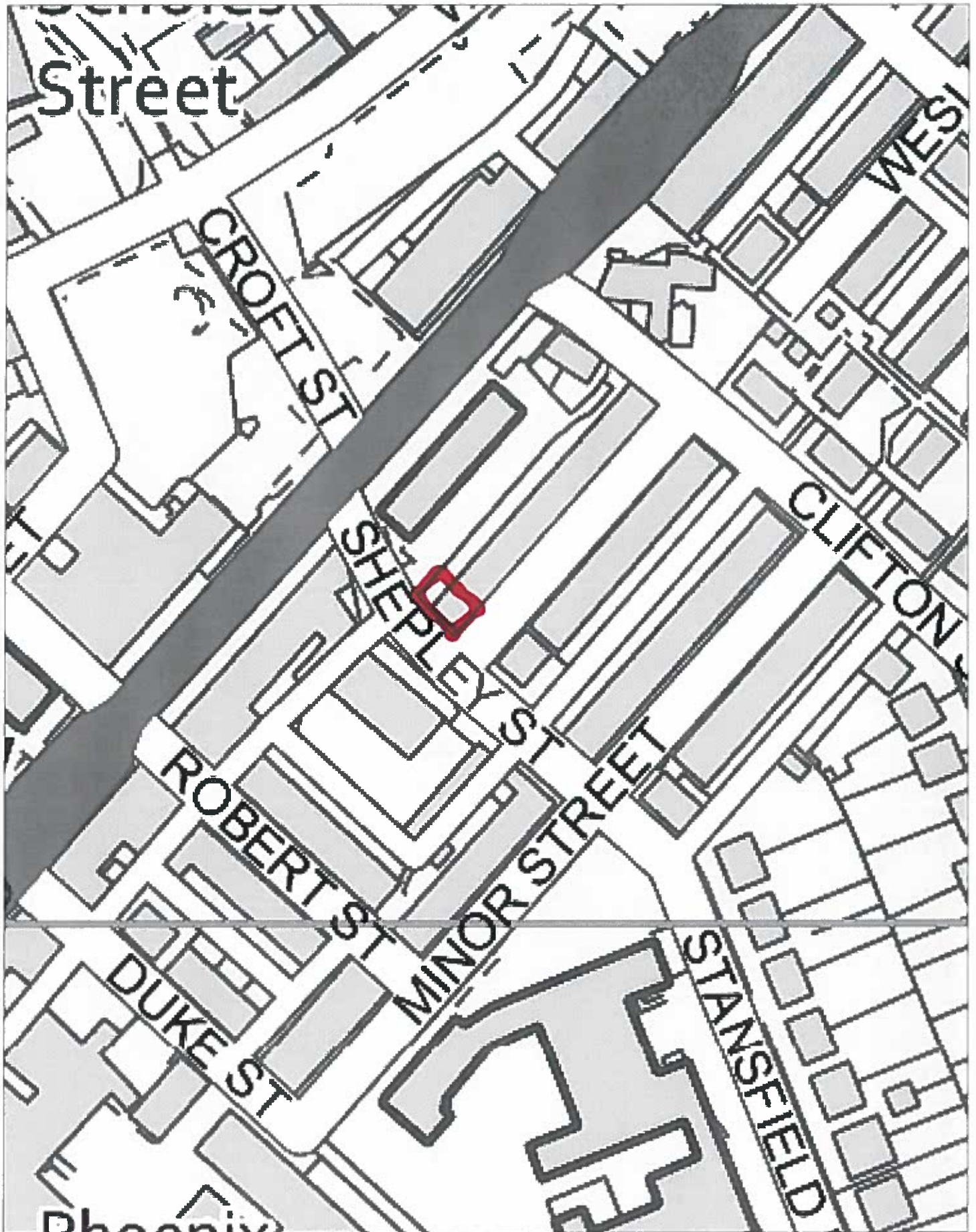
Drawing No: 19020-12, received on 22/03/2019.

Drawing No: Site Block Plan 2A, received on 20/02/2019.

Thereafter the accommodation hereby approved shall be retained as shown on Drawing No: Plan 6, received on 04/02/2019.

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

Street



Contact Us



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APPLICATION REPORT - LB/342813/19

Planning Committee, 5 June, 2019

Registration Date: 01/02/2019
Ward: Chadderton North

Application Reference: LB/342813/19
Type of Application: Listed Building Consent

Proposal: Replacement of existing windows with uPVC.
Location: Manor Mill, Victoria Street, Chadderton, OL9 0DD
Case Officer: Graham Dickman

Applicant Mr Holden
Agent : Townscape: Chartered Town Planning

THE SITE

This application relates to the Grade II listed Manor Mill located on Victoria Street, Chadderton, within the Victoria Street Conservation Area. The Mill dominates the streetscape in an area otherwise largely represented by low level housing.

Manor Mill was listed as a building of special architectural and historic interest in 1993. It was built in 1906 by G.Stott and is an impressive example of early 20th Century mill design, showing large-scale planning, in which functions were separated over five storeys. All of its main features remain intact and include the engine house, gate house, chimney, lodge and tower.

The Mill is currently the applicant company's Head Office and the main office accommodates some 180 staff, along with an exhibition/product showroom which displays the products of the business, along with areas utilised as warehousing/storage for goods.

THE PROPOSAL

It is proposed to replace 400 individual windows on the main elevations to the Mill with slim profile uPVC windows using a *slimlite* double glazed unit. Technical details, sizes and dimensions are provided within the submission, and the applicant has made a specific window sample available to view. The windows will all include openings to improve ventilation and will be double glazed to improve thermal comfort. The design of the proposed replacement windows is intended to follow the existing window pattern of detail.

It is the applicant's contention that as a result of the deterioration in the condition of the existing timber windows, there is a significant maintenance issue and concern for the on-going upkeep of the windows which has resulted in costly repairs on a regular basis. Further it is stated that the point has been reached whereby many of the windows are no-longer fit for purpose and are becoming a major obstacle to the comfort and well-being of employees.

The application is accompanied by the following supporting information.

Heritage Statement and Impact Assessment

Window Survey with marked elevations

Economic Statement Quotations for replacement windows to include, timber, uPVC, aluminium and a quote for repair to existing windows

Other significant applications

PA/342273/18 - Replacement windows and external alterations (at Heron Mill, Heron Street, Oldham - non-listed mill building). Approved 7 February 2019

LB/047423/04 - Replacement with white uPVC windows (at Lees Brook Mill, Lees Road, Oldham, Grade II listed mill). Refused 26 October 2004

LB/038958/99 - Alterations to building (including replacement of windows with uPVC) (at Anchor Mill, Daisy Street, Oldham). Approved 24 May 2001

LB/035149/96 - Replacement of windows and frames (with uPVC) (at Regent Mill, Princess Street, Failsworth, Grade II listed mill). Approved contrary to officer recommendation. 22 May 1997.

CONSULTATIONS

Historic England No comments, but refers the Council to published advice.

REPRESENTATIONS

The application has been advertised by press and site notice. No representations have been received.

PLANNING CONSIDERATIONS

Policy provisions

The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of the Local Planning Authority to have special regard to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest.

Section 66(1) of the Act states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Similarly, Section 72 (1) of the Act states that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 site is designated as a Housing Allocation Phase 1 by the Proposals Map associated with the Joint Development Plan Document. In respect of the application of this nature, the NPPF and DPD Policy 24 (Historic Environment) are of particular relevance. However, such policies cannot conflict with or avoid the obligatory provisions set out in the statutory provisions above.

Part 16 of the National Planning Policy Framework (NPPF) sets out guidance on the approach to be taken in considering proposals which would affect heritage assets.

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. As a minimum, relevant historic environment record*

should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation".

It goes on to state at paragraph 190 that *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal".*

At paragraph 191 it cautions that *"Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision".*

Paragraph 192 requires local planning authorities to take account of:

"a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness"

It continues at paragraph 193, stating that *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". At 194 it states that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of...grade II listed buildings...should be exceptional"*

The NPPF is supported by Planning Practice Guidance. This includes guidance on 'Conserving and enhancing the historic environment'.

The guidance explains that 'significance is important in decision-taking as heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

The guidance explains that *"the extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."*

Disrepair and damage and their impact on viability can be a material consideration in deciding an application. Any deliberate damage is not a material consideration.

In terms of considering future viable uses the **Page 43** guidance recognises that *"By their*

nature, some heritage assets have limited or even no economic end use... It is important that any use is viable, not just for the owner, but also the future conservation of the asset".

The guidance states that the evidence needed to demonstrate there is no viable use includes appropriate marketing to demonstrate the redundancy of a heritage asset. The aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.

In terms of demonstrating public benefits the guidance states *"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress...Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits"*.

DPD Policy 24 states that the Council will conserve and enhance its heritage assets, including listed buildings, and will *"support heritage-led regeneration, including the reuse of historic buildings such as mills, to achieve economic, community and regeneration objectives where appropriate"*. It also states that *"There will be a strong presumption against proposals involving the demolition of listed buildings or structures"*.

In weighing up the impact of the proposals, it is firstly necessary to determine whether the proposed changes will result in "substantial" or "less than substantial" harm to the heritage asset.

NPPF Paragraph 195 states that *"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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

In this instance, given the scale of the works proposed, and the resultant impact on the historic fabric and appearance of the building, through the use of 'modern' materials for the replacement windows, it is considered that the development would result in "less than substantial" harm, and therefore the test in paragraph 196 applies.

Oldham's mill are an important part of the town's heritage, and continue to feature in the townscape. However, it is recognised that achieving viable, continuing use can be difficult, and costs of maintenance high. Manor Mill is an example of an asset which has benefited from strong occupation by the applicant company. Other mills have suffered a different fate, most notably Hartford Mill.

The survey of Historic Mills in Oldham undertaken on behalf of Historic England in 2016 identified Manor Mill in a list of those in "good" condition.

The submitted survey comprised an internal assessment of each window on every relevant elevation as detailed above. Each window was photographed and assessed for evidence of the original sash window or for the more modern replacement casement style. The windows were then inspected for any obvious signs of decay within the main frames, for any original pieces of glazing and for any evidence of replacement or repair work so far as these are apparent from visual inspection. This included examination of the fittings for signs of originality and the frames for layers of paint, traces of old nail holes or recesses and any indications of new timber.

Notes were made on any windows that were partially or completely inaccessible. On the 3rd floor rear elevation (K), 29 windows were inaccessible due to the internal fittings of the company's showroom. The survey excluded the domed tower; the lift shafts; the engine room; and all outbuildings.

Out of the total of 312 window units surveyed, 20 windows are original and in a relatively good condition requiring little or no repair; 144 windows are of original sash style in a poor but repairable condition, whilst a further 26 windows are original but probably beyond repair due to the level of corrosion and decay within the frames.

The total number of non-original replacements is 111, with a further 9 windows that have been significantly adapted with modern parts.

Elevation A – Side, facing north (53 windows)

First Floor – 11 total; 1 significantly adapted and 10 non-originals.

Second Floor – 14 total; 14 originals.

Third Floor – 14 total; 1 original; 2 significantly adapted and 11 non-originals.

Fourth Floor – 14 total; 7 originals and 7 non-originals.

The northern side of the mill (A) featured 25 original windows and 28 non-original replacements, the majority of which were across the first and third floors.

Elevation E - Front, facing east (156 windows)

Ground Floor – 22 total; 20 originals and 2 non-originals.

First Floor – 26 total; 22 originals and 4 non-originals.

Second Floor – 36 total; 31 originals; 1 significantly adapted and 4 non-originals.

Third Floor – 36 total; 28 originals; 2 significantly adapted and 6 non-originals.

Fourth Floor – 36 total; 18 originals and 18 non-originals.

The front of the mill (E) had the highest proportion of original window frames in various conditions; with only 34 of the total 156 being non-original replacements. This level of preservation is assumed to be due to this elevation having more protection from the elements.

Elevation G - Side elevation, facing south (16 windows)

First Floor – 4 total; 4 non-originals.

Second Floor – 4 total; 4 non-originals.

Third Floor – 4 total; 1 original and 3 non-originals.

Fourth Floor – 4 total; 4 non-originals.

The south side of the mill (G) has the fewest windows and featured only one window that was of an original style, this was in poor but repairable condition, but all others were replacement casement style windows, most probably inserted as part of a regeneration scheme during the 1990s.

Elevation K - Rear elevation, facing west (87 windows)

First Floor – 25 total; 20 originals; 4 non-originals and 1 inaccessible due to boarding.

Second Floor – 29 total; 23 originals; 1 significantly adapted and 5 non-originals.

Third Floor – 3 total; 2 non-originals and 1 inaccessible due to blocking.

Fourth Floor – 30 total; 5 originals; 2 significantly adapted and 23 non-originals.

The rear of the mill (K) had considerably fewer windows to assess than the front due to the whole of the ground floor having been bricked or blocked up for security along with the majority of the third floor being blocked by showroom fitments. Of the 87 windows surveyed on this elevation 51 were originals in various states and only 34 were replacements.

The Windows Assessment report has confirmed that approximately 60% of the original windows remain in the mill across various floors and elevations. The windows condition report has also highlighted that out of the remaining original windows only 6% (on the ground floor only) have been classed as in "good" condition and a further 28% as "fair" condition. It therefore argued that a large portion of the original windows are not in a usable condition and urgently require replacement rather than repair.

The chosen uPVC window layout and colour of the proposed uPVC windows is stated as being very similar to that of the original wooden windows, and consequently, ensures that the original visual appearance of the external elevations are very similar and not to an overall detriment.

Costs of alternative solutions

The submitted economic statement analyses the various costs of replacement or repair window solutions.

1. Replace with uPVC = £307,949
2. To repair originals & replace others with timber = £419,121 (£111,172 more expensive than uPVC)
3. Replace all with timber = £404,601 (£96,652 more expensive than uPVC)
4. Replace with aluminium = £881,038 (£573,088 more expensive than uPVC)

It is further claimed that, based on experience of replacing Heron Mill with uPVC, it is anticipated that the on-going maintenance costs of uPVC windows to be significantly more cost effective than wood. The quoted figures assumes 4% of windows would require works each year. With both uPVC & aluminium options there is no requirement to annually paint/seal the windows reducing material and labour costs. Window panes are also more durable being double glazed and therefore are less likely to be replaced. Also, the majority of maintenance works can be completed internally reducing the need for scaffolding, again significantly reducing cost and disruption to the operation.

The Economic Case

The applicant company, UP Global Sourcing UK Ltd (T/A Ultimate Products) was established in 1997. It is now an international business supplying branded consumer goods, and servicing over 430 major retail customers across 37 different countries. It's largest market is the UK. However, over the next 5 years the business has major expansion plans across European markets.

The company operates from two sites in Oldham, Heron Mill & Manor Mill. The business employs 210 full time employees based within the Oldham sites along with an additional 20 seasonal warehouse agency workers.

The Economic Report submitted with the application states that the applicant company has invested heavily in the regeneration of the two mills over the years. Recently over £1.3M has been invested into Heron Mill, transforming it from a run-down mill into a modern warehousing facility. Heron Mill has already had a uPVC window installation and it is claimed it is therefore already benefiting from better heat retention along with the visual improvement to the site. Planning permission has recently been granted for such work; however, it should be reiterated that Heron Mill is not a listed building and therefore the heritage test is less strong.

It is stated that at Manor Mill, between 2008 and 2018, over £2,8M has been devoted into refurbishing the mill, and that the applicant company is extremely committed to remaining within the Oldham area, focusing on job opportunities for local people. The company is

presently on a major recruitment drive, having recruited over 100 people in the past 12 months.

It is stated that failure to obtain the required consent is likely to result in the company being required to move outside of the Oldham area to relocate to a more cost-effective location that better suits the more modern needs of the operation, such as a more modern high bay facility on a suitable business park. This risks large scale unemployment within the local area and a reduction in future business opportunities in Oldham going forward. It is expected that a large portion of the current staff (in particular the warehouse team and junior administrative roles) will need to be replaced within the new location impacting on over 60 employees.

Furthermore, the current wooden windows are deemed not sufficiently protective against the harsh winter climate, which have already resulted in a loss of heat on site, and have forced the company to undertake costly measures in order to sufficiently heat the building. The aforementioned atmospheric conditions are only set to worsen in future, meaning that it will be even more difficult to maintain wooden windows. The protective measures to combat these difficulties have become impractical and not financially viable.

CONCLUSION

The starting point in any assessment of an application of this type is the statutory requirement to have special regard to preserving listed buildings, their setting, and any features of historic interest which exist. Historic England's publication *Traditional Windows: Their Care, Repair and Upgrading*, advises that replacement uPVC windows pose "one of the greatest threats to the heritage value of historic areas, particularly in towns and villages", because even the most advanced uPVC design techniques cannot imitate historic joinery". Although the design of uPVC windows has become more sophisticated in recent years, the replacement windows would not be identical, they would have a manufactured finish that would lack the style, profile, and craftsmanship of the original windows. In particular, the design of the windows cannot accurately reflect the slimline character of the originals. Over such a large expanse of the elevations of the building, this has the clear potential to cause significant harm.

Historic England guidance states that as a rule, windows in listed buildings should be repaired, or replaced like for like where repair is not viable. In addition, where newer windows are obviously inappropriate, replacement windows should be appropriate to the date of the building. It recognises that it is usually near-impossible to install double-glazed windows in existing frames or to replicate existing frames with new sealed units without making noticeable changes to the profiles of glazing bars, styles, and rails. The new glass in such units may also significantly alter the appearance of the window and the replacement of historic glass is rarely acceptable in listed buildings. If the desire for double-glazed units is being driven by energy performance, there are many solutions which can provide similar efficiency benefit

Whilst each case must be judged on its own merits, it is useful to assess whether there are similar examples locally in which this assessment has been required to be made. In the case at Anchor Mill, quoted earlier, listed building consent was allowed, the officer's report concluded that *"The restoration of this important listed building is to be greatly welcomed. Proposals that are sufficiently financially viable to deliver adequate repair and restoration of such buildings within the inner areas of the Borough are rare and the regeneration benefits of the scheme are obvious. However, even with this scheme, the sheer scale of the building and the limited value of the resultant property (in terms of achievable rental values) means that cost has been an issue constraining the design of the proposals, and indeed the rate of progress on. The essential structure of the building is all being retained and repaired, the building is being given a new lease of life and its general character and appearance is being substantially restored"*.

In a later example at Lees Brook Mill, the officer's report considered the relevance of that decision and concluded that *"Given that the application building is still in use and there is no apparent threat of closure, I do not consider that there are any special circumstances that would justify the use of uPVC windows in this instance"*. In the present case, the building remains in substantial use, and whilst a case has been put forward which suggests that if

refused the applicant would consider relocation, which the resultant difficulties in securing alternative, financially viable use of the Mill, it is not considered that the consequential public benefit would outweigh the harm to the building's historic fabric and appearance.

Having determined that the proposals would lead to "less than *substantial harm*" to a designated heritage asset, it is clear that consent should be refused unless it can be demonstrated that the harm is outweighed by the public benefits.

The applicant states that a decision to leave Manor Mill would also lead to the vacancy of this large Grade II listed building, and lead to the abandonment of a huge part of Oldham's heritage. Other examples of mills being vacated are stated, including Littlewoods vacating Hartford Mill in 1991, the consequences of which Members of Committee will recently be aware. Shop Direct, has declared that it is closing its Raven Mill base, axing almost 2000 jobs.

However, in this instance it is not considered that the replacement with uPVC windows would be outweighed by the arguments in favour of replacement. As regards the alternative justification required by paragraph 196, it has not been sufficiently demonstrated that the nature of the heritage asset prevents all reasonable uses of the site; and that there is no viable use of the heritage asset itself which can be found in the medium term through appropriate marketing that will enable its conservation.

It is nevertheless the case that historic mills, such as Manor Mill, provide a substantial floorspace over a relatively small area, which is unlikely to be matched even by a high bay warehouse, particularly one which is accessibly located and where construction or rental costs are likely to be high. Furthermore, moving from Manor Mill will not remove the company's statutory obligation to ensure the heritage asset is appropriately preserved, regardless of the extent of occupation. Hartford Mill is again a case in point where an historic building has been allowed to deteriorate over a long period of time.

The above policy considerations define clearly the context in which the application must be assessed. The conservation of buildings which are listed for their architectural or historic importance is of special significance, and where such loss is to be sanctioned, very strong justification will be necessary. In particular, circumstances will need to be specific to the context of the building, its history, and the reality of its future prospects, if the underlying presumptions related to the significance and protection of listed buildings are not to be de-valued.

In respect of potential alternative sources of funding should the applicant company not be in a position to finance replacement timber windows, it is accepted that available sources do not exist at the present time.

Manor Mill does not fall into any of the specific council-funded regeneration zones in Oldham. There are also grants available through the Heritage Fund and Historic England, however, it is worth noting that these funds are generally reserved for projects with 'historical gain'. Finally if the work is not eligible for grant aid, there is a small fund available from the Society for the Protection of Ancient Monuments, however, the SPAB Mill repair fund only provides funding up to £5,000 and is primarily aimed at local community groups and or local authority partnerships seeking to restore or repair a Mill.

This is a balanced judgement, and whilst the on-going costs of retention and replacement of timber windows is recognised, it is not considered that the test of public benefits to outweigh the harm to the historic fabric of the heritage asset has been demonstrated in this instance.

RECOMMENDATION

Refuse for the following reason:

1. The proposed replacement of all external windows with uPVC alternatives to this prominent Grade II listed building would result in 'less than substantial harm' to the heritage asset by virtue of the design, profile, and finish of the

replacement units, and fail to preserve or enhance the character of the Conservation Area, contrary to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 which confirms the duty of the Local Planning Authority to have special regard to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest, and to Part 16 of the National Planning Policy Framework.



APPLICATION REPORT - PA/342888/19

Planning Committee, 5 June, 2019

Registration Date: 18/02/2019
Ward: Saint Mary's

Application Reference: PA/342888/19
Type of Application: Full Planning Permission

Proposal: Proposed soccer centre (Use Class D2) with associated car park and access arrangements

Location: Land to east of Alexandra Centre Retail Park, Park Road, Oldham, OL4 1SA

Case Officer: Dean Clapworthy

Applicant Agent : First Choice Property Investments
Mrs Tamworth

THE SITE

The proposal relates to a generally rectangular shaped parcel of land adjoining the eastern side of Alexandra Centre Retail Park. It includes the existing access road via the car parking serving the adjacent retail park from Park Road. The site equates to an area of 0.6 hectares and is elevated relative to the land to the east and south. It is bounded by an existing footpath to the east and south (with Waterloo Street and Woodstock Street beyond and below the banking), by the retail park to the west, and by a remaining undeveloped area of land at the north which benefits from an extant planning permission for the construction of a standby energy reserve facility.

The site is currently vacant and is previously undeveloped. The site had also been reserved for the future expansion of the retail park on the Proposals Map pertaining to the superseded UDP, and a planning permission for retail development has expired (see Relevant History of the Site).

THE PROPOSAL

The proposal is for the erection of a 2224.9 square metre (floor space) building that would accommodate 3no. football pitches with changing and welfare facilities. It would have a maximum length of 64m, width of 41.5m and height of 6.8m. It would have a double pitched roof enclosed on all side by a parapet wall. The element of the building accommodating the welfare and changing areas would be lower at a maximum height of 3m. The building would be finished externally with a mixture of red facing brick (the welfare/changing element) and steel cladding to walls, with aluminium or upvc windows and doors.

It would be positioned with the long elevation fronting the north-west boundary of the site with a car parking area adjacent to the south-east entrance (33no. spaces including 10no. disabled persons spaces) which would be accessed by extending eastwards the access road serving the car park relating to the retail park. An area of the entrance forecourt is indicated as being utilised for the provision of cycle parking spaces (12no. cycle stands providing 24no. secure cycle parking spaces).

The remaining areas of the site would be landscaped. No indication is given to boundary treatment/enclosure for the site.

It is proposed that the site would operate **Page 51** the public between 10:00 and 22:00 hours daily and would employ up to 6no. staff.

RELEVANT HISTORY OF THE SITE:

PA/340709/17 - Outline application for proposed construction of a portal frame building with a mezzanine floor - internally includes 3 No. 30 x 20m artificial grass pitches, changing facilities, refreshment and viewing areas (Use class D2). All other matters reserved. Withdrawn January 2018.

PA/055553/08 - Reserved Matters of PA/37179/98 for the redevelopment and extension of existing retail park, retention and conversion of former railway warehouse to include mixed retail and leisure and construction of new access from Oldham Way. All reserved matters to be considered. Approved November 2008.

PA/037179/98 - Outline application for redevelopment and extension of existing retail park; retention and conversion of former railway warehouse for mixed retail and leisure use; and construction of new access from Oldham Way - Granted subject to a legal agreement September 2005.

Adjacent site

PA/342701/18 - Variation of conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14 and 15 relating to PA/340859/17 for the construction of a standby energy reserve facility. Undetermined.

PA/340859/17 - Construction of standby energy reserve facility including associated buildings, apparatus, perimeter fencing and landscaping. Approved January 2018.

CONSULTATIONS

Highway Engineer	No objection, subject to conditions.
Environmental Health	No objection.
LLFA	No comment provided.
The Coal Authority	No objection.
United Utilities Asset Protection	No objection, subject to conditions.
Greater Manchester Police Architectural Liaison Unit	No objection, subject to condition.

REPRESENTATIONS

The application has been advertised by means of neighbour notification letter and press and site notices. One representation has been received welcoming the proposal in general terms and thereafter raising specific matters that can be summarised as follows:

- The proposal should provide adequate dedicated vehicle parking as parking would not be allowed to take place on the adjacent car park;
- Any additional associated uses (such as function rooms/cafe) would increase the parking burden;
- It should be ensured that the proposed use is compatible with the approved gas turbine facility on the adjacent site;
- The site may be affected by invasive species;
- There is an easement across the site (a main sewer);
- There are no details of external lighting, boundary treatment or servicing during the operational phase.

PLANNING CONSIDERATIONS

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).

Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The application site is unallocated on the Proposals Map pertaining to the Local Plan.

The following policies of the Joint Development Plan Document are relevant to the determination of this application.

Policy 1: Climate change and sustainable development

Policy 2: Communities

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

Policy 15: Centres

Policy 19: Water and Flooding

Policy 20: Design

The National Planning Policy Framework (NPPF) is also a material consideration.

The application is required to be referred to Planning Committee as the proposal constitutes Major development and pertains to a site that is not specifically allocated for the use proposed.

The application site is unallocated on the Proposals Map pertaining to the DPD. As such, the assessment of the proposal will therefore be made in respect of Policies 1, 2, 5, 9, 15, 20 and 21 of the DPD and Parts 7, 8, 9, 12, 14 and 15 of the NPPF.

Principle of development

An impact assessment is not required to support the application given that the proposal relates to a recreational proposal of less than 2,500 square metres of gross floor space. The proposal relates to a site that is adjacent to a long established retail park which has previously been accepted as being located on the edge of Oldham town centre in connection with an application for additional retail floorspace on the retail park (PA/338985/16). Given the location of the site, a sequential assessment is therefore required.

The submitted Planning, Design and Access Statement includes such an assessment. This states that the site requirement for such a use is very specific and that the most appropriate option would be a purpose built facility given the specific requirements (i.e. a ceiling height of at least 6.1m; a site large enough to accommodate pitches, sidelines and spectator area, changing facilities; car parking and cycle storage and a communal floor area/foyer of between 300sqm and 500 sqm).

The assessment states that a desktop search has been undertaken which indicates that the only sites available within the town centre are small retail units or offices and that none are considered appropriate for the size and functional requirements of the proposed use. Therefore, the next sequentially preferable location would be edge of centre. The position set out in the submitted sequential assessment is considered to be robust and reasonable.

Thus, given that there are no sequentially preferable sites in the town centre, the location of the proposed development at a site that is well connected to the town centre and nearby residential areas is considered appropriate and acceptable. Therefore, the principal of the development is acceptable and would not be contrary to the requirements of DPD Policy 15 and Section 7 of the NPPF. Further, it is noted that a use class D2 leisure use was approved on the adjacent retail park in June 2016 (PA/338467/16) having been considered against the same DPD policy.

Thereafter, the assessment and consideration of the proposal relates to the following matters.

Design and impact on residential amenity

Utilitarian retail units form the dominant building type in the locality and characterise the built

form of the area. These are set within large car parking and servicing hardstandings with little or no landscaping. To the north of the site would be the approved standby energy reserve facility bounded and screened by a 5m high acoustic fence. The proposed building would largely reflect the form, proportions and finishes of the existing building form. Furthermore, relatively large areas of landscaping, with enhancement (indicated as grassed areas presently), would soften the setting of the proposed building and car parking area, which would aid assimilation from principal viewpoints from the car parks serving the retail units to the west and from the public footpath that is routed around the south and east boundaries of the site. Given the change in levels and the heavily vegetated banking on the north side of Woodstock Street to the south, the site would be significantly screened from the opposing residential properties.

The proposal is supported by a Crime Impact Statement that appraises the layout of the site and building and thereafter the physical security attributes in order to achieve Secured by Design accreditation and management and maintenance of the site. GM Police has expressed satisfaction with the proposal, subject to a condition that requires adherence to the recommendations therein.

Due to the above factors, and subject to conditions, the proposal would complement the existing street scene, would not have any unacceptable impacts upon nearest residential amenities and crime and security and would not therefore conflict with the above policies or the NPPF.

Traffic and highway safety

The proposal would be served by 33no. car parking spaces (10no. being for disabled persons) and 24no. secure cycle storage positions immediately juxtaposed to the entrance to the building, which would be accessed from the existing access from Park Road serving the retail park to the west.

The proposal is supported by a Transport Statement, which finds that the site is well located for access by all modes of transport and a pedestrian crossing with dropped kerbs and tactile paving would be provided across the access road to link the development to the shared footway to the south of the site. The single representation raises a concern relating to vehicle parking at the site, stating that parking would not be allowed to take place on the adjacent car park.

The Highway Engineer has expressed satisfaction with the proposed development, subject to conditions requiring the installation of the secure cycle parking, a pedestrian crossing of the access road and formulation of a green travel plan prior to the use commencing. Subject to such requirements, the development would comply with the above policies and the NPPF.

Ground conditions

The proposal is supported by a Ground Investigation Technical Report and a Coal Mining Risk Assessment. These find that the site is probably underlain by abandoned mineworkings at various depths, which present a very low risk to ground stability and the integrity of the proposed development, requiring no remedial action. In relation to the mine shaft located off-site and shallow coal mine workings, it is recommended that observations should be kept throughout all site operations, but that any risks are negligible. The Council's Environmental Health Officer has expressed satisfaction with the proposal. The site is therefore deemed to be capable of being safely developed and the proposal would comply with the above DPD policies and the NPPF.

Flood risk and drainage

A Flood Risk Assessment has been submitted in support of the proposal. This confirms that the site is located within fluvial Flood Zone 1 and 2 and is not in a Groundwater Source Protection Zone. Furthermore, the site is generally located in an area that is projected to be have a 'Very Low' vulnerability to surface water flooding and has a low probability of fluvial flooding. It concludes that the proposed development can be constructed without being at

an unacceptable risk of flooding and without increasing the risk to other sites in the vicinity. United Utilities has not raised a concern relating to the main sewer that is routed under the site or objected to the proposal, subject to conditions relating to foul and surface water. Therefore, subject to such conditions, the proposal would comply the above DPD policies and the NPPF.

Ecology and biodiversity

The site comprises re-colonised waste ground with dense scrub and self-seeded saplings and very young trees. The present application is not supported by any ecological information. However, a Preliminary Ecological Appraisal (PEA) was submitted in relation to the site immediately to the north. That Appraisal concluded that the (adjacent) site comprises re-colonised waste ground with a mixture of habitats with low floristic diversity comprising common species ubiquitous to the surrounding area.

It also found that there would be no impacts on any statutory or non-statutory nature conservation designations and that the site had limited value for bats, and is not currently utilised by badgers. It was considered that the dense scrub located throughout the site had potential to be used by nesting birds, although the likelihood of the site supporting a reptile population was considered to be very low. Invasive species were noted on the site and it was advised that they would need to be suitably treated.

It was thereafter determined that the proposal would not have any detrimental impacts upon local ecological interests, biodiversity or legally protected species and no conditions relating to ecological or biodiversity interests were applied.

The application site forms a part of the same parcel of land with the same characteristics that has been re-colonised and there is no physical division between this and the application site. It would therefore be appropriate to accept that the findings are applicable across the entire parcel of land and thus the application site. Given such circumstances, it is considered that the development would not have any detrimental impacts upon local ecology, biodiversity or legally protected species and would not conflict with the above DPD policies or the NPPF.

Other matters

The application site does not lie within an Air Quality Management Area (AQMA) but is located adjacent to part of the Greater Manchester AQMA. This AQMA has been designated due to elevated concentrations of nitrogen dioxide (NO₂) attributable to road traffic emissions.

The single representation raises a concern about the compatibility of the proposed use with the approved gas turbine facility on the adjacent site. However, an Air Quality Assessment (AQA) was submitted in support of application PA/340859/17 that considered the potential air quality impacts of the proposed development during the construction and operational phases. Following detailed consideration by the Environmental Health Section, the local planning authority was satisfied that it had been demonstrated that the site could be developed for the proposed use without adverse impact to air quality and the health of sensitive receptors, including school children.

It would therefore be reasonable to come to the same conclusion in relation to the potential impacts upon the proposed soccer centre.

The Transport Statement submitted in support of the application shows an increase of 5no. vehicle trips and 8no. (max) vehicle trips during the weekday peak AM and PM periods (15no. on Saturday peak hour). This increase is deemed to be barely perceptible. Accordingly, it is not considered that the proposal would adversely affect air quality within the AQMA.

Given the above, it is considered that the proposal would be compliant with the above DPD policy and the NPPF.

Conclusion

The representation received has been carefully considered. The proposed development would be acceptable and subject to appropriate conditions would not have any unacceptable adverse impacts on the vitality and viability of Oldham town centre, traffic and highway safety, neighbouring and general amenity, ecology and biodiversity, ground conditions or flood risk. Furthermore, it would be of an appropriate design in the locality. The proposal complies with the relevant provisions of the Oldham DPD and the NPPF and there are no material considerations which outweigh this finding. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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 following approved plans:

Site Plan (Drawing No. 3619.6) dated 01/05/2019;
Plans and Elevations (Drawing No. 3619.7) dated 04/02/2019
Location Plan (Drawing No. 3619.8) dated 04/02/2019.

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 above ground development shall take place unless and until details 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 to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

4. No above ground development 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 and these works shall be carried out as approved. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. 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.

The approved hard landscaping scheme shall be fully implemented prior to the occupation of the development and the approved soft landscaping shall be carried out at latest in the first planting and seeding seasons following the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become

seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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.

5. Prior to the commencement of development, full details of a scheme for the eradication and/or control of invasive species on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and timing of works contained within the approved scheme.

Reason - In order to ensure the removal/check to the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981, in order to safeguard the biodiversity of the site and its surroundings.

6. Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan the occupier shall submit their travel plan to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of occupation of the unit.

Reason - To ensure the development accords with sustainable transport policies

7. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development

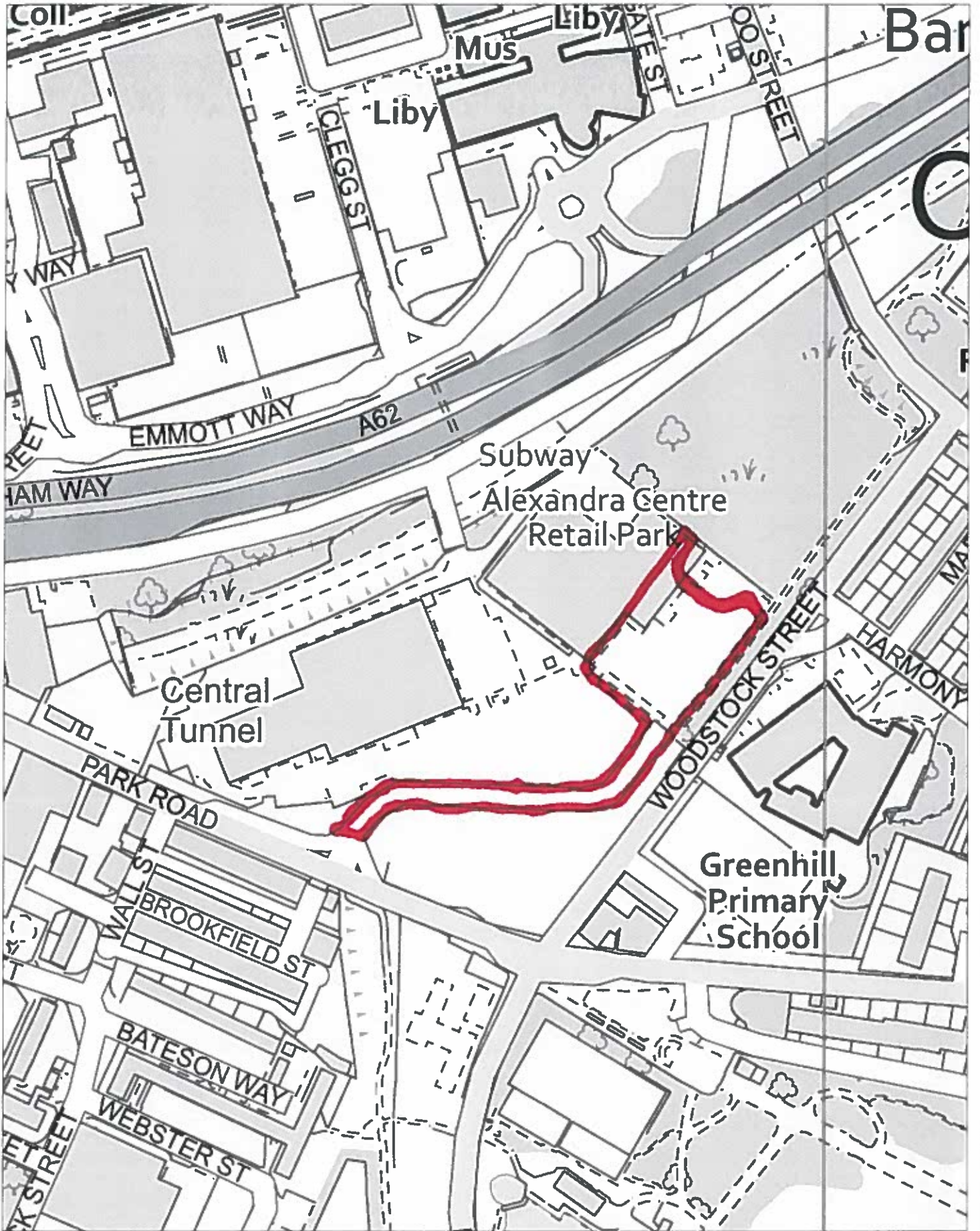
8. Prior to the first occupation of the development hereby approved, a pedestrian crossing with dropped kerbs and tactile paving shall be provided across the access road which will provide a link to the existing shared footpath / cycle path that runs through the site, as shown on drawing number SCP\190032\ATR01 presented in Appendix B of the submitted Transport Statement dated January 2019 (Doc Ref: CT/190032/TS/00).

Reason - In the interests of pedestrian and highway safety.

9. Prior to the commencement of any development, 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.

Foul and surface water shall be drained on separate systems.

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



APPLICATION REPORT - PA/342907/19

Planning Committee, 5 June, 2019

Registration Date: 12/02/2019
Ward: Failsworth East

Application Reference: PA/342907/19
Type of Application: Full Planning Permission

Proposal: Change of use from a six bedroom House in Multiple Occupation (Use Class C4) to a seven bedroom House in Multiple Occupation (Sui Generis).

Location: 18 Pole Lane, Failsworth, Manchester, M35 9PB
Case Officer: Richard Byrne

Applicant Agent : Aquae Sulis
 DnA Group

THE SITE

This application relates to 18 Pole Lane, Failsworth. The application site is occupied by a two storey end terrace property with additional accommodation within the roof space. It is located within the Failsworth Pole Conservation Area.

THE PROPOSAL

A Certificate of Lawfulness has recently been granted for the use of the building to operate as a six bedroom house in multiple occupation.

This application seeks planning permission to change the use of the building from its lawful use to form a seven bedroom House in Multiple Occupation.

The proposed House of Multiple Occupation (referred to as a HMO) would be configured over three floors and comprise two bedrooms and a kitchen on the ground floor, three bedrooms on the first floor and two further bedrooms in the converted attic space.

All the bedrooms would benefit from an en-suite sanitary facilities. A shared kitchen/dining area will be available on the ground floor.

The scheme provides outdoor space to the rear of the property where it is indicatively shown as an area for bins and a cycle storage area within an existing single storey outtrigger.

RELEVANT HISTORY OF THE SITE:

CL/342158/18 - Certificate of Lawfulness for change of use of property from dwelling to 6 bedroom HMO. Granted 23 October 2018.

HH/342157/18 - Replacement windows and enlargement of 3 roof lights with roof repairs as necessary. Granted 16 January 2019.

Other relevant application

PA/341496/18 - Change of use of 16 Pole Lane from C3 to sui generis 7 bedroom HMO with infill extension on the rear ground floor. Refused 19 July 2018. An appeal against the refusal was allowed. 4 February 2019

CONSULTATIONS

Highways Officer	Does not object to planning permission being granted for highway safety reasons and recommends a planning condition for secure cycle facilities within the site.
Environmental Health	No comment

REPRESENTATIONS

Failsworth East Councillors Norman Briggs and Elizabeth Jacques have requested that the application is determined by Planning Committee.

The application has been advertised by notification letters and a site notice. As a result of the publicity 16 representations have been received and are summarised below.

- The loss of a family size house would detrimentally affect the character of the predominantly family housing area and fail to preserve or enhance the character of the Failsworth Pole Conservation Area;
- There is a need for more family homes not single occupancy rooms; and there are apartments in the locality
- The proposal would not improve the economic, social and environmental conditions of the areas and therefore does not comprise sustainable development;
- External area is inadequate to provide space for bins which already block the footway on collection day;
- HMOs are proven to be socially problematic;
- Safety concerns over future occupiers and proximity of the children's nursery, and its viability would be harmed;
- Insufficient parking in the area;
- Precedent for large HMOs being set;
- Detrimently effect the value of the neighbouring properties;
- Reiterates the objections raised in regard for the application at 16 Pole Lane;
- Work has been continued without consent;
- Inadequate notification period given to local residents; and,
- Local services and schools are stretched and proposal would place additional strain.

PLANNING CONSIDERATIONS

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).

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 within the Failsworth Pole Conservation Area.

The following DPD Policies are considered to be relevant:

- Policy 1 - Climate change and sustainable development
- Policy 3 - An address of choice
- Policy 9 - Local Environment
- Policy 11 - Housing
- Policy 24 – Historic Environment

The main issues for consideration are:

- Principle of the proposed development
- The effect on the local character of the area
- Impact on amenity of the surrounding land buildings;

- Parking and Highway safety;

Land Use

DPD Policy 3 states that Oldham Council will ensure the housing market is balanced and sustainable to meet the needs and demands of our urban and rural communities, by providing quality, choice and diversity through new residential development, promoting the effective and efficient use of land and managing the release of housing land. 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.

In assessing the impact of the proposal, Members' attention is drawn to the appeal decision referred to earlier in this report in relation to the adjoining property at 16 Pole Lane. Planning Committee had resolved to refuse the application on the grounds that it would result in the loss of a scarce large family house in Failsworth East where there was a shortage of such properties, and that this would detrimentally affect the character of this predominantly family housing area.

In allowing the appeal, the Inspector considered these issues. In terms of the loss of the family house the Inspector considered that given the lack of off-street car parking and limited external amenity area, the property would have limited appeal as family accommodation. The Inspector also concluded that the proposed HMO would provide accommodation for a different housing sector in a sustainable location.

With regard to the impact on the Conservation Area's character, the Inspector similarly found no evidence to support this assertion.

This is an important material consideration in determination of the present application as the level, standard, and type of accommodation proposed in this instance is identical to that approved next door. It could be argued that granting permission for a further HMO in this location would further erode the family housing nature of the street and local area. However, in order to justify such a conclusion, it would be necessary to clearly demonstrate that the resultant level of accommodation would significantly alter the area's character or adversely impact on other material planning considerations.

A second important factor is that the use of the property as a House in Multiple Occupation for up to 6 residents does not require planning permission by virtue of Class L of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Therefore, the comparison of impact in assessing this application is in fact not between a family house and a HMO use, but between a 6 bedroom or 7 bedroom HMO only.

The effect on the local character of the area

The property is an end-terrace dwelling within the Failsworth Pole Conservation Area. The original frontage and form is to be retained, and there are no external alterations.

Having regard to the prevailing character of the area, the proposal is a form of residential use, although occupancy could be on a more short-term basis dependent on tenants. With the residential use in mind, and particularly the increase in one bedroom only from the authorised use, it would be difficult to view the proposed HMO as being at odds in this location given the existing surrounding land uses and the local character of the area.

Impact on amenity of the surrounding land buildings;

In respect to the neighbouring residential properties and objections received, it is appreciated that the proposed use could result in some disturbance from comings and goings and noise. However, the existing dwelling is five-bedroomed property with authorisation for conversion to a 6 bedroom HMO, and currently could accommodate a

significant number of people. Whilst concerns regarding potential disturbance and anti-social behaviour are appreciated, this is not an inevitable consequence of such uses, and in the absence of clear evidence to support this assumption, a refusal of the application could not be justified.

In accordance with DPD policy 11, assessment is required in regard to whether the proposed HMO provides an acceptable form of residential accommodation in respect of the level of amenity for future occupiers.

The internal configuration of the HMO is effectively a mirror image of that which has been approved on appeal at 16 Pole Lane, and has been considered against:

- Oldham's adopted guidance - Standards for Houses in Multiple Occupation, October 2010,
- Draft guidance Ministry of Housing Communities & Local Government (HCLG) - 'HMO minimum room sizes to come into force 1 October 2018'; and
- Adopted Department Communities and Local Government - Technical housing standards – nationally described space standard document.

These documents provide evidence based guidance in regard to the amenity of potential occupiers and it is therefore considered appropriate to have regard to this guidance.

Shown within the proposed floor plans, the residential units provide a sufficient amount of internal amenity space for the individual rooms as compared with the relevant current (Oldham) and draft (Government) HMO licensing guidance and the DCLG Technical Housing Standards guidance. In consideration of the relevant legislation, the proposal in terms of amenity standards for the future occupiers is considered acceptable.

A condition is recommended to require details of refuse and waste facilities to be submitted and approved. However, sufficient space within the curtilage of the property would be available.

Given the above considerations, on balance, the proposal would adhere to Policies 9 and 11 in protecting the amenity of future occupants.

Parking and Highway safety

It is appreciated that the proposal may increase the demand for on-street parking. However, the Highway Engineer does not consider the impact would be detrimental to highway safety. Furthermore, the site is in a sustainable location with excellent links to public transport. Overall, the impact is not considered significantly detrimental to merit refusal.

A condition is recommended to require secure cycle provision.

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 12 February 2019 which are referenced as 2019/0201/002 and 2019/0201/004.

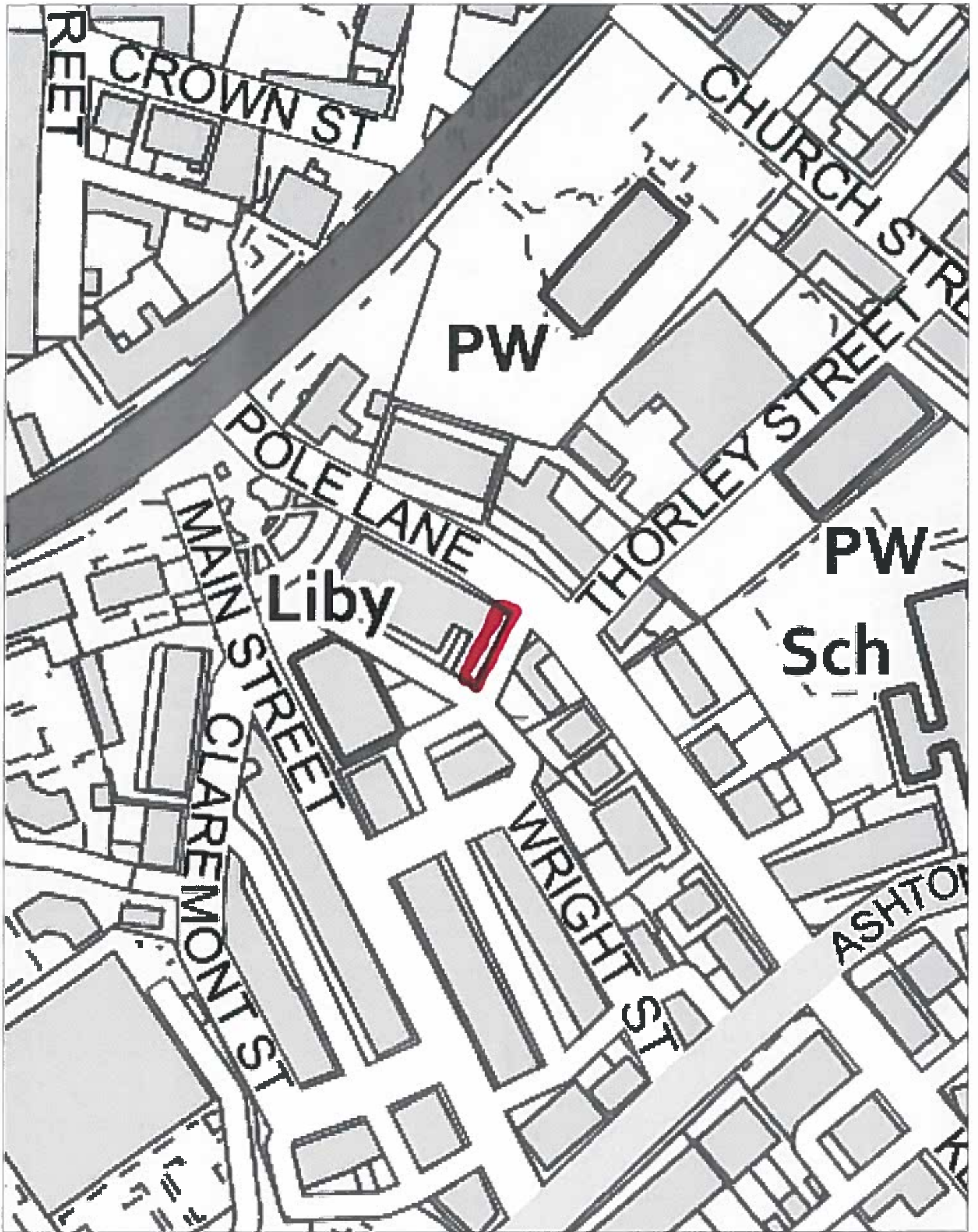
Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No development shall take place unless and until a detailed scheme for the provision of adequate secure cycle storage facilities has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall not be brought into use unless and until the secure cycle storage facilities have been provided in accordance with the approved scheme to the satisfaction of the Local Planning Authority and shall always remain available to users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development.

4. No development shall take place unless and until details of facilities for the storage and removal of refuse and waste materials have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the use hereby approved is commenced and shall be retained thereafter.

Reason - To ensure that the use is not harmful to the amenity of occupiers of nearby residential properties.



APPLICATION REPORT - PA/342978/19

Planning Committee, 5 June, 2019

Registration Date: 15/03/2019
Ward: Royton South

Application Reference: PA/342978/19
Type of Application: Full Planning Permission

Proposal: Erection of commercial units to be used for a purpose that falls within either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution uses)

Location: Moss Lane Industrial Estate, Moss Lane, Royton, OL2 6HR
Case Officer: Hannah Lucitt

Applicant: Howarth Brothers Ltd
Agent : Mark Jones Planning Consultancy

THE SITE

Moss Lane Industrial Estate is an industrial and commercial estate, located within the built up area of Royton.

Part of the estate directly adjoining the existing industrial units and the land to the south-west are used as shared car parking areas. Land to the north is used as a haulage yard and trailer parking area. There are two access points from the industrial estate to Moss Lane.

The application site itself is located to the north of the site in an area that is presently used as a haulage yard. Along the north boundary of the site is a landscaped bund with a timber acoustic barrier enclosing the entire northern boundary of the site.

To the north of the application site there are the residential streets of Clarence Street and Hebron Street.

THE PROPOSAL

This application proposes the erection of a block of commercial units to be used for either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution) uses.

The proposed units would each measure 185m² and would be sited between the existing landscape bund to the north and a large commercial building to the south. The new building will extend to 7.2m in height allowing the units to be occupied by different businesses. The proposed units would be externally clad in metal sheets.

Each unit will have two designated car parking spaces, with eight additional spaces being shared. Directly in front of each unit will be a service yard.

Paladin fencing, 2.4m in height, is also proposed to the periphery of the site.

The site access would remain as existing.

The proposed development would operate 24 hours a day 365 days a year.

RELEVANT HISTORY OF THE SITE:

No relevant planning history.

CONSULTATIONS

Greater Manchester Police Architectural Liaison Unit Highway Engineer	Any comments will be included on the late list. No objection, subject to the inclusion of conditions addressing the need for a cycle store and travel plan.
Environmental Health	No objection, subject to the inclusion of conditions addressing floodlighting and landfill gas.
LLFA	No comment.
United Utilities	No objection, subject to the inclusion of a drainage plan.
Arborist	No objection, subject to the inclusion of a condition addressing the need for adequate tree protective fencing.

REPRESENTATIONS

This application was publicised by way of a site notice, press notice and neighbour notification letters. One letter of objection was received by virtue of this notification process, which commented that the proposed development would cause unacceptable noise and disturbance, an increase in localised crime, and an unacceptable impact on visual amenity.

PLANNING CONSIDERATIONS

The main issues to consider are:

1. Land Use;
2. Parking and highway safety;
3. Amenity and design;
4. Landfill gas, and drainage.

Land Use

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 this requirement.

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 is located within a 'Business Employment Area' as allocated by the Proposals Map associated with this document. Therefore, the following policies are considered relevant:

Policy 1 - Climate Change and Sustainable Development;
Policy 9 - Local Environment;
Policy 13 - Employment Areas;
Policy 14 - Supporting Oldham's Economy; and,
Policy 20 - Design.

The guidance within the National Planning Policy Framework (NPPF) is also a material planning consideration.

DPD 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.

The application site is previously developed land, evident by the hard landscaping and existing use.

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.

As the application site proposes a mixed use B1/B2/B8 facility, the proposed development complies with Policy 14 and the principle of the proposal is therefore satisfactory. The industrial units provide a wide mix of sizes to accommodate the needs of a variety of businesses. The benefit of anticipated full time job roles that would be created by virtue of the proposed development is acknowledged.

Parking and highway safety

The proposed development is located within an existing and well established commercial area.

Two parking spaces per unit will be provided within the site with an additional eight spaces for visitors. The Highway Engineer has been consulted, and is satisfied that the development is situated such a distance away from the adopted highway within the site that any additional parking demand will take place within the site and not on the highway. There is existing infrastructure in place and it is not considered that the addition of five small units will have any significant impact on the local highway network.

The Highway Engineer raises no objection to planning permission being granted for highway safety reasons

Therefore, the proposed development is considered to be in compliance with DPD Policy 9 in this regard.

Amenity and Design

DPD Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity, whilst Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

The nearest dwellings to the proposed development are at 48-58 Hebron Street.

The proposed boundary treatment would be sited 22m from the nearest dwelling at the pinch point, beyond an existing landscaping bund. The proposed units would be sited a further 1m from the existing dwellings. The top 4.5m of the proposed development would be visible beyond the landscaping bund from the first floor rear windows of the dwellings at 48-58 Hebron Street.

This separation distance is considered to mitigate against any significant impact in regard to noise and disturbance. Further, the Environmental Health team have raised no objection in regard to noise impacts.

The design of the industrial units is typical of the industrial sites within the area. Whilst this is not of particularly high architectural merit, it would be partly screened by a landscaping bund, and is both functional and appropriate to its setting.

The proposed development is considered to have a neutral impact on the streetscene and the character of the wider area.

There is no evidence to show that the proposed development would lead to an increase in localised crime. Greater Manchester Police Architecture Liaison Unit are yet to comment.

The Environmental Health team have requested the inclusion of a floodlighting condition.

Given the above, the impact on residential amenity and design is considered acceptable, in accordance with DPD Policies 9 and 20.

Landfill gas, and drainage

The Environmental Health team have requested the inclusion of a landfill gas pre-commencement condition.

The application site lies in an area susceptible to surface water flooding. A condition has also been included within the recommendation to address surface water drainage on site. The Drainage team have been consulted in regard to this application, and have made no comment.

The applicant has confirmed that they are happy for the pre-commencement conditions to be included within the decision.

Conclusion

The proposed development would be acceptable in principle, the benefit of anticipated full time job roles that would be created by virtue of the proposed development is acknowledged. The proposal would have no significant impact on highway safety and amenity, residential amenity, and would be acceptable in terms of design. The application is recommended accordingly.

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:

- Drawing no. P-03 received 26th February 2019
- Drawing no. P-04 received 26th February 2019
- Drawing no. P-05 received 26th February 2019

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

3. Any floodlighting or security lights within the curtilage of the proposed development shall be positioned and operated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lights shall not be brought into use unless other than in accordance with the approved scheme.

Reason - To protect the amenity of occupants of nearby premises.

4. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk 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, because the site is located within 250m of a

former landfill site.

5. The erection of fencing for the protection of the trees to be retained shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within these areas shall not be altered, nor shall any excavations be made.

Reason - In order to avoid damage to trees/shrubs within the site, which are of important amenity value to the area.

6. No development shall commence unless and until a detailed drainage scheme has been submitted to and approved in writing by the Local Planning authority. The scheme shall then be completed in accordance with the approved plans and maintained thereafter.

Reason - To reduce the risk of flooding.

7. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development



APPLICATION REPORT - PA/343049/19

Planning Committee, 5 June, 2019

Registration Date: 05/04/2019
Ward: Werneth

Application Reference: PA/343049/19
Type of Application: Full Planning Permission

Proposal: 1) Proposed demolition of existing house 2) Retention of part existing facade and erection of replacement detached two and a half storey dwelling 3) Associated landscape and external works including new drop kerb

Location: THE COACH HOUSE, Selkirk Avenue, Oldham, OL8 4DQ
Case Officer: Dean Clapworthy

Applicant Agent : Dr Chauhan
 Archirama Ltd

THE SITE

The proposal relates to a site presently occupied by a detached single storey dwelling with a generous rear garden on the north-west side of a street that falls steeply from north-east to south-west, such that the properties step down from plot to plot. The site is subject to a Tree Preservation Order (TPO/00482/05).

To the north-east of the site are mature semi-detached dwellings of a similar style and form that rise to the crest of the street. To the south-west of the site, and significantly stepped down, is a row of four detached dwellings, probably of 1970s origin, that are set back significantly from the frontage of the host plots. Further down the street are more traditional Victorian dwellings of relatively grand stature. On the opposite side of the street is the West End Bowling Club site containing a green and clubhouse.

THE PROPOSAL

The proposal is for the erection of a two and a half storey, five bedroom detached dwelling following demolition of the existing dwelling. The proposed dwelling would be set back from the footprint of the existing building, such that the front elevation would be generally aligned with the building line of the dwellings to the south-west (around 11.5m from the boundary with the adopted highway). The element of the existing front elevation incorporating the garage door opening (The Coach House) and a part of the side elevation would be retained and would form the front elevation of a projecting home office that would have a rear link corridor to the proposed dwelling.

The first floor and roof would have a more limited footprint than the proposed ground floor. The proposed dwelling would have 2no. two storey projecting gablets from the main hipped roof to the principal elevation and feature ground floor bays along the south-west (side) elevation that would be picked out in contrasting materials. Fenestration would generally be of vertical proportions and would extend into the apex of the gablets to the principal elevation.

The proposed external finishes would be red/brown facing brick with feature blockwork to elevations, natural slates to the roof, black/grey aluminium windows and doors and black upvc fascias and rainwater goods. The retained element would incorporate a full height window as replacement for the garage doors.

The boundary to the highway would be formed with a new 1.6m high boundary wall with railings and sliding gate, stepped to allow for the sloping street frontage. At the side and rear, existing boundary walls would be retained. Hard paving with sustainable drainage would form the driveway and parking/manoeuvring areas with a raised patio at the rear. New landscaping would feature to the front and rear and existing protected trees would be retained.

Vehicular access to the plot would be taken via a new access from Selkirk Avenue.

RELEVANT HISTORY OF THE SITE:

PA/058761/10 - Erection of double garage. Refused December 2010.

CONSULTATIONS

Highway Engineer	No objection.
Environmental Health	No objection, subject to conditions.
The Coal Authority	No objection, subject to condition.
Drainage	No comment provided.

REPRESENTATIONS

The application has been advertised by means of neighbour notification letter and site notice. No representations were received as a result.

PLANNING CONSIDERATIONS

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).

In this case the 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The application site is unallocated by the Proposals Map pertaining to the Local Plan.

The following policies are relevant to the determination of this application.

Joint Development Plan Document

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 20: Design

Unitary Development Plan Saved Policies

Policy D1.5: Protection of Trees on Development Sites

Other material considerations

The main issues to be considered are:

- Land Use;
- Layout, design and visual impact;
- Residential amenity;
- Access and highways safety;
- Impact on protected trees;

- Coal mining constraints.

Land Use

As the development proposes the replacement of an existing dwelling in a residential area within the urban area of Oldham, then the principle of development is acceptable.

Layout, design and visual impact

The site occupies a unique position in the street and therefore offers an opportunity for a bespoke and site specific design solution.

The proposed dwelling would be positioned significantly further back into the site than the existing and would generally align with the row of dwellings at the immediate south-west. Given the position of the site at the junction between two robust building lines, this new alignment would be acceptable in the street scene. The proposed dwelling would be two storey in form (with attic accommodation in the roof space) and would occupy a narrower frontage than the existing dwelling, but having a deeper section such that the rear elevation would extend around 15m further back than the neighbouring dwelling to the immediate north-east. The front elevation, and to a lesser extent, the south-west side elevation would be the most widely visible elevations in the street scene. The north-east side elevation and rear would not be visible.

The proposal would retain the most notable and attractive element of the existing building as a feature in the scheme. The proposed front elevation would be of a scale and position, with a stepped down ridge, and would be of a form and proportions and would incorporate architectural features (such as a main hipped roof, projecting gablets and bays) finished in good quality materials, such that it would reflect and complement the existing traditional semi-detached dwellings to the north-east. However, in its own regard it would form a bespoke and attractive building of a contemporary character that would enhance the appearance of the plot and the wider street scene. Proposed boundary treatment and soft landscaping would further enhance the appearance of the site.

Given the above and subject to conditions requiring the submission of details relating to materials and landscaping, the proposal would be compliant with the above DPD policies and the NPPF.

Impact on residential amenity

The proposed dwelling has been designed such that it would not have any unacceptable impacts upon neighbouring residential amenity. Given the position of the site and form of the proposed dwelling, consideration of such impacts can be limited to the existing dwellings to either side of the plot and the dwelling at the head of Broomhurst Avenue to the north. Ground floor windows would not impinge upon neighbouring privacy given the step down in levels and the high boundary walls that would be retained in the scheme. The proposed south-west facing side elevation would incorporate windows that would be either secondary windows to bedrooms or serve non-habitable rooms and roof lights would serve a general attic space e.g. bathroom/dressing room. Furthermore, the side elevation of the neighbouring dwelling to the south-west incorporates an obscure glazed window only.

To the north-east side elevation, the proposed dwelling would feature a bathroom window only (a non-habitable room). Again, the roof light would serve a general attic space. To the rear elevation, the proposed dwelling would feature main principal windows to habitable rooms that would either be over 21m from the opposing side elevation of the dwelling on Broomhurst Avenue to the north or be at an acute angle that reduces direct overlooking.

Whilst the proposed dwelling would be set further back into the site than the existing and significantly overlapping the neighbouring dwellings to either side, the change in levels, retained spacing around the proposed dwelling with retained trees and additional landscaping, and the spacious character of the neighbouring rear gardens would ensure that the proposal would not create a sense of enclosure or have overbearing impacts upon

these neighbouring dwellings.

Therefore, it is not considered that the proposed development would not have any unacceptable impacts upon neighbouring residential amenity and would thus be compliant with the above DPD policies and the NPPF.

Access and highway safety

The proposal includes the provision of a new vehicular access, and closure of the existing and reinstatement of the pedestrian footway. A separate pedestrian access would be provided. The Highway Engineer is satisfied with the proposal and the development would not therefore have any unacceptable impacts upon highway or pedestrian safety. The proposal would therefore comply with the above DPD policy and the NPPF.

Impact on trees

Trees at the site are protected by a Tree Preservation Order (TPO). The nearest protected tree to the proposed dwelling and hardstanding would be that noted as T8 on the Order (noted as TP1 on the submitted site layout plan (Drawing No. PL03)). Trees noted as T5, T7 and T6 are no longer *in situ*. Tree T8 would be around 5m from the nearest part of the development (the proposed patio area). The proposal indicates that this tree would be protected by a root protection area and that the dwelling would be positioned beyond the crown spread, at around 11m from the dwelling.

Furthermore, this tree is positioned to the west/north-west of the dwelling and would not therefore significantly overshadow it. All further protected trees fall to the north-west of T8 and would not be potentially directly or indirectly affected by the proposed development. Therefore, the proposal would comply with saved UDP policy D1.5 and the NPPF.

Coal mining

The application is supported by a Coal Mining Risk Assessment, which finds that the site is located in a Development High Risk Area and is underlain by proven workings. The Assessment recommends an intrusive site investigation in order to assess whether there are any unrecorded workings beneath the site. The Coal Authority has not objected to the proposal subject to the imposition of a condition requiring such an investigation prior to the commencement of the development. Subject to such a condition, the proposed development would not be put at unacceptable risk and it would therefore comply with the above DPD policy and the NPPF.

Conclusion

No objections have been received relating to the proposed development. The proposal is acceptable in principle and the above assessment finds that the proposed dwelling would complement the existing character of the built form and would appropriately assimilate at this junction in the street scene, without detriment to neighbouring residential amenity, highway safety, detriment to highway safety, protected trees or be at risk from past coal mining. As such, the proposal would comply with the above policies of the Local Plan, the NPPF and the National Planning Policy for Waste. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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 following approved plans:
Location Plan dated 07/03/2019;
Proposed Site/Ground Floor Plan (Drawing No. PL03) dated 07/03/2019;
Proposed Elevations (Drawing No. PL03) dated 07/03/2019.

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

3. No above ground development shall take place unless and until details of the materials to be used on all external elevations, including the roof, of the proposed dwelling and the boundary walls and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

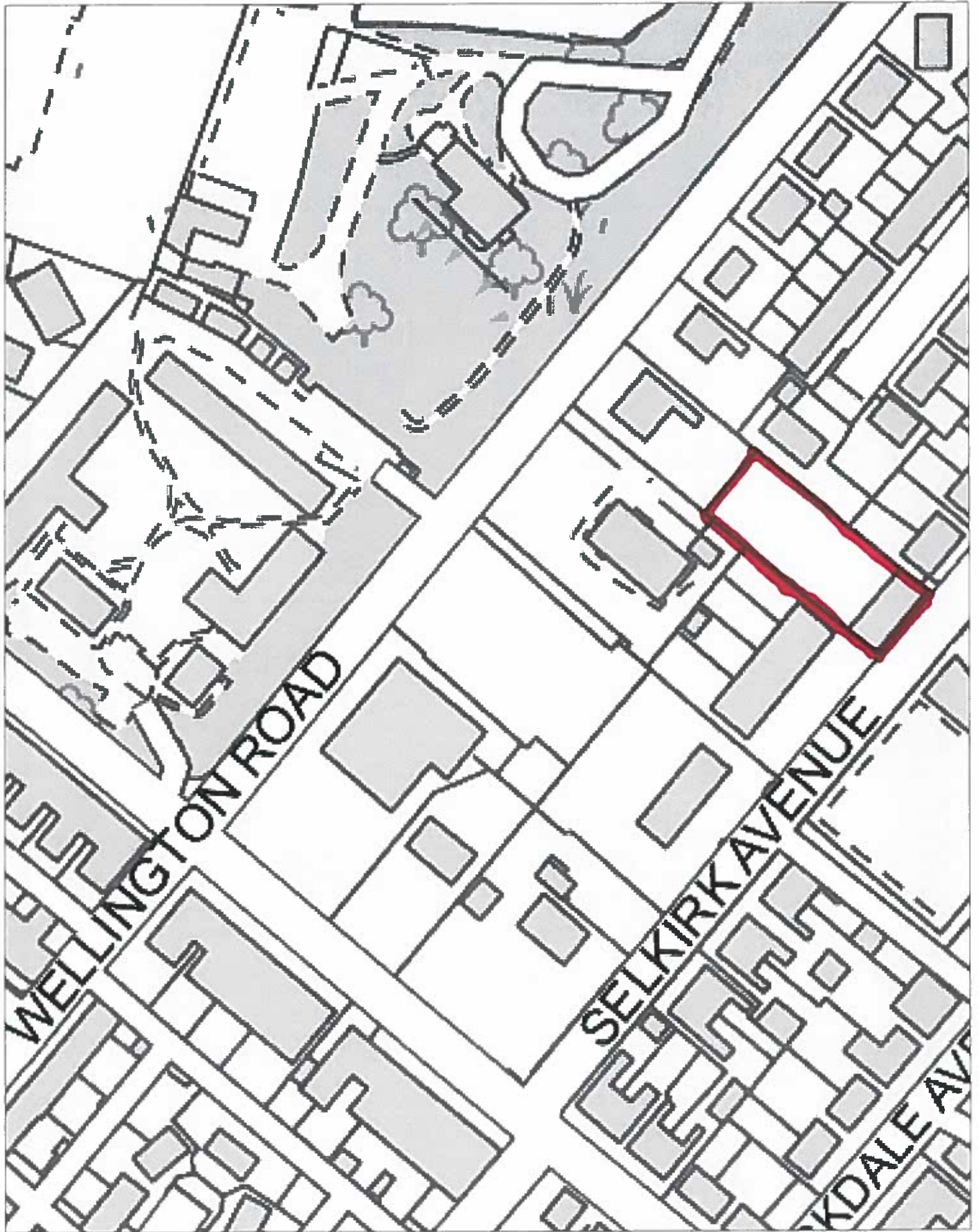
Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

4. The development hereby approved shall not commence until an intrusive site investigation and assessment, which is adequate to properly assess the ground conditions and the potential risks posed to the development by past coal mining activity has been carried out and a report of findings, including any remedial works necessary, has been submitted to and approved in writing by the local planning authority. Thereafter, any agreed remedial works shall be implemented in accordance with the approved details prior to the commencement of the construction of the development.

Reason - To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.

5. No development shall take place unless and until all trees protected by TPO/00482/05 within the site have been fenced off in accordance with a detailed scheme which has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no demolition or excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order to avoid damage to protected trees within the site which are of important amenity value to the area.



APPLICATION REPORT - PA/343071/19

Planning Committee, 5 June, 2019

Registration Date: 03/04/2019
Ward: Werneth

Application Reference: PA/343071/19
Type of Application: Full Planning Permission

Proposal: Erection of 68 no. dwellings
Location: Land at Saint Johns Street, Porter Street and Edward Street,
Oldham, OL9 7QS
Case Officer: Hannah Lucitt

Applicant Keepmoat Homes
Agent :

THE SITE

The application site is surrounded by residential properties of varying ages and is in close proximity to the Grade II Listed Hartford Mill. It is adjacent to the A62 Manchester Road which leads to Oldham Town Centre. The site is located approximately 1.5 kilometres (0.8 miles) to the south west of Oldham town centre.

The site is separated into two parcels of development named 'Phase 3' and 'Phase 4'. The application site comprises previously developed land that has been cleared and grassed over.

Phase 3 is separated into four parcels of land, bounded by Porter Street, Dover Street, Featherstall Road South, St. John's Street, Edward Street and the dwellings at Alfred Court.

Phase 4 is bounded by Edward Street, Castleton Street and Suthers Street. The Metro runs directly to the north of the applicaiotn site.

The topography of the site is such that it slopes downhill from east to west.

THE PROPOSAL

This application proposes the erection of 68 no. dwellings.

Phase 3

There are 32, two storey dwellings proposed within these parcels of land, containing a mix of terraced, semi-detached and detached dwellings. No affordable housing is proposed within Phase 3.

This application also proposes an area of public open space, amounting to 0.3 hectares, located off Edward Street and St John Street, linking the application site with the earlier phases of development which have taken place to the north.

Two car parking spaces are proposed for each dwelling.

The proposed dwellings would be externally clad in red brick and grey tile.

Phase 4

There are 36, two storey dwellings proposed within this parcel of land, containing a mix of 2, 3 and 4 bedroom terraced and semi-detached dwellings. Phase 4 proposes 100% affordable housing. No public open space is proposed as part of Phase 4. However, landscaping buffers are proposed to the north and south west of the site.

Two car parking spaces are proposed for each dwelling.

The proposed dwellings would be externally clad in red brick and grey tile.

RELEVANT HISTORY OF THE SITE:

There is extensive planning history on these sites. The only relevant planning history is as follows:

PA/057228/09 'Redevelopment of 64 dwellings comprising of two, three, four and five bedroom dwellings. Associated roads, parking and landscaping to be considered'.

This scheme was granted conditional planning permission on 04th May 2010. This permission was implemented, but only a proportion of the development was delivered, to the north of Phase 3.

CONSULTATIONS

Highway Engineer	No objection, subject to the inclusion of conditions addressing the provision and retention of car parking spaces, working safely near metrolink, noise and vibration, earthworks stability, drainage, boundary treatment, and tree protection.
The Coal Authority	Updated comments on the late list. Originally recommended refusal, additional information has been received to address these concerns.
United Utilities	No objection, subject to the inclusion of conditions addressing drainage.
LLFA	No objection, subject to the inclusion of a drainage scheme.
Greater Manchester Police Architectural Liaison Unit	No comment.
Transport for Greater Manchester	No objection, subject to the inclusion of conditions addressing working safely near metrolink, noise and vibration, earthworks stability, drainage, boundary treatment, and tree protection.
Environmental Health	No objection, subject to the inclusion of conditions addressing landfill gas and contaminated land.
Greater Manchester Ecology Unit	No comment.
Street Lighting	No objection, as the works for this phase of the development seem to only affect existing highway and not propose any new adoptable highway, therefore there is no requirement for new street lighting.
Drainage	No objection, subject to the inclusion of a drainage scheme.
Arborist	No objection. Tree numbers and species will both be improved overall.

REPRESENTATIONS

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

PLANNING CONSIDERATIONS

The main issues for consideration complete

- Land Use;
- Public Open Space;
- Affordable Housing;
- Design and residential amenity
- Impact on the setting of the Grade II listed Hartford Mill;
- Crime Impact;
- Access and Car Parking; and,
- Flood Risk Assessment.

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 unallocated 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 10 - Affordable Housing;
- 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

DPD Policy 1, in the context of this application, seeks the effective and efficient use of land, but prioritises development on previously developed land and aims to protect the borough's designated green belt. Furthermore, it states that residential development should be focused on land in sustainable and accessible locations and should be of high quality and respect the local character of the environment.

The application site is previously developed, evident by historic mapping showing development on site up to 1989.

Policies 3 and 11 also give preference to the use of previously developed sites for residential development. This scheme of course develops the site for residential purposes, in line with this policy requirement.

DPD Policy 3 clarifies 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 within the Joint Development Plan Document states that new 'Major' residential developments should be located within 480m of at least three '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 NHS Werneth Primary Care Centre, St. John's Church, and Jamia Mosque Noor-E-Islam are within approximately 50m from the application site. As these facilities are within a ten minute walk of the application site, it is 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 all major developments to achieve 'High Accessibility' or 'Very High Accessibility' unless it can be demonstrated that this is neither practicable nor desirable or it provides exceptional benefits to the surrounding environment and community. 'High Accessibility' is defined as being within approximately 400 metres of a frequent bus route or approximately 800 metres of a rail station or future Metrolink stop. There are a number of bus stops both within and immediately adjacent to the application site. As such, it is considered reasonable to suggest that the site is well placed in terms of access to bus routes.

Overall it is considered that there is no objection to the principle of residential development in land use terms and the development is located in a sustainable location.

Affordable Housing

DPD Policy 10 'Affordable Housing' requires that all residential development of 15 dwellings and above will be required to provide an appropriate level of affordable housing provision. The current target is for 7.5% of the total development sales value to go towards the delivery of affordable housing, unless it can be clearly demonstrated to the Councils satisfaction that this is not viable. The preference is for on-site provision but the policy also makes provision for off-site provision through a commuted sum payment.

Paragraph 64 of the National Planning Policy Framework states that:

"Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;*
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
- c) is proposed to be developed by people who wish to build or commission their own homes;*
- or*
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site*

The proposal includes 36 units for affordable provision, which accounts for 53% of the total dwellings of the proposed development. As such, the development proposal would comply with the provisions of DPD Policy 10 and the NPPF.

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.

There is an area of space on site proposed that is accessible and usable by the public within this proposed development. It is considered that the proposed area of public open space would provide an adequate contribution of amenity greenspace, though it is acknowledged that the proposed open space would not fulfil existing local deficiencies in outdoor sports

facilities and natural/ semi-natural open space.

The proposed area of public open space is comparable to the open space approved under proposal PA/057228/09, which could still be implemented.

Given the above, it is considered that the proposal complies with DPD Policy 23 in regard to public open space.

Design and impact on residential amenity

DPD Policies 20 and 9 are key in considering the design of the scheme and its impact on surrounding amenity.

DPD Policy 9 also outlines that new development proposals must not have a significant adverse impact upon the amenity of neighbouring properties. In this regard, it is important to consider the impact on the neighbouring properties on St. John's Street, Porter Street, Fetherstall Road South, Longford Close, Alfred Court, Vernet Gardens, and Edward 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 separation distance, a minimum of 21m, between the proposed rear windows serving the proposed dwellings on the application site, and a minimum of 15m from the flank windows of the proposed dwellings to the windows of nearby existing dwellings. Given the general layout, it is considered that overshadowing or overbearing effect is unlikely between the proposed development and existing nearby dwellings.

It is also important to consider the impact on future occupiers of the development, and the relationships of the proposed dwellings within the application site would have to each other. It is considered that the relationship between the buildings within the application site is acceptable since none of the windows proposed within the application site would result in significant overlooking or loss of privacy to the occupiers of each of the proposed dwellings.

The layout of the proposed development would comply with the DCLG 'Technical Housing Standards – nationally described space standards'. The amount of amenity space proposed for the dwellings is considered to be both functional and acceptable.

The landscaping scheme proposed is considered acceptable.

The proposed residential use of the site is appropriate to the character of the surrounding area.

The design of the dwellings on site has clearly been designed to compliment the design of the dwellings within the surrounding area, and is considered acceptable in terms of design. It is considered that the proposed development would have a positive impact on the streetcene.

Overall, it is considered that the proposed development would comply with DPD Policies 9 and 20 in regard to design and impact on residential amenity.

Impact on the setting of the Grade II listed Hartford Mill

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

The Planning (Listed Buildings and Conservation Areas) Act 1990, states that the primary duty of the Local Planning Authority in relation to listed buildings is to have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses. DPD Policy 24 together with Part 16 (Conserving and enhancing the historic environment) of the NPPF which reflect this duty are particularly relevant in this instance.

Paragraph 189 within the National Planning Policy Framework requires the applicant to describe the significance of the heritage asset including any contribution made by their setting. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The applicant has not submitted a Heritage Statement with the application which explains and justifies the proposed works.

Section 66(1) of the Act states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Grade II listed Hartford Mill would be sited 71m from the application site, at the pinch point. As the application site prior to clearance was previously used as Victorian terraced houses, and the replacement dwellings design is appropriate to the area are now proposed and mirrors the previous residential use of the site, it is considered that the proposal would have a broadly positive impact on the setting of the Grade II listed mill, and would therefore 'enhance' its special interest and setting, in accordance with DPD Policy 24 and Chapter 16 of the NPPF.

Crime Impact

DPD Policy 9 addresses community safety by promoting safe neighbourhoods and clean, green spaces for all to enjoy.

It adds that the Council will promote community safety by ensuring that development:

- "i. minimises opportunities for crime;*
- ii. reduces the fear of crime; and,*
- iii. provides for the safety and security of all sections of the community".*

The GM Police Architectural Liaison Unit have raised no objection to the proposed development.

Given the above, it is considered that the impact on community safety is acceptable, in line with DPD Policy 9.

Access and Car Parking

The site is located in an established residential area with excellent links to public transport and a range of local amenities.

There are existing opportunities for walking and cycling in the area and these need to be continued through the proposed development.

It is proposed that no vehicular traffic is permitted from Featherstall Road North into Porter Street. A highway improvement scheme will be required at the junction which will prevent vehicular traffic from using the junction. This will consist of a refuge being constructed which will allow pedestrians and cyclists through whilst prohibiting the use by motorised vehicles, which will allow the safe use of this junction by cyclists and pedestrians whilst preventing its use by vehicular traffic.

The existing Traffic Regulation Orders will require amendment to accommodate the proposed changes to the one way systems currently in place. A Section 106 Contribution of £5,000 for this purpose has been agreed with the applicant.

A number of amendments will be required to the existing highway layout which will ensure that the area continues to operate safely. These include the incorporation of the redundant, previously stopped up highway, into the area of public open space. Extension to the existing footways and the realignment of the existing footways and carriageway on Edward Street.

All amendments will be incorporated and secured via a into the Section 278 Agreement.

A Transport Statement was submitted with this application which examines the existing conditions and the likely effect of a residential development on the site. It is predicted that there will be an additional 44 two way trips and 40 two way trips during the morning and evening peak hour periods respectively. The highway layouts have been designed to ensure the safe use by all modes of transport and to accommodate any additional on street parking needs.

As such, the Highways Engineer has been consulted in regards to highway safety and amenity and raises no objection.

It is not considered that the development will result in a significant or adverse impact on the local highway network to the detriment of highway safety.

TfGM have been consulted and they raise issues in relation to the close proximity of the north- westerly side of Phase 4 to the Metrolink boundary. They have suggested conditions to ensure that the structures are not de-stabilised by construction work undertaken in the development site.

Given the above, the proposed development is considered to comply with DPD Policy 9 in regard to highway safety and amenity.

Flood Risk Assessment

DPD Policy 19 states that the Council will ensure development does not result in unacceptable flood risk or drainage problems by directing development away from areas at risk of flooding, and protecting and improving existing flood defences, water resources and quality.

The LLFA and Environment Agency have been consulted in regards to drainage and raise no objection, subject to the inclusion of a drainage scheme condition.

Conclusion

The proposed use of the site for residential purposes is considered acceptable and in line with policy.

The application proposes the provision of 53% affordable housing on site. An area of public open space is proposed of comparable size to that approved under PA/057228/09, and is considered acceptable.

The proposed development would comply with DPD Policies 9 and 20 in regard to amenity, design and community safety.

The scheme raises no highway safety issue and would not affect the highways network severely. A such, it passes the relevant highways policy tests.

The application has been recommended accordingly.

RECOMMENDATION

It is recommended that Committee resolves to grant permission:

- (1) subject to the conditions in the report, no objection being received from the Coal Authority, and to completion of a Section 106 legal agreement in respect of a contribution of £5,000 towards amendments to Traffic Regulation Orders to accommodate the proposed changes to the one way systems currently in place.**
- (2) to authorise the Head of Planning & Development Management to issue the decision upon satisfactory completion of the legal agreement.**

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:

Drawing named 'North Werneth Phase 3 Layout - Rev T' received 24th May 2019
Drawing named 'North Werneth Phase 4 Layout - Rev V' received 22nd May 2019

Drawing named 'North Werneth Phase 3 - Materials & Boundary Treatment - Rev H' received 24th May 2019
Drawing named 'North Werneth Phase 4 - Materials & Boundary Treatment - Rev H' received 22nd May 2019

Document named 'The Cambridge Working Drawing Pack' received 03rd April 2019
Document named 'The Carlton Working Drawing Pack' received 03rd April 2019
Document named 'The Dalton Working Drawing Pack' received 03rd April 2019
Document named 'The Dartmouth Working Drawing Pack' received 03rd April 2019
Document named 'The Eaton Working Drawing Pack' received 03rd April 2019
Document named 'The Henbury Working Drawing Pack' received 03rd April 2019
Document named 'The Hogarth Working Drawing Pack' received 03rd April 2019
Document named 'The Marlow Working Drawing Pack' received 03rd April 2019
Document named 'The Stratford Working Drawing Pack' received 03rd April 2019

Document named 'Plots 33-35 - Rev 3' received 22nd May 2019
Document named 'Plots 36-37, 59-60, 63-64 and 67-68 - Rev 2' received 22nd May 2019
Document named 'Plots 38-39 and 40-41 - Rev 2' received 22nd May 2019
Document named 'Plots 42-44 - Rev 3' received 22nd May 2019
Document named 'Plots 51-54 - Rev 3' received 22nd May 2019
Document named 'Plots 55-56 and 57-58 - Rev 2' received 22nd May 2019
Document named 'Plots 61-62 and 65-66 - Rev 2' received 22nd May 2019

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

3. The details of the approved materials to be used:

- County Red Smooth Brick; and
- Russell Grampian Anthracite.

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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development in Classes A, B, C, D, E, F, G or H of Part 1, or Class A of Part 2, of Schedule 2 to that Order shall be carried out on the site without the prior written consent of the Local Planning

Authority.

Reason - The Local Planning Authority considers it expedient, having regard to the density, type and appearance of the development, to regulate any future alterations/extensions to ensure that the character and appearance of the area are not detrimentally affected.

5. The plans indicating the positions, design, materials and type of boundary treatment to be erected (Drawing named 'North Werneth Phase 3 - Materials & Boundary Treatment - Rev G' received 22nd May 2019; Drawing named 'North Werneth Phase 4 - Materials & Boundary Treatment - Rev H' - received 22nd May 2019) shall be fully implemented in accordance with the approved plans and specifications:

No further boundary treatment is to be erected on the site without the prior written consent of the Local Planning Authority.

Reason - To ensure an acceptable form of development is achieved.

6. Prior to the first occupation of the development hereby approved the approved hard and soft landscape works shown in (drawing no. P.1154.19.03 and P.1091.18.01 revision D received 22nd May 2019) shall be implemented in accordance with the approved plans.

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 unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the visual amenity and future appearance of the area.

7. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk 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, because the site is located within 250m of a former landfill site.

8. 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.

9. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Local Authority. The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for: -

- the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- the erection and maintenance of security hoarding;
- measures to control the emission of dust and dirt during construction and;

Reason:

1. To safeguard the amenity of the locality.
2. To ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system.

10. Prior to the commencement of development, a scheme for acoustically insulating the proposed development against noise and vibration from the adjacent Metrolink line shall be submitted to and approved in writing by the Local Planning Authority. The approved noise insulation scheme shall be completed before the use of the development commences.

Reason: To secure a reduction in noise from Metrolink in order to protect future residents from noise nuisance.

11. No development shall take place until a geotechnical report to confirm that the works will not adversely affect the stability of the Metrolink embankment has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To protect the integrity of Metrolink infrastructure.

12. No development shall take place, until the detailed design for the drainage of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should be implemented in accordance with the approved details.

Reason: To manage the risks associated with water run-off which may affect Metrolink infrastructure and tramway, and to facilitate surface water drainage.

13. No development shall take place until full details of the tree protection to the trees located within the Metrolink boundary have been submitted to, and approved in writing by the Local Planning Authority.

Reason: To protect trees against root damage and to maintain the status quo with regards the stability of the embankment.

14. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

15. No dwelling shall be brought into use unless and until the access and car parking space (s) for that dwelling has been provided in accordance with the approved plan (drawings named North Werneth Phase 3 Layout - Rev T received on 24th May 2019, and North Werneth Phase 4 Layout - Rev V received on 22nd May 2019).

The details of construction, levels and drainage shall be submitted to and approved in

writing by the Local Planning Authority prior to the commencement of any construction of the access roads or parking spaces. 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.

16. No development shall take place unless and until detailed schemes of the works involved in the following:-

- improvements to the cycle and pedestrian routes to and through the site; and,
- the provision of adequate secure cycle storage facilities.

have been submitted to and approved by the Local Planning Authority.

Thereafter, no dwelling shall be occupied unless and until the alterations have been completed in accordance with the approved scheme and shall always remain available to users of the development.

Reason; To ensure adequate cycle storage, pedestrian and cycling facilities are available to users of the development

17. During the construction period, adequate wheel cleaning equipment, the details of which shall be submitted to and approved in writing by the Local Planning Authority, shall be installed on the site. Prior to leaving the site all vehicles, which have travelled over a non-tarmac surface, shall use the wheel cleaning equipment provided, such that they are in such a state of cleanliness that they do not foul the highway with mud or other material. The equipment shall, for the duration of the construction works, be maintained in good working order and shall not be removed unless agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety

18. Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan, the occupier shall submit their travel plan to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of occupation of the dwellings.

Reason: To ensure the development accords with sustainable transport policies

19. No development shall take place unless and until a detailed scheme of traffic-calming measures for Edward Street in the vicinity of the proposed access has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be brought into use until such time as the approved traffic-calming scheme has been fully implemented.

Reason - To ensure adequate measures have been provided to restrict the vehicular speeds of traffic generated by this development in the interests of highway safety.

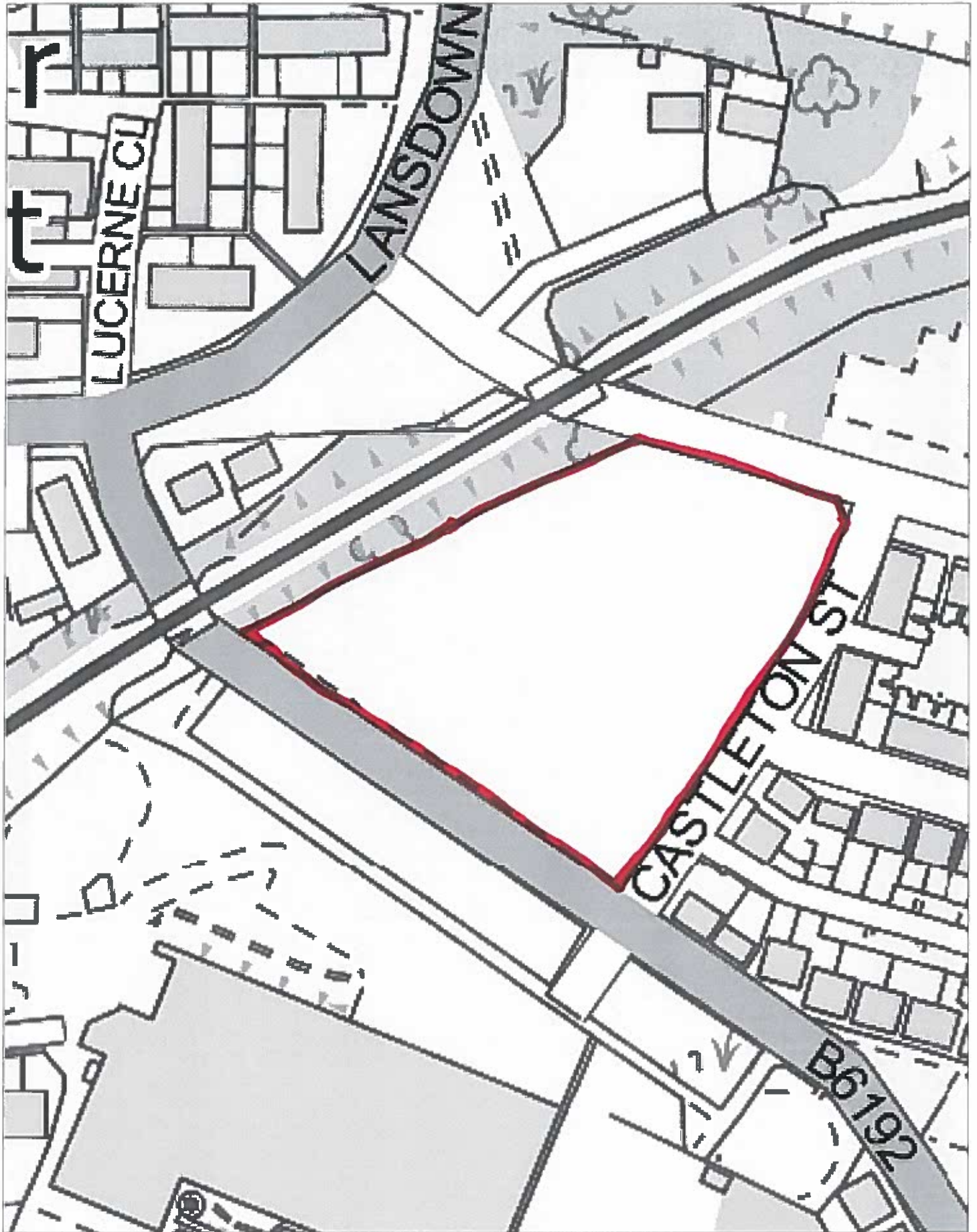
20. No development shall take place until full details of the boundary treatment adjacent to the Metrolink tramway have been submitted to, and approved in writing by the Local Planning Authority. Such works that form part of the approved scheme shall be completed before the occupation of any dwelling and be retained thereafter.

Reason: To ensure that a safe and secure boundary treatment is installed on the boundary of the Metrolink.

21. No development shall place unless and until a detailed scheme for a highway

improvement at Porter Street and Featherstall Road North has been submitted to and improved in writing by the Local Planning Authority. The scheme should include details of physical measures to prohibit the use of motor vehicles using the junction whilst allowing pedestrian and cycle access. Such works that form part of the approved scheme shall be complete before the occupation of any dwelling and shall be retained thereafter.

Reason - to ensure the safe operation of the highway network in the interest of highway safety.



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APPLICATION REPORT - HH/343092/19

Planning Committee, 5 June, 2019

Registration Date: 21/03/2019
Ward: Saddleworth North

Application Reference: HH/343092/19
Type of Application: Full Planning Permission

Proposal: Extension of a two storey side and rear extension and a single storey side extension and detached garage.

Location: Running Hill Cottage, Running Hill Lane, Dobcross, OL3 5JS

Case Officer: Hannah Lucitt

Applicant Mr Clay
Agent : Wildesign Ltd

THE SITE

Running Hill Cottage is a former Grade II listed building (now de-listed) dating from the mid-late 18th century which occupies an elevated position above the River Tame valley and forms part of a small nucleus of farms and cottages forming the wider hamlet of Running Hill Head. The footprint of this predominantly two storey stone built dwelling, which comprises three bays, could best be described as being 'L' shaped in account of the single storey outshut to the rear of the northernmost bay which it is understood were collectively added in the mid 1960's following the demolition of an earlier large wing in the early part of the 20th century.

The heritage value of the building derives from its special architectural and historic interest as an example of a small moorland farmhouse which was in part used as a loomshop during the domestic textile industry which characterised the Saddleworth district before the advent of late 18th century industrialisation. It's significance lies principally in the original part of the building, namely the southern most bays and to a lesser extent, the single storey porch at its southern end which appears to have been added in the late 18th or early 19th century.

THE PROPOSAL

This application proposes the erection of a two storey side and rear extension and a single storey side extension and detached garage.

The proposed two storey side and rear extension would project 6m from the rear of the existing dwelling, and 3.6m from the side of the existing dwelling at the greatest width, and would measure 6.8m to the roof ridge.

The proposed single storey side extension would project 4m from the side of the existing building towards Running Hill Lane, and would measure 4m in width, 2.3m to the eaves height and 3.7m to the roof ridge.

The proposed detached triple garage would measure 10.4m in length, 7.1m in width, 2.5m to the eaves height and 4.2m to the roof ridge.

The proposed development would be externally clad in stone and slate to match the existing dwelling.

RELEVANT HISTORY OF THE SITE:

239m³. The existing scenario amounts to a volumetric increase of 66% over an above the volume of the original building.

Given the above, the proposed extension, in addition to the existing additions, falls well over this threshold and would therefore be considered 'inappropriate' development. This is however just one factor of this assessment.

In regard to the proposed garage, paragraph 145 acknowledges that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. The proposed garage does not fit within any of the 'exceptions' listed in either paragraph 145 or 146 of the NPPF, and is therefore also considered to be 'inappropriate development'.

However, the impact of the proposed development on the openness of the Green Belt must be assessed.

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 represent an extension to the original building that would be considered volumetrically disproportionate to the size of the main dwelling.

The proposed garage would be a new building within the Green Belt on previously open land.

Both singularly and taken together these structures would substantially increase the presence of built development on the site affecting openness, and conflicting with the purpose of the Green Belt in safeguarding the countryside from encroachment.

This weighs against the scheme.

Effect on the visual amenity of the Green Belt

In respect of the impact on visual amenity the proposed development is sited within an elevated vantage point from Running Hill Lane, and would be visible against the verdant backdrop of the Green Belt behind it, which is further topographically raised.

The glazing of the proposed addition would only serve to exacerbate the unacceptable impact on the visual openness of the Green Belt, introducing materials alien to both the host building and the Saddleworth vernacular.

The proposed garage would be sited within a location that is an existing area of open space, forming a dominant position adjacent the highway.

It is clearly visible from public vantage points within the Green Belt from short and long distance views.

It is considered that the proposed development would detract from the visual amenity of the Green Belt.

Therefore, the proposal would amount to 'inappropriate development' and the principle of development is not considered acceptable.

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful

to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 of the NPPF states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Very special circumstances

The proposal therefore constitutes inappropriate development which by definition is harmful to the Green Belt.

The applicant, in their 'Supporting Statement' received 05th April 2019, has provided no 'very special circumstances' as such. However, the applicant does consider that the development that could be undertaken subject of PREX/342132/18 and CL/342211/18 should amount to a fallback position which would outweigh the harm to the Green Belt.

On the balance of probability, it would appear that the development subject of PREX/342132/18 is likely to expire, prior to the works being completed ahead of 30th May 2019, as works have not yet begun on site. Therefore, this fallback position would carry very little weight.

In any case, the development subject of PREX/342132/18 would have a lesser impact on the Green Belt, both visually and volumetrically, when compared to the development subject of this applicaiotn.

Equally, it is not considered that the development subject of CL/342211/18 would have a greater impact on the Green belt, over and above the development subject of this applicaiotn when considered cumulatively. Though the development subject of CL/342211/18 would have a greater volumetric impact on the Green Belt, it is considered that the reduced impact on the visual amenity of the Green Belt does not afford much weight as a fallback position.

Given the above, it is considered that the applicant has produced no 'very special circumstances' which would outweigh the harm to the Green Belt.

Therefore, the satisfactory principle of development is not considered to have been achieved.

Residential Amenity

DPD Policy 9 outlines that new development proposals must not have a significant adverse impact upon the amenity of neighbouring properties. In this regard, there are no nearby dwellings. As such, it is not considered that the proposed development would have any significant detrimental impact on occupiers of Running Hill Cottage or surrounding properties.

Given the above, it is considered that the impact on neighbouring amenity is acceptable in accordance with DPD Policy 9.

Design

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

The proposed development materials reflect the character of the local vernacular and design pallet in terms of external facing materials. However, the harm caused to the openness of the Green Belt by way of the design, scale, and window fenestration of the proposed development, as discussed above, has not been overcome.

The proposed development is therefore not considered appropriate in terms of design, by virtue of its impact on the Green Belt.

Highway safety and amenity

The Highway Engineer has assessed the proposed development, and raises no objection is regards to the impact on highway safety and amenity.

Therefore, it is considered that the proposed development is in accordance with DPD Policy 9 in this regard.

RECOMMENDATION

Refuse for the following reasons:

1. The proposed development represents 'inappropriate development' within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Since no justifiable or appropriate 'very special circumstances' have been put forward to outweigh the harm caused to the Green Belt, the proposals are contrary to Policies 1 and 22 of the Joint Development Plan Document forming part of the Local Development Framework for Oldham, and the guidance in paragraphs 143, 144 and 145 within the National Planning Policy Framework that seeks to protect the openness, visual amenity and purpose of the Green Belt.



APPLICATION REPORT - MMA/343101/19

Planning Committee, 5 June, 2019

Registration Date: 25/03/2019
Ward: Royton South

Application Reference: MMA/343101/19
Type of Application: Minor Material Amendment

Proposal: Minor material amendment relating to app no. PA/341925/18 to amend the apartments to 9 no. flats with 1 no. office
Location: Heyside Congregational Church, Hebron Street, Royton, OL2 6LU
Case Officer: Graeme Moore

Applicant Agent : Platinum Estate Investment Group Ltd.
Grundy

THE SITE

This application relates to Heyside Congregational Church, Hebron Street, Royton. The building was previously utilised as a church and is located on the junction with Hebron Street and Heyside. Neighbouring properties are all residential in nature.

THE PROPOSAL

Planning permission has previously been granted (PA/341925/18) for the conversion of the building into 9 apartments, with associated cycle parking and waste storage facilities.

This proposed Minor Material Amendment will involve the creation of an internal office for the management of the building whilst retaining 9 flats, some of which on the ground floor have been altered from double bedrooms to single bedrooms in order to facilitate the creation of the management office. The original proposal was able to accommodate 14 people, based on the number of bedspaces that were proposed. This Minor Material Amendment, reduces the number of residential occupants to 9. A first floor extension is no longer included in the proposal.

RELEVANT HISTORY OF THE SITE:

PA/341925/18 - Conversion of former chapel to form 9no. apartments with associated cycle parking, vehicle parking and refuse storage and first floor front extension. Granted October 2018.

CONSULTATIONS

Pollution Control	No objections.
Highway Engineer	Objects to the proposal on the grounds that the scheme would result in additional on-street parking to the detriment of highway safety.

REPRESENTATIONS

The application has been called in for determination by Planning Committee by Councillor Steven Bashforth.

This application was publicised by way of site notice, neighbour notification letters and press notice. Four letters of objection have been received, in which the concerns raised on

the grounds that the proposed development will result in an increase in local traffic and will result in parking issues in the locality.

PLANNING CONSIDERATIONS

The Government guidance 'Flexible Options for planning permissions' offers some advice on the procedure for the determination of minor-material amendments to planning applications. The guidance states that there is no statutory definition of "minor material amendment". However, it is likely to be one whose scale and nature results in development which is not substantially different from that which has been approved. A minor material amendment application is considered against the development plan and material considerations, under section 38(6) of the Planning & Compulsory Purchase 2004 Act and Section 70(2) of the Town and Country Planning Act 1990, and the conditions attached to the existing permission.

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

The following 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 Sustainable Transport Choices';
Policy 9 - Local environment;
Policy 11 - Housing;
Policy 16 - Local Services and Facilities;
Policy 20 - Design

Land Use

The principle of the use of the building for residential purposes has been determined under the previous application (PA/341925/18). Therefore in assessing the present application, it is necessary to consider only whether the changes proposed would have a significant impact.

Highway issues

In terms of highway issues, the Council's Highway Engineer has reiterated the objection to the proposal for the following reason:

"The additional on street parking and manoeuvring of vehicles generated by the development, within the highway and other nearby highways will be detrimental to the safety of other highway users and is thereby contrary to the provision of Development Management Policy 9 of the Oldham Local Development Framework."

Principally, the objection relates to the current car parking situation on Hebron Street, which is only 6m wide and generally has cars parked on both sides serving the terraced properties. The Highways Engineer is concerned that as the nature of residential use generally demands constant car parking requirements, this will lead to an additional 9 cars using Hebron Street and it is considered that there is no space for that many cars. Any additional parking demand on Hebron Street will result in congestion and will have an impact on the free flow of traffic along the highway. This could lead to an increase in the risk of accidents to the detriment of highway safety.

In assessing the weight to be afforded to this concern, Paragraph 109 of the NPPF is clear that *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

Whilst the Highways Engineer's comments have been noted, this must be weighed alongside the benefits of bringing forward a productive use of the building which, in a small way, will assist in providing a mix of housing in the local area. It is recognised that these are small flats and it is unlikely that a large proportion of the future occupiers will possess a

vehicle.

Ultimately, both national and local planning policies promote the re-use of existing land and buildings as the most sustainable option for development. Given the size of the building it is difficult to envisage any other form of re-use whereby no additional impact on parking demand would result. Alternatively, the building could remain vacant and deteriorate, or alternative uses could be introduced, such as a school or nursery, for which no planning permission would be required by virtue of the Town and Country Planning (Use Classes) Order 1987.

All future residents will be required to adhere to the existing parking restrictions close to the junction on Hebron Street and along Heyside. Whilst any future residents who possess a vehicle may choose to park on Hebron Street, thus potentially displacing existing residents' vehicles, other options are available, such as along Perth Street, within 50 metres of the site which could readily accommodate such demand without adversely affecting availability in that location.

Furthermore, as this application is for a minor material amendment to the original permission, whereby the principle of residential conversion has already been established, this is also a material consideration in assessing the present application.

In balancing these issues, it is considered that a reason for refusal on highway grounds could not be sustained, and that the potential highway impacts would also be outweighed by the benefits of the proposal.

Residential amenity

DPD Policy 9 states it is necessary to consider how the proposal affects the amenity of the occupants of adjoining residential properties from the impacts likely to be associated with the proposal.

Having regard to the scale of the proposal, involving the introduction of 9 additional residents into an established residential area, it is not envisaged that this activity would result in a loss of amenity to existing residents, nor would any issues of loss of privacy or overlooking result. Consequently, the proposal would satisfy this aspect of Policy 9 and the proposal would not have a material impact on the residential amenity of the surrounding properties.

Impact on the Future Occupiers:

In terms of the impact on the amenity of the future occupants of the development, the apartments have been assessed against the Government's 'Technical housing standard - nationally described space standards' document.

In this context the amended scheme will provide appropriate living space for the future occupants of the development. Adequate space is available within the site to ensure that suitable arrangements for the provision of waste bin storage can be accommodated within the site.

Given the above, it is considered that the impact on neighbouring amenity and the amenity of future occupiers is acceptable and in accordance with DPD Policy 9.

Visual amenity

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment whilst DPD Policy 20 requires such proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

Given that the changes proposed are internal to the building, and the previous approval also gave permission to small extension at first floor, which is now no longer going ahead, it is considered that the visual amenity of the proposal is acceptable in this instance.

Conclusion

The proposal involves a minor change to the overall, previously approved development, and would represent an appropriate land use on the site. All relevant conditions attached to the original approval will continue to apply, and these have been updated to reflect subsequent condition discharge approvals. The proposal is therefore in accordance with the requirements of the relevant policies in the Joint Core Strategy and Development Management Policies Development Plan Document and the National Planning Policy Framework.

The concerns in relation to highway impact have been acknowledged; however, for the reasons set out above, this is not considered to constitute a sustainable reason for refusal of the application.

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 25/03/2019, which are referenced as 1801P.05 Rev F, 1801P.06 Rev D, 1801P.07 Rev B, 1801P.08 Rev D and 1801P.09 Rev B.

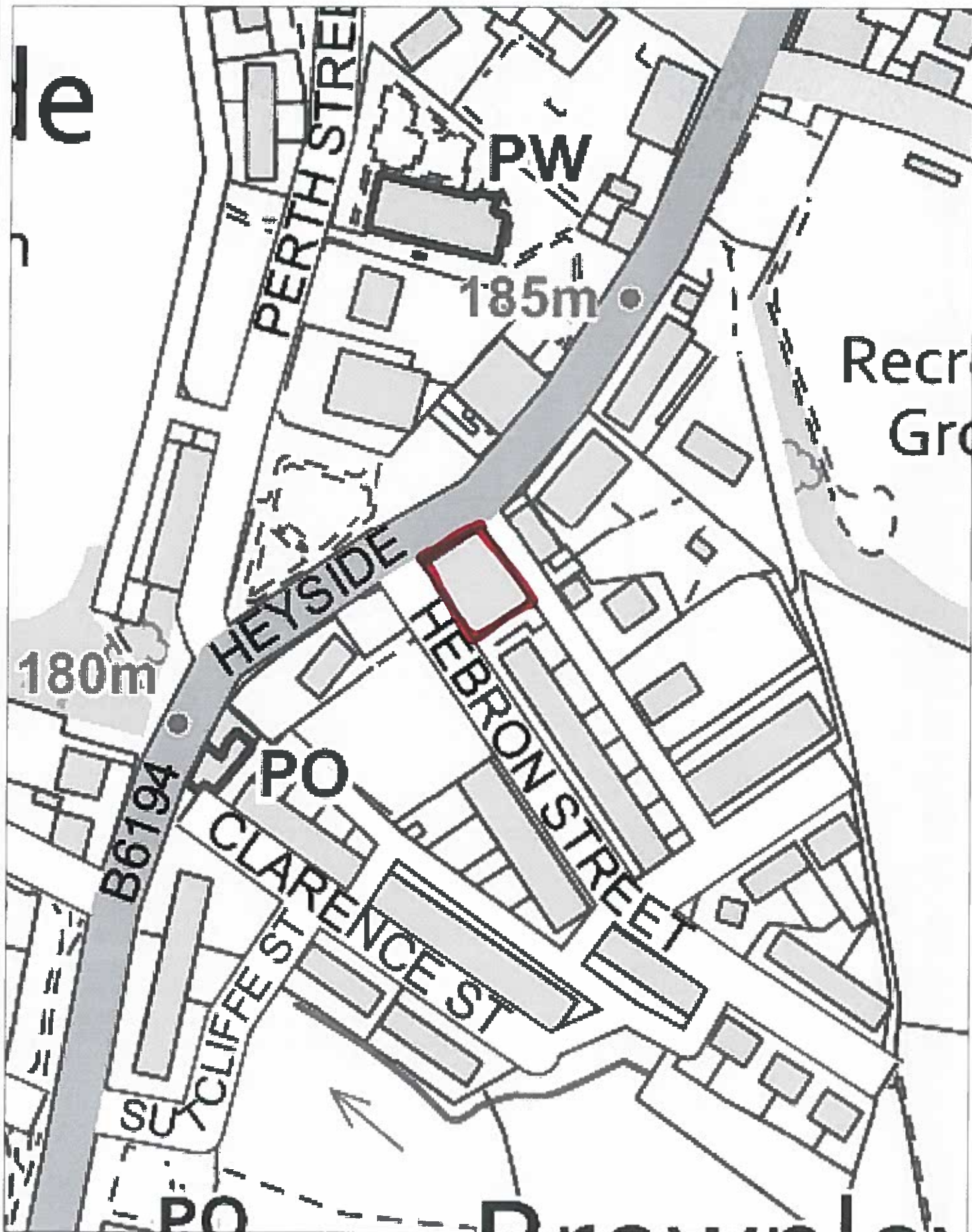
Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. The development hereby approved shall not be brought into use unless and until the secure cycle storage facilities indicated on the approved plan have been provided. The facilities shall always remain available to users of the development thereafter.

Reason - To ensure adequate cycle storage facilities are available to users of the development.

4. The development hereby approved shall not be brought into use unless and until the facilities for the storage and removal of refuse and waste materials as indicated on the approved plan have been fully implemented. Thereafter the approved facilities shall at all times remain available for use.

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



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APPLICATION REPORT - PA/343103/19

Planning Committee, 5 June, 2019

Registration Date: 25/03/2019
Ward: Coldhurst

Application Reference: PA/343103/19
Type of Application: Full Planning Permission

Proposal: Proposed car park comprising 93 new car parking spaces including 6 blue badge spaces and two electric charging spaces, new parking machines, street lighting and pedestrian links to Roscoe street.

Location: Roscoe Mill, Roscoe Street, Oldham, OL1 1EA

Case Officer: Hannah Lucitt

Applicant Oldham Council
Agent : Unity Partnership

THE SITE

This application site is the former Roscoe Mill site, which has now been cleared, located adjacent to Roscoe Street, in the built up area of Oldham, adjacent to Oldham's allocated Town Centre.

THE PROPOSAL

This application proposes the change of use of the land to provide a car park comprising 93 new car parking spaces including 6 blue badge spaces and two electric charging spaces, new payment machines, street lighting and pedestrian links to Roscoe Street.

RELEVANT HISTORY OF THE SITE:

No relevant planning history.

CONSULTATIONS

Highway Engineer	No objection, subject to the inclusion of a condition addressing highway improvements.
Environmental Health	No comment.
Street Lighting	Comments on the late list

REPRESENTATIONS

This application was publicised by a site notice and neighbour notification letters. No responses have been received by virtue of this notification process.

PLANNING CONSIDERATIONS

The main issues to consider are:

1. Land Use;
2. Parking and highway safety; and,
3. Amenity and design.

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 is unallocated by the Proposals Map associated with this document. Therefore, the following policies are considered relevant:

Policy 1 - Climate Change and Sustainable Development;
Policy 9 - Local Environment; and,
Policy 20 - Design.

The guidance within the National Planning Policy Framework (NPPF) is also a material planning consideration.

DPD 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.

The application site is previously developed land, evident by the hard landscaping and previous use.

The principle of development is therefore considered to be acceptable.

Parking and highway safety

The proposed car park will provide ninety three additional car parking spaces in the area.

Access to the site will be via Roscoe Street and Rhodes Bank. Localised highway improvement works will be required in order to accommodate this including the reversal of the one way order on Roscoe Street.

The Highway Engineer has been consulted, and is satisfied that the introduction of a car park in this area will not result in a significant increase in traffic generated on the local highway network to the detriment of highway safety. As such, it meets the tests set out in the NPPF.

The Highway Engineer raises no objection to planning permission being granted for highway safety reasons

Overall, the proposed development is considered to be in compliance with DPD Policy 9 in this regard.

Amenity and Design

DPD Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity, whilst Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

There are no nearby dwelling which would be impacted by the proposed development.

The design of the proposed car park is considered to be functional and acceptable. The

proposed development would have a broadly positive impact on the streetscene, by virtue of the redevelopment of this currently derelict site.

Given the above, the impact on residential amenity and design is considered acceptable, in accordance with DPD Policies 9 and 20.

RECOMMENDATION

Approve, subject to the following conditions, and no objection being received from Streetlighting:

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:

- Drawing no. CC4658 revision 03 received 25th March 2019
- Drawing no. 1079468-026-0152 received 25th March 2019
- Drawing no. P0067-11-41-1301-01 received 25th 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.

3. Foul and surface water shall be drained on separate systems.

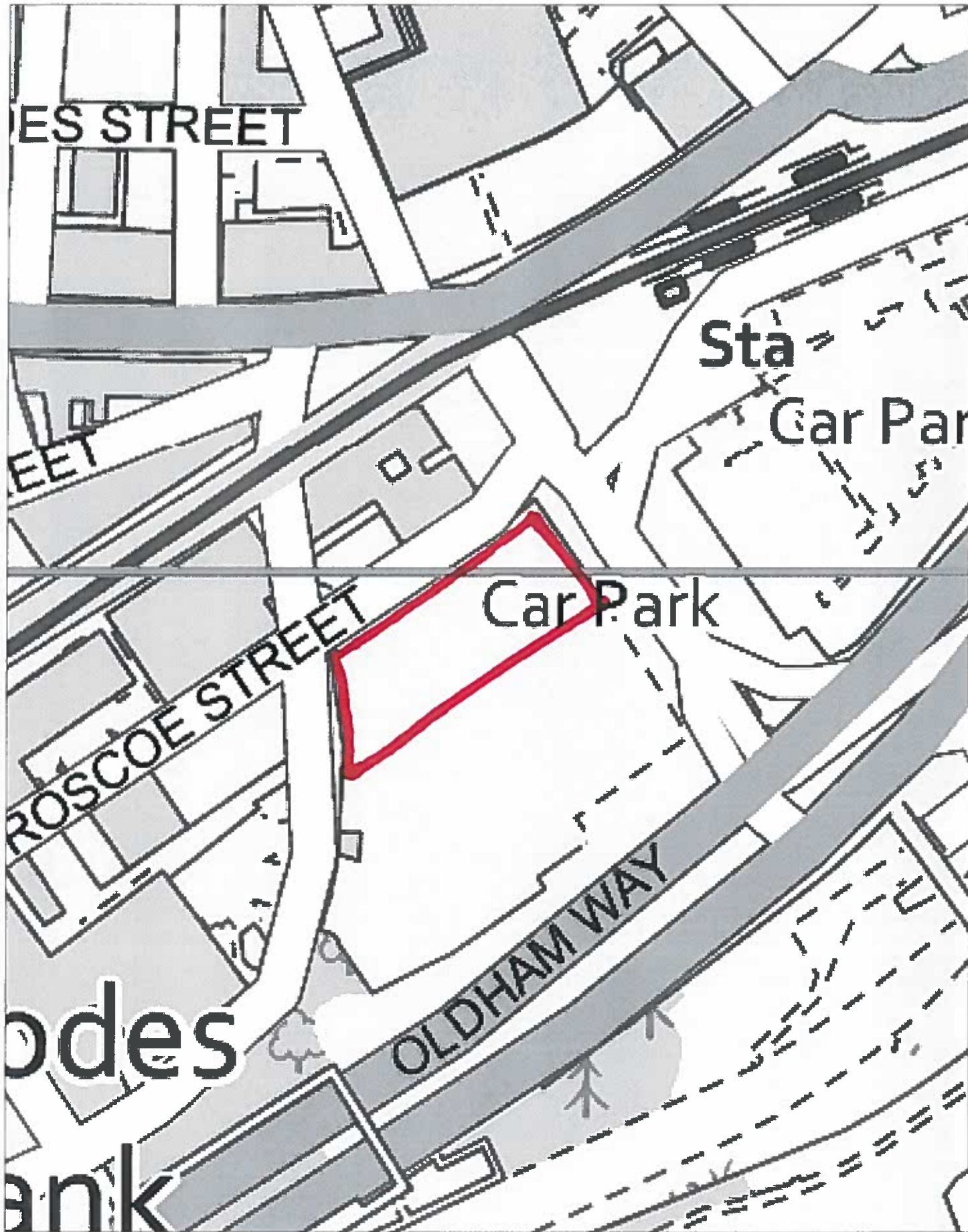
Reason: To secure proper drainage and to manage the risk of flooding and pollution.

4. No development shall commence unless and until a detailed drainage scheme has been submitted to and approved in writing by the Local Planning authority. The scheme shall then be completed in accordance with the approved plans and maintained thereafter.

Reason - To reduce the risk of flooding.

5. The development hereby approved shall not be brought into use unless and until the highway improvements on Roscoe Street and Rhodes Bank including amendments to the Traffic Regulation Orders have been carried out in accordance with the drawing received on 25th March 2019 (Dwg Ref: P0067-11-41-1301-01). All works that form part of the scheme shall be retained thereafter.

Reason - To facilitate the safe movement of vehicles into the site in the interests of highway safety



APPLICATION REPORT - PA/343126/19

Planning Committee, 5 June, 2019

Registration Date: 27/03/2019
Ward: Medlock Vale

Application Reference: PA/343126/19
Type of Application: Full Planning Permission

Proposal: Erection of a Hindu Temple facility including prayer hall, multi-function hall, teaching and ancillary spaces as well as landscaped garden and parking.

Location: Copster Hill Road Depot, Copster Hill Road, Oldham, OL8 1QB

Case Officer: Graham Dickman

Applicant: SHREE SWAMINARAYAN MANDIR BHUJ
Agent : LTS Architects

THE SITE

This application relates to a now cleared former depot site located on the east side of Copster Hill Road close to the junction with Ashton Road. The site has a rhomboid shape extending to just over 0.5 hectare and is generally flat rising just 1 metre from south to north. It was formerly occupied by First Choice Homes as a maintenance depot with a mix of single storey storage/ workshop buildings and a two storey office block facing Copster Hill Road.

Adjoining the northern boundary is a car park containing a number of established trees. Terraced houses face the site across Copster Hill Road, a character which is reflected in the streets further to the west. Single storey industrial buildings occupy the land to the south. To the east the site adjoins the rear of two storey commercial buildings which front Ashton Road. The most notable building in this locality is St Pauls Church which faces Ashton Road to the south-east of the application site.

THE PROPOSAL

The application proposes the redevelopment of the site with a Hindu Temple, which will include a prayer hall, multi-function hall, teaching and ancillary spaces, priests's accommodation, as well as a landscaped garden and parking.

The development is dominated by the main temple building which occupies a footprint 23 metres in width by 33 metres in depth.

The lower level of the building, 4 metres in height, will be faced in brickwork with a pre-cast concrete base, and will continue along the Copster Hill Road frontage as the facade to the multi-function hall, teaching and ancillary spaces. This will be punctuated by recessed square windows with ornate pre-cast concrete headers. However, the main entrance to the centre of the temple will be more ornate with a decorative arch and columns.

The upper section of the temple features an ordered colonnade, faced in brickwork, interspersed with a small number of windows behind. Above this will be an inset cornice featuring glazing panels and pre-cast concrete facings. The height of the main structure will extend to 9.8 metres. Finally, the roof will feature three decorative domes, the central of which will attain an overall height of 16.8 metres.

The second dominant element of the building will be the multi-function hall occupying a

footprint 33 metres in length by 35.5 metres in depth. This structure will be faced in perforated metal cladding sheets.

The main buildings will be set back from Copster Hill Road by 16 metres behind a car parking area which will feature an in and out arrangement; the access being towards the northern end of the frontage and the egress at the southern end. The frontage will comprise a brick wall with infill metal railings and sliding vehicular gates for security. Also externally are landscaped gardens and a central courtyard.

Internally, the main temple hall sits within a double storey with level access provided via the main entrance doors, into a draught lobby and adjacent shoe rooms where shoes are stored during prayer. There are separate entrances for males and females into their respective sections of the prayer hall. At the back of the hall there is access to the resident priest's quarters, this includes accommodation, kitchens and stores associated with the day to day running of the temple.

A secondary pedestrian entrance from the car park provides access to a central breakout space at the hub of the building, with routes back to the temple hall, into the multi function hall and kitchen and out to the courtyard. Toilets, showers and changing facilities are accessed from this central space. At the southern end of the site is the plant room and bin stores.

A stair and lift provide access up to the first floor which houses primarily the secondary functions of the building. Around the prayer hall, which has a void in the centre creating a double height space, a mezzanine is provided for high-level viewing of ceremonies. At the rear of the hall, above the resident priest's accommodation, is some further accommodation for visiting Swamis (religious leaders). This is for infrequent short visits.

Hours of opening are stated as 7am until 10pm on each day of the week. No specific numbers of employed staff are indicated.

The application is accompanied by the following supporting documents:

- Design & Access Statement
- Transport Strategy
- Travel Plan
- Landscape Strategy
- Phase 1 Preliminary Risk Assessment
- Foul & Drainage Assessment
- Crime Impact Assessment
- Sustainability & Energy Statement
- Electrical Utilities Study
- Noise Impact Assessment
- Air Quality Assessment
- Coal Mining Risk Assessment

RELEVANT HISTORY OF THE SITE:

PA/058539/10 - Application for the demolition of the existing buildings and full planning permission for the erection of 121 dwellings, public open space and other associated works (Phase 1) and outline planning permission (All Matters Reserved) for the erection of dwellings and commercial floorspace (A1, A2, B1 & B2) and other associated works (Phase 2). Approved 8 October 2010.

CONSULTATIONS

Highway Engineer

Objects to the application on the grounds that there would be insufficient on-site parking during major events held at the temple.

Environmental Health

No objection subject to a site investigation and assessment in relation to the landfill gas risk and any

necessary programmed remedial measures and a satisfactory completion report.

Measures to ensure the protection of nearby properties from noise and vibration during construction will be required.

Coal Authority

No objection subject to a condition requiring site investigation works prior to the commencement of development.

Greater Manchester Police
Architectural Liaison Unit

No comments received

Drainage
United Utilities

No objection to the proposed drainage details.

No comments received.

REPRESENTATIONS

Two public consultation sessions were held with residents from neighbouring streets. The consultations were held on Saturday 16th March 2019 (1030-1200) and Tuesday 19th March (2000-2100). Attendance was limited. However the owners of the commercial premises to the south of the site attended and raised concerns over daylight into their property. Attendance was better at a separate consultation held for members of the temple community, the majority of whom also live in the surrounding streets. Feedback from this consultation was largely positive with some specific comments on the articulation of the more decorative/ornamental portions of the building as well as technical comments on the layouts and inner workings of the building.

The occupiers of 30 properties in the immediate vicinity of the site have been notified, along with the display of site and press notices.

9 letters of support have been received from local residents on the following grounds:

- The facility will be a great asset in walking distance to where the local community live.
- The site is in an accessible location.
- There is improved parking compared to the existing location.
- There is plenty of garden space and room for children to play.

The owners of the adjacent commercial premises to the south have objected on the grounds of a proposed two storey building with a pitched roof adjacent to the common boundary which means that the right of light to the windows of the units is affected. It is suggested that the building be moved to the other side of the temple where there are no buildings adjacent to that boundary.

PLANNING CONSIDERATIONS

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 unallocated 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 4 – Promoting Sustainable Regeneration and Prosperity

Policy 5 - Promoting accessibility and sustainable transport options

Policy 9 - Local Environment

Policy 14 - Supporting Oldham's Economy

Policy 18 – Energy
Policy 19 – Water and Flooding
Policy 20 – Design

The National Planning Policy Framework is also a material consideration in the assessment of the application.

Land use and principle of development

DPD Policy 1, in the context of this application, seeks the effective and efficient use of land, prioritising development on previously developed land. Annex 2 of the NPPF defines "previously developed land" as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

The site was previously used in connection with industrial and storage activities reflecting the continuing use on the land to the south.

In terms of regeneration, the proposed redevelopment of the site addresses the existing disused nature of the site with a vibrant, community-led scheme.

DPD Policy 2 states that the council will support appropriate development that contributes towards creating sustainable communities and promotes community cohesion across the borough, supports the transformation of education and skills, and contributes to improved health and well-being of people in Oldham, and that it will encourage the development of flexible premises that can accommodate a range of uses.

The applicant indicates that the proposals have been developed with this objective in mind providing an improved place of worship for the local Hindu community within a building which offers both facilities for worship and for associated community events, including teaching and flexible, multi-function community spaces. These will be provided alongside landscaped grounds to promote improved health and well-being for the community.

In terms of sustainability. DPD Policy 5 requires major development to achieve 'high accessibility' as a minimum which is defined as being within approximately 400m of a frequent bus route or approximately 800m of a rail station or Metrolink stop.

The nearest bus stops are located on both Copster Hill Road, outside the site, and Ashton Road to the rear, providing frequent services to Oldham, Manchester and other destinations. Metrolink services are also available in Oldham town centre less than 1km to the north. This, in addition to the fact that the temple aims to serve a community largely residing within walking distance of the site ensures that it occupies a highly sustainable location.

Although not specifically allocated for employment uses in the Local Plan, DPD Policy 14 requires proposals which would result in the loss of a site currently or last used for employment purposes to include measures to outweigh the loss of the site and support Oldham's economy and the regeneration plans of the borough. Non-employment use has been previously granted in 2010 (PA/058539/100 as part of the regeneration of the Borough Triangle as a key project within the Hathershaw and Fitton Hill Masterplan). Therefore the loss of employment use is taken within the context of the wider regeneration of the area and community enhancement policies.

The employment potential of the site is nevertheless restricted by the access off Copster Hill Road which is relatively narrow, and the close proximity to residential properties in the area. As such grounds for refusal on loss of employment land would not be sustainable, particularly when weighed against the community and social benefits the scheme can deliver.

Design and Layout

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.

Part 12 of the NPPF requires that development should function well and add to the overall quality of an area, be visually attractive as a result of good architecture, layout and landscaping, be sympathetic to local character and history, establish or maintain a strong sense of place, to optimise the potential of a site, and to create places that are safe, inclusive and accessible.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, and that whilst great weight should be given to outstanding or innovative designs, they should fit in with the overall form and layout of their surroundings.

The Design & Access Statement states that "the design brief has been to develop proposals that contain elements of the traditional temple aesthetic with a high quality, contextually appropriate building".

The locational context of the site is one of an urban environment, dominated to the west by traditional terraced housing interspersed with small scale commercial premises. To the south are retained, relatively low level commercial buildings, none of which retain a high aesthetic quality. The proposal will create a landmark building, contrasting in style and scale with its neighbours. Whilst it is noted that the temple itself does not represent a building of local vernacular; it is also recognised that religious buildings often are of a different, and often more prominent scale and design than the surroundings. This is reflected by St Paul's Church on the opposite side of Ashton Road.

In terms of scale, the Copster Hill Road frontage, and main elevation of the site is defined by two storey terraced housing located close to the road frontage. Previously part of the application site frontage featured a two storey office building.

The tallest proposed building, the temple, will extend to 9.8 metres in height, with the roof featuring three decorative domes, the central of which reaches 16.8 metres. When viewed from Copster Hill Road, the 16 metre set back will reduce its immediate presence, such that it will not over dominate the street frontage or the houses opposite at a distance of 31 metres. It's landmark design will act as a positive enhancement of the street scene and provide extra character to the local area.

The multi-purpose hall will extend to a height of 8 metres, and as such also exceed the heights of existing, adjacent buildings. As originally submitted this was to be faced in perforated metal cladding sheets which would be back illuminated. This was considered to represent an overly alien feature and an alternative has been accommodated. The revised finish includes the use of brick to reflect the main temple, whilst incorporating decorative white brick bands. The lower levels avoid a monolithic appearance to the multi-function hall by use of reveals and features which mimic the columns of the temples, and use a more locally sympathetic facing material. This enhances the overall appearance of the site whilst maintaining the temple's primacy.

It is considered that the proposals achieve an appropriate compromise between creating a building of aesthetic quality whilst ensuring it can be viewed as an integral part of the local area. The scale does not overpower the neighbouring buildings.

Highways and Access

A Transport Statement and Travel Plan has been submitted with the application.

The Highway Engineer has recommended that the application should be refused on the grounds that the additional on street parking and manoeuvring of vehicles generated by the development, within the Copster Hill Road Highway and other nearby highways, will be

detrimental to the safety of other highway users and is thereby contrary to the provision of DPD Policy 9.

Comments of the Highway Engineer

The following detailed assessment has been submitted by the Highway Engineer:

"A Transport Statement has been submitted with this application which looks at how people are likely to travel to the proposed Temple. It states that the total congregation numbers are not expected to increase significantly, and that the use of the new temple will be a direct transfer from the existing facility on Lee Street. The modal split of expected travel options are therefore assumed to be exactly the same as those of the existing facility. Whilst I accept that congregation numbers on a daily basis may not increase so significantly as to have an effect on the local highway network, I have struggled to accept that a larger, much improved facility with additional community facility will not attract larger numbers when celebratory and other events are held.

The parking provision proposed is forty spaces to the front of the building. Despite requests during pre-application discussions, no additional overspill parking provision is proposed. This was requested again during the submission period but has still not been provided.

The proposed temple will be located on Copster Hill Road. This is narrow with traffic calming features along its length and parking bays to allow parking for the local residents of the predominantly terraced houses. The nearby highways off Copster Hill Road also provide on-street parking for nearby residents. I have serious concerns that any visitor to the temple, unable to park in one of the forty spaces, will park in the parking bays or on the other nearby highways, thereby displacing the existing spaces used by residents. Although this in itself is not a reason for refusal, this displacement of parking and of the increased demand of parking spaces will lead to increased congestion and other problems in the area. This could lead to an increase in the risk of accident to the detriment of highway safety.

The site is located on a bus route and there are links to the nearby Metrolink service. I do not anticipate however that all of the additional worshippers or visitors during celebratory events will choose this as their preferred choice of travel to the events. I therefore consider that in this instance the proposed number of parking spaces is insufficient to meet the demand of the proposed development.

There are currently no local or national parking standards, and I acknowledge that because of this I am unable to state exactly how many spaces are required for a facility of this type and size in this location. I have assessed this application on the information provided by the Applicant and my experience and knowledge of the operation of the local highway network and the likely effect the proposed development will have on that.

I consider that forty parking spaces will not accommodate the parking demand during community and other celebratory events. This will lead to additional parking on the nearby highways which will result in congestion and will lead to the risk of accident to the detriment of highway safety. I therefore recommend that planning permission is refused for highway safety reasons.

In addition to this, the sliding gates shown at the entry into the site are not set back an adequate distance to allow a vehicle to wait clear of the highway while the gates are opened. This will lead to an obstruction of the highway and will require pedestrians to walk into the carriageway, potentially into the path of live traffic. This will be detrimental to highway safety and is a further reasons for a recommendation for refusal for highway safety reasons.

For the avoidance of doubt I have assessed this application on the amended drawing received on 23rd May 2019 (Dwg Ref: 01 GA-100 P4)"

Assessment of Highway Impact

In assessing the weight to be afforded to this concern, Paragraph 109 of the NPPF is clear

that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

The concerns in relation to highway matters are focussed on the potential impact when larger events are held at the temple, rather than the day to day operation of the site. It is noted that the majority of the present worshippers live within the surrounding streets, and whilst this does not guarantee that they would not arrive by private car, it significantly reduces this potential, particularly where it is anticipated that spaces would be at a premium. Largest weekly 45 attendees after 6pm on Saturdays.

Special events tend to be over a weekend and spread over a few days, with attendees likely to have a high car occupancy. In order to seek to overcome these concerns, the layout of the site could be re-designed to remove areas previously allocated as garden areas to be replaced with a surface which would allow for overspill parking during those events.

The submitted Travel Plan states as follows:

"There are a number of occasions throughout the year when attendance at the Temple will be higher than that which occurs during a typical week. These include New Year's Day, anniversary celebrations and four other significant events. The timing and anticipated attendance of these events is known well in advance. As such the applicant would anticipate that an approval of the application would be subject to a condition on the provision of a management plan for travel during these events. This statement outlines potential measures that could be imposed on the community to mitigate the risk of increased parking stress in the adjacent streets.

Proposed Measures

As described above, the events during which a higher turnout is anticipated are known well in advance and the Temple's Organisation Committee would be prepared to impose the following measures on the Temple community as appropriate.

- *Alternative Transport:*

The Transport Statement has described how a significant proportion of the community live within walking distance of the site and travel to the existing Temple facility on Lee Street by foot on a day to day basis. The site is well served by bus routes and is also easily accessible by bike, with cycle parking provided on site. The primary means proposed to reduce parking stress during the main events would be to encourage the community to walk, cycle or use public transport where possible.

- *Car Share:*

Car sharing represents a flexible and convenient form of travel involving two or more individuals travelling by car together, for all or part of their journey. Those who drive to the Temple at its current location on Lee Street tend to be doing so in family groups of two or more.

The use of on-site parking facilities will be monitored to enable the success of measures to reduce single occupancy car trips to and from the site to be assessed. Consideration will be given to the implementation of measures such as priority parking for car sharers to encourage increased levels of car occupancy.

- *Overflow Parking:*

The Temple will retain in its ownership, the car park adjacent to its existing premises on Lee Street (0.2 Miles or a 4 minute walk away).

In the event any overspill parking being required, the 10 spaces provided here would be used, bringing the total spaces provided, from 40 to 50. On the specific days when a high turnout is anticipated at the temple, a marshalling system would be put in place to direct cars to the overflow car park as required.

- *Deliveries and Servicing:*

The timing of any deliveries can be planned well in advance and any deliveries needed would take place before the start of the event to minimise any disruption on parking.

- *Raising Awareness:*

The relocation of the Swaminarayan organisation to the new Temple site will in essence provide a window of opportunity for existing travel habits/behaviour to be temporarily

broken. By targeting members of the congregation with tailored information on sustainable travel modes prior to the move, this will in turn make them more likely to considering using such modes. Travel Information Packs will be issued to all members of the congregation and offer to discuss their individual travel needs prior to moving to the new site”.

With regard to the concerns in relation to vehicles waiting on the highway whilst the gate is opened, the applicant has indicated that the gates will remain open during the operational hours of the facility, and this can be a condition of any approval.

The concerns of the Highways Engineer are valid and must be taken into consideration. However, any assessment of the likely impacts must be considered in the context of the wider benefits associated with the re-development of the site.

Amenity Considerations

DPD Policy 9(a) states that development will be permitted where it is not located in areas where an identified source of potential hazard exists and development is likely to introduce a source of potential hazard or increase the existing level of potential hazard. It also 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.

A Noise Impact Assessment has been submitted in support of the application, and no objections on amenity grounds have been raised by the Environmental Health team, other than identification of the need for controls over noise and vibration during the construction period. Whilst it is indicated that the facility will be open from 7am until 10pm, it is not anticipated that the level of activity during quieter hours would be likely to result in disturbance to neighbouring residents, having regard to the character of the area and the location on Copster Hill Road.

With regard to the physical impact of the development in relation to neighbouring residential properties, this would be primarily limited to the terraced houses directly across Copster Hill Road, and to first floor accommodation above commercial units on Ashton Road at the rear of the site. With regard to the former, the layout of the site was altered at pre-application stage to move the main building away from the frontage and this is reflected in the submitted plans.

A separation distance of 30 metres has been achieved, which should ensure that the tallest part of the site, the temple building, does not result in significant overshadowing of these properties over its width of 23 metres. The remainder of the facing building would be much lower, which would ensure no adverse impact.

With regard to the properties on Ashton Road, the temple will project to within 15 metres of these buildings at an angled pinch point, which then increases for the majority of the building. At present the facing properties have an open aspect across the sites and there will be some loss of outlook. However, it is not considered that this would be significant.

With regard to the objection from the owner of the adjacent industrial units, the open windows presently facing the site serve storage areas to the rear of industrial units and provide natural light to the wider area inside the building, with no other windows serving the premises. However, the proposed plans indicate that the nearest proposed building would not obstruct the outlook from the existing windows, and in fact, would be located further towards Copster Hill Road than the previous building which occupied this part of the site.

Other former window openings have been blocked up for security reasons for a previous tenant and the owner has indicated that they are proposed to be restored for the current tenant and therefore the right of light remains. However, it is also noted that the previous buildings which occupied the site were also located adjacent to the boundary and thus any light to the rear would have been severely restricted.. Consequently, this is not considered to be a ground on which an objection could be sustained.

Consequently, it is considered that the proposed development is capable of being operated in this location without causing significant harm to the amenity of adjacent occupiers or the area in general in accordance with the objectives of DPD Policy 9.

Air Quality and energy considerations

The site is outside an Air Quality Management Area. An Air Quality Assessment has been submitted indicating that predicted concentrations of Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) are well below the respective air quality objectives as required by the Greater Manchester Air Quality Action Plan 2016-2021.

The design will incorporate energy efficiency measures through the use of a high specification building fabric and design, allied to efficient heating systems, to minimise energy demand. This includes a 10m² solar collector integrated into the roof, a variable refrigerant flow air source heat pump which will be the primary source for space and water heating, to achieve an on-site carbon-dioxide emissions reduction of 10.986% relative to the Building Regulation Part L2A compliant with DPD Policy 18.

Ground conditions

DPD Policy 9 requires that development is not located where a source of potential hazard exists, whilst NPPF paragraph 178 requires planning policies and decisions to ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from natural hazards or former activities such as mining.

The Environmental Health team has recommended that any approval should be subject to a landfill gas contamination assessment, and any necessary remediation measures incorporated.

Given the presence of a recorded mine entry on the site, the Coal Authority initially raised an objection to the application. However, following the submission of further information, it is satisfied that development can progress subject to pre-commencement ground investigations and incorporation of any necessary remedial measures to protect the mine entry.

Consequently, subject to appropriate conditions, the site is considered suitable for the proposed development.

Drainage

DPD Policy 19 seeks to direct development away from areas at risk of flooding and encourages the use of sustainable drainage systems (SUDS) in new development. Criterion (b) of the policy states that developments must minimise the impact of development on surface water run-off. The allowable discharge rates must be agreed with the council for all developments, which must where possible be achieved through the implementation of SUDS.

The site does not fall within an area identified as being at risk from flood and no objections have been received on these grounds.

CONCLUSION

This is an application for the comprehensive redevelopment of a former industrial site to create a new temple and ancillary facility for the local Hindu community, which is presently based at substandard premises in the local area. Consequently, it would be in accordance with the objectives of DPD Policy 2. The building itself will be a unique feature within the area, a fact which is reflective of religious buildings in general. It would therefore contrast with neighbouring buildings in design term, but would represent a landmark building enlivening the degree of architectural quality of the vicinity.

It is considered that the operation of the facility can take place without adverse impact on local sensitive receptors in terms of noise and levels of activity during the day to day operations.

The concerns in relation to traffic impact have been noted, and it is recognised that there remains a potential impact on parking demand in the surrounding area during any large events. This is an inevitable consequence of the introduction of community or sporting events on sites within the urban area. Any such impacts can be mitigated as far as possible by the operation of a traffic management plan.

Such impacts must be balanced against the benefits of bringing a vacant, previously developed site back into productive use, and the provision of an important community facility. It has been demonstrated that any significant impacts would not occur on a regular basis whereby the day to day demands of the community can be accommodated within the site. On balance, it is therefore considered that the development will be acceptable and that any adverse impacts can be appropriately managed.

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 which are referenced as follows:

All plans received on 24 May 2019 unless stated.

01 GA-100 Rev P4 - Proposed Site Plan
03 GA-303 Rev P2 - Proposed Detailed North Elevation
03 GA-304 Rev P2 - Proposed Detailed East Elevation
03 GA-305 Rev P2 - Proposed Detailed South Elevation
03 GA-306 Rev P2 - Proposed Detailed West Elevation
1816_Oldham Temple_Multi Function Hall Material Addendum_190524

All plans received 27 March 2019

01 GA-101 Rev P5 - Proposed Ground Floor Plan
01 GA-102 Rev P5 - Proposed First Floor Plan
01 GA-103 Rev P2 - Proposed Roof Plan
02 GA-200 Rev P1 - Proposed Site Sections
02 GA-201 Rev P2 - Proposed Sections
02 GA-202 Rev P1 - Proposed Sections

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 commencement of any above ground development, a detailed Traffic Management Plan to be put in place during any events which are due to take place at the site and which are likely to introduce visitor numbers in excess of those which could readily be accommodated within the on-site parking facilities, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved measures shall be put in place prior to the commencement of the use and shall operate during all such events. **Page 116**

Reason - In order to minimise any potential impacts on the surrounding highway network during any major events which take place at the site.

4. The development hereby approved shall not be brought into use unless and until the access and car parking spaces have been provided in accordance with the approved plan (Drawing no. 01 GA-100 Rev P4). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any such development. 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. The vehicular entrance gate to the site shall be kept in an open position during all hours that the site is open to visitors.

Reason - To ensure vehicles do not obstruct the highway when waiting to enter the site.

6. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk 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, because the site is located within 250m of a former landfill site.

7. Prior to the commencement of any development hereby approved, intrusive site investigations shall be carried out to establish the exact situation regarding coal mining legacy issues on the site, and the results submitted to and approved in writing by the Local Planning Authority. Should the investigation reveal the need for remedial works to treat the mine entry the approved works shall be undertaken prior to the commencement of any development in accordance with the approved scheme.

Reason - To ensure the safety and stability of the proposed development.

8. Prior to the commencement of any part of the development hereby approved, details of the method of surface water, based on the hierarchy of drainage options in the National Planning Practice Guidance, and of foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained at all times thereafter.

Reason - To secure a satisfactory system of drainage.

9. Prior to the commencement in the construction of any external walls, including decorative features, samples of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in full accordance with the approved materials.

Reason - To ensure a satisfactory appearance in the interests of the visual amenity of the area.

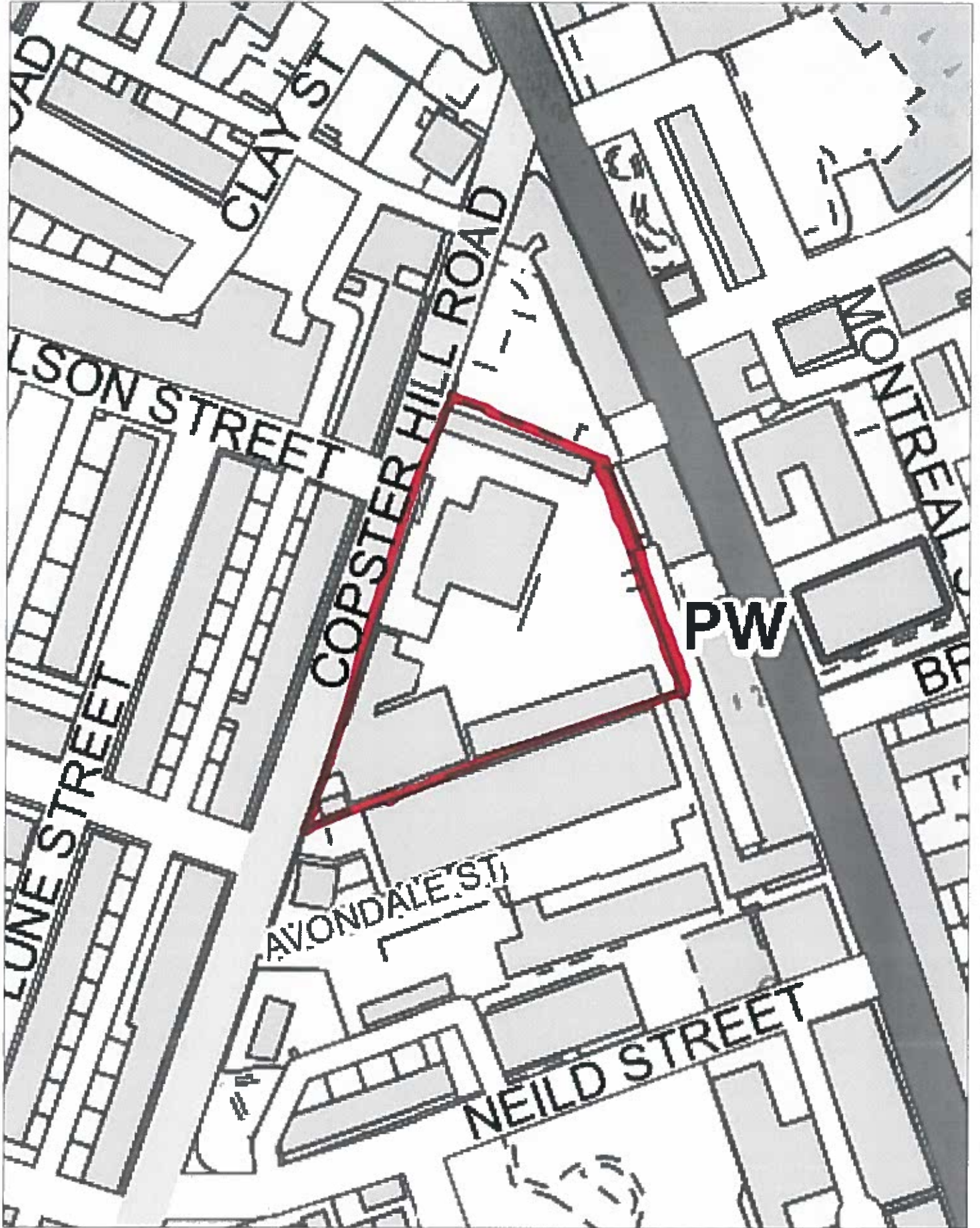
10. Prior to the commencement of any development hereby approved, a scheme in the

form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, and shall be maintained for the duration of the construction works.

Reason - To protect the amenity of the occupiers of neighbouring residential properties.

11. The buildings hereby approved shall not be first occupied until a scheme of hard and soft landscaping has been implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. 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, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

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



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APPLICATION REPORT - PA/343147/19

Planning Committee, 5 June, 2019

Registration Date: 29/03/2019
Ward: Chadderton Central

Application Reference: PA/343147/19
Type of Application: Full Planning Permission

Proposal: Erection of commercial units to be used for a purpose that falls within either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution uses). Associated parking, landscaping and infrastructure.

Location: Land to the west of Greengate, Oldham.

Case Officer: Hannah Lucitt

Applicant Royal London Mutual Insurance Society Ltd
Agent : Hourigan Connolly

THE SITE

The application site covers 3.34 hectares. The site access forms part of a traffic light controlled junction with Greengate (B6393) with pedestrian and cycle crossing provision. Greengate is a main vehicular arterial route linking the areas of Middleton and Chadderton with the City of Manchester to the south.

There is currently access to the site via an under bridge, accessed from an unnamed service road, however this is height restricted and effectively limits its use to cars and small vans.

Boundaries to the site are generally a combination of palisade and weldmesh security fencing.

The site predominantly comprises hard landscaping and is relatively flat. There are a number of lighting columns on the site together with an electricity pylon.

To the north of the site is an area of open land, beyond which are a number of commercial and employment units. To the east of the site are further commercial premises. To the south of the site is an area for which planning permission has recently been granted for a mixed use development, which will share the existing access, with the M60 beyond.

The site is located in an area allocated for predominantly employment uses.

The surrounding area therefore comprises various commercial, industrial and trade units. Beyond the M60 to the south is the residential area of Moston, and to the north and west beyond the employment units are residential areas of Middleton and Alkington.

THE PROPOSAL

This application proposes the erection of an industrial unit with unrestricted Class B1, B2 or B8 use.

The proposed industrial unit would run parallel to the northern site boundary, and would measure 202m in length, 59m in width and would feature a low pitched roof design, reaching a maximum of 10.4m in height. This unit would be externally faced in profiled wall cladding in grey.

Staff and visitor parking within the site for a total of 30 vehicles is proposed, including 4 dedicated disabled person's spaces.

It is proposed that all vehicular movements to and from the site will be via the existing access and the traffic light controlled junction at Greengate.

It is proposed to reconfigure the existing traffic signal controlled junction to allow right turn entry and right turn exit movements to and from the access.

The proposed development would operate 24 hours a day 365 days a year.

RELEVANT HISTORY OF THE SITE:

PA/341476/18 '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' was granted conditional planning permission on 21st September 2018.

CONSULTATIONS

Highway Engineer	No objection, subject to the inclusion of conditions addressing the provision and retention of car parking spaces, the full design and construction details of the required improvements to the Greengate access arrangements, cycle storage, and the implementation of the Travel Plan.
Highways England	No objection, subject to the inclusion of conditions addressing direct vehicular or pedestrian access between the site and the M60 motorway, development on or adjacent to any motorway embankment, and the motorway drainage system.
Environmental Health	No objection, subject to the inclusion of conditions addressing landfill gas, electric vehicle charge points, and the fleet recognition scheme.
Environment Agency	No objection, subject to the inclusion of conditions.
LLFA/Drainage	No comment.
Greater Manchester Ecology Unit	No objection, subject to informatives in regard to Japanese knotweed and the protection of nesting birds.
Greater Manchester Police	No comment.
Architectural Liaison Unit	
Rochdale MBC	No objection.
Manchester City Council	No comment.
United Utilities	No objection, subject to the inclusion of drainage conditions.
Transport for Greater Manchester	No objection, subject to the inclusion of a condition addressing the needs for a Travel Plan.

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

The main issues to consider are:

1. Land Use;
2. Parking and highway safety;
3. Amenity and design;
4. Contaminated land, landfill gas, and Page 122

Land Use

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 this requirement.

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 is located within a 'Business Employment Area' as allocated by the Proposals Map associated with this document. Therefore, the following policies are considered relevant:

Policy 1 - Climate Change and Sustainable Development;
Policy 9 - Local Environment;
Policy 13 - Employment Areas;
Policy 14 - Supporting Oldham's Economy; and,
Policy 20 - Design.

The guidance within the National Planning Policy Framework (NPPF) is also a material planning consideration.

DPD 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.

The application site is previously developed land, evident by the hard landscaping and existing use.

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.

As the application site proposes a mixed use B1/B2/B8 facility, the proposed development complies with Policy 14 and the principle of the proposal is therefore satisfactory. The industrial units provide a mix of sizes to accommodate the needs of a variety of businesses. The benefit of anticipated full time job roles that would be created by virtue of the proposed development is acknowledged.

Parking and highway safety

Access to the proposed development will be taken from the existing traffic signal controlled junction with Greengate which also serves the industrial premises to the east. A highway improvement will be carried out to the junction to facilitate movement into and out of the site for vehicles, cyclists and pedestrians.

The site is in a sustainable location with excellent links to public transport and opportunities for walking and cycling. Conditions are attached to the recommendation to ensure that more sustainable modes of travel are promoted in the form of the provision of cycle storage facilities.

A Transport Assessment and Travel Plan were submitted with this application which examined the existing conditions and the effect the development would have on the local highway network. The expected levels of traffic generated by uses previously granted planning permission and the current proposal were compared. It was found that the amount of traffic likely to be generated by the current proposal will be less than that of previously approved schemes.

Traffic Modelling of the existing traffic signal controlled junction was also undertaken, and after the addition and clarification of some information, Transport for Greater Manchester is satisfied that the junction will continue to operate within capacity, and that the traffic generated by the proposed development will have no significant or adverse impact on the local highway network.

The proposed development has been assessed by the Council's Highway Engineer. Given that the expected trip generation and operation of the highway network will not have a significant or adverse effect on highway safety, no objection has been raised.

Therefore, the proposed development is considered to be in compliance with DPD Policy 9 in this regard.

Amenity and Design

DPD Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity, whilst Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

There are no nearby dwellings within close proximity to the application site. Therefore, the proposal will have no significant impact on amenity.

The design of the industrial units is typical of the industrial sites within the area. Whilst this is not of particularly high architectural merit, it would be screened by a landscaping buffer, and is both functional and appropriate to its setting. The proposed landscaping scheme provides a more verdant character to the site, which is currently hard landscaped.

The proposed development is considered to have a positive impact on the streetscene and the character of the wider area.

Given the above, the impact on residential amenity and design is considered acceptable, in accordance with DPD Policies 9 and 20.

Contaminated land, landfill gas, and drainage

The Environmental Health Team have requested the inclusion of contaminated land and landfill gas, pre-commencement conditions.

The application site lies in an area susceptible to water surface flooding. A condition has also been included within the recommendation to address surface water drainage on site. The Drainage team have been consulted in regard to this application, and have made no comment.

The applicant has confirmed that they are happy for the pre-commencement conditions to be included within the report.

Conclusion

The proposed development would be acceptable in principle, and the benefit of anticipated full time job roles that would be created by virtue of the proposed development is acknowledged. The proposal would have no significant impact on highway safety and amenity, residential amenity, and would be acceptable in terms of design.

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:

- Drawing no. 17022_PL101 revision A received 29th March 2019
- Drawing no. 17022_PL102 revision A received 29th March 2019
- Drawing no. 17022_PL103 revision B received 29th March 2019
- Drawing no. 17022_PL104 revision A received 29th March 2019

- Drawing no. 3269 101 received 29th March 2019
- Drawing no. 3269 201 received 29th 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.

3. All hard and soft landscape works for the site shall be carried out in accordance with the approved details:

- Drawing no. 3269 101 received 29th March 2019
- Drawing no. 3269 201 received 29th March 2019

The works shall be carried out prior to the occupation of any part of the development. 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 landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

4. Prior to the commencement of any above ground development, details of arrangements for the disposal of foul waste, and a surface water drainage scheme based on sustainable drainage principles shall be submitted to, and approved in writing by the Local Planning Authority. The drainage scheme 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.

5. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development

6. The approved Travel Plan (prepared by Ashley Helme) shall be implemented within six months of occupation of the development. The Travel Plans shall be maintained and kept up to date at all times, and shall take into account any change in circumstances, such as a change to the occupier of the site.

Reason - To ensure the development accords with the Council's sustainable transport

policies

7. No development hereby approved shall be brought into use unless and until the access and car parking spaces associated with that part of the development have been provided in accordance with the approved plan (Drawing no. 17022_PL101 revision A). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any such development. 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.

8. No development of the site shall commence unless and until the developer has submitted the following full design and construction details of the required improvements to the Greengate Access Arrangements, such details to be approved in writing by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.

The details to be submitted shall include:

- a) How the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations,
- b) Full signing and lighting details,
- c) Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),
- d) An independent Stage Two Road Safety Audit (taking account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

Reason - To ensure that the means of access to the application site is acceptable to the Local Highway Authority in terms of highway safety and the continued efficient operation of the local highway network.

9. The recommendations within the site investigation and assessment in relation to the landfill gas risk (Phase I/II Ground Conditions Report by TRC) shall be undertaken in accordance with the approved details. 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.

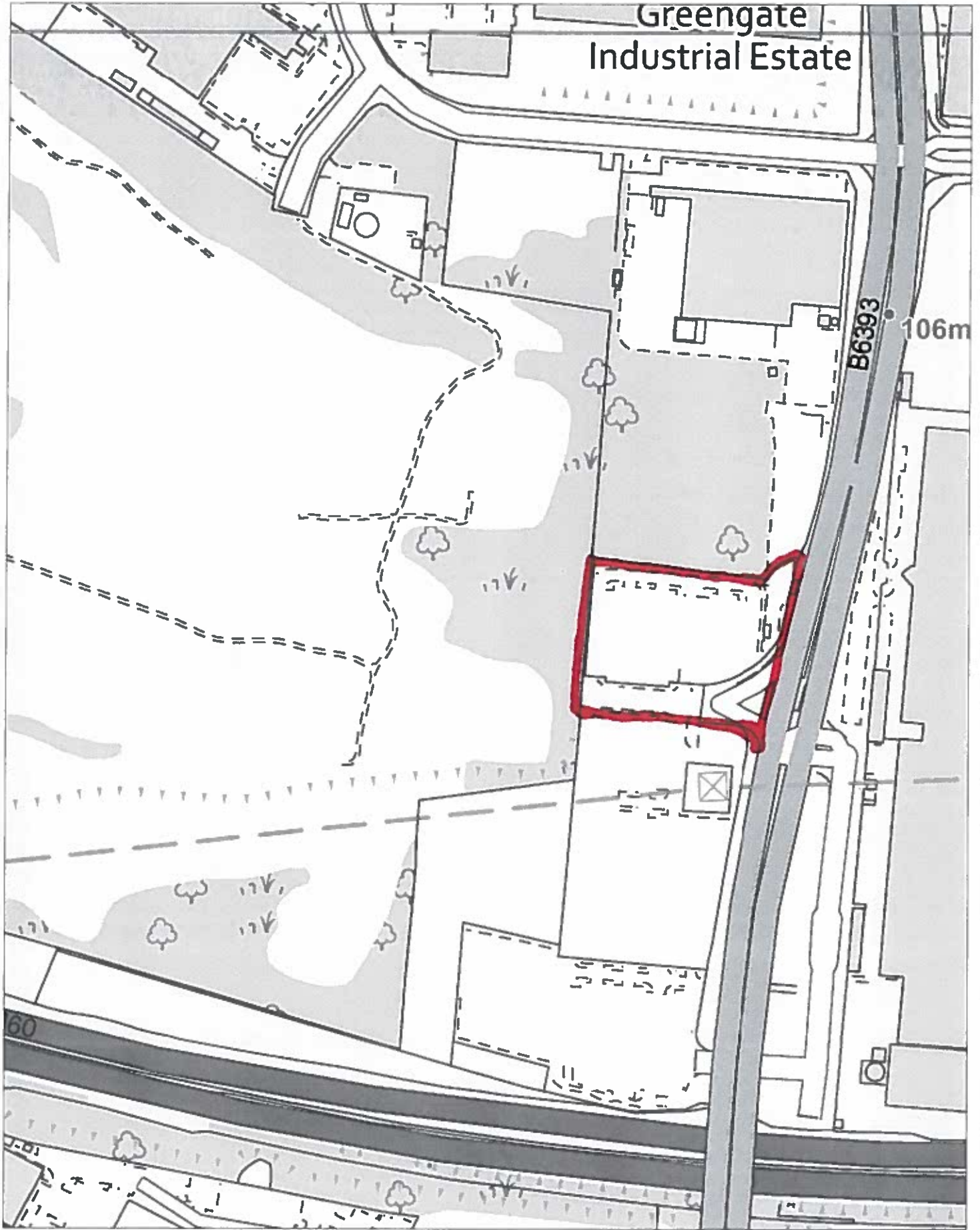
Reason - In order to protect public safety, because the site is located within 250m of a former landfill site.

10. The recommendations within the site investigation and assessment to identify the extent of land contamination has been carried out (Phase I/II Ground Conditions Report by TRC) shall be undertaken in accordance with the approved details. 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.

11. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason - To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.



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.

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Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

June 2019

PLANNING APPEALS

HH/342714/18 24 Church Fields, Dobcross, Oldham, OL3 5AB

WRITTEN REPRESENTATION

HEARINGS

PA/340887/17 - LAND AT, Knowls Lane, Oldham

HOUSE HOLDER

ADVERTISEMENTS

APPEAL DECISIONS

PA/340868/17	27A Delph New Road, Dobcross, OL3 5BA
Original Decision	Del
Appeal Decision	Dismissed

PA/341373/18	Land to rear of Rochdale Road Royton, OL2 5UT
Original Decision	Del
Appeal Decision	Dismissed

PA/341966/18	Land between 74 & 76 Oldham Road, Denshaw, Oldham, OL3 5SP
Original Decision	Del
Appeal Decision	Dismissed

HH/342423/18	10 Packwood Chase, Chadderton, Oldham, OL9 0PG
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.