

PLANNING COMMITTEE

Agenda

Date Tuesday 28 January 2020

Time 6.00 pm

Venue Lees Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

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

2. CONTACT OFFICER for this Agenda is Sian Walter-Browne Tel. 0161 770 5151 or email sian.walter-browne@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 Thursday, 23 January 2020.

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 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 4)
The Minutes of the meeting of the Planning Committee held on 18th December 2019 are attached for Members' approval.
- 6 PA/343374/19 - Hadfield Works, Hadfield Street, Oldham, OL8 3BU (Pages 5 - 12)
Outline application for the re-development of the Hadfield Works site (to include the demolition of all existing buildings) and erection of up to 19 dwellings. Access to be considered; all other matters reserved.
- 7 PA/343870/19 - Mayfield Primary School, Mayfield Road, Oldham, OL1 4LG (Pages 13 - 22)
Proposed extensions and alterations to school, new all-weather playing surface to the south-east, new/extended car parking facility.
- 8 PA/343874/19 - North Chadderton High School, Chadderton Hall Road, Chadderton, OL9 0BN (Pages 23 - 32)
1. Single storey changing facility and classroom block. 2. Three storey science block. 3. Third floor addition to roof of main school building to form library. 4. Extension to car park at rear of school.
- 9 PA/343991/19 - Land at the former Lancaster Club, A663 Broadway, Failsworth, Oldham (Pages 33 - 40)
Erection of 12 no. dwellings and associated works including the laying out of roads, footways and landscaping.
- 10 PA/344056/19 - Oldham College, Rochdale Road, Oldham, OL9 6AA (Pages 41 - 50)



1) Demolition of two teaching blocks (Bronte & Bevan) and two mobile classrooms. 2) Erection of a new two storey teaching block on existing college car park/landscaping. 3) Creation of new car parking spaces on the college campus to mitigate loss.

11 HH/344160/19 - 140 Chadderton Park Road, Chadderton, OL9 0QT (Pages 51 - 56)

Single storey side and rear extension

12 PA/344251/19 - 285 Hollinwood Avenue, Chadderton, OL9 9NG (Pages 57 - 64)

Change of use from dwelling to House in Multiple Occupation (HMO), including garage conversion and side extension

13 Appeals (Pages 65 - 76)

Appeals

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PLANNING COMMITTEE
18/12/2019 at 6.00 pm

Present: Councillor Dean (Chair)
Councillors Akhtar, Brownridge (Vice-Chair), Davis, H. Gloster,
Harkness, Hewitt, Hudson, Phythian, Hulme, Ibrahim, Iqbal,
Jacques and Malik

Also in Attendance:

Alan Evans	Group Solicitor
Graham Dickman	Development Management Team Leader
Lori Hughes	Constitutional Services
Matthew Taylor	Development Control

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**

Councillor Hulme declared a prejudicial interest at Item 8.
Councillor Hulme did not participate in the discussion or vote
thereon.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee
meeting held on 16th October 2019 be approved as a correct
record.

6 **PA/343757/19 - ALL NATIONS CHURCH, EGERTON
STREET, OLDHAM, OL1 3SE**

APPLICATION NUMBER: PA/343757/19

APPLICANT: Stoller Charitable Trust

PROPOSAL: Erection of indoor rock-climbing centre with car
parking, landscaping and associated works.

LOCATION: All Nations Church, Egerton Street, Oldham, OL1
3SE

It was **MOVED** by Councillor Akhtar and **SECONDED** by
Councillor Hewitt 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 the
conditions as set out in the report and to a Section 106

obligation being secured to provide a contribution to deliver 36 replacement trees off-site.

NOTE:

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

7 **HH/343821/19 - 1 & 2 WADE TOP, UPPERMILL, OL3 6BA**

APPLICATION NUMBER: HH/343821/19

APPLICANT: Mrs. Hoskyn

PROPOSAL: Conversion of two cottages into a single dwelling house, rebuilding of front elevation and installation of rooflights.

LOCATION: 1 & 2 Wade Top, Uppermill, OL3 6BA

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

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

DECISION: That the application be APPROVED subject to the conditions as set out in the report.

8 **PA/343985/19 - CHRIST CHURCH C OF E PRIMARY SCHOOL, CRAWLEY WAY, CHADDERTON, OL9 9ED**

APPLICATION NUMBER: PA/343985/19

APPLICANT: Mrs. Davies

PROPOSAL: Retrospective planning application for the erection of a pergola

LOCATION: Christ Church C Of E Primary School, Crawley Way, Chadderton, OL9 9ED

It was MOVED by Councillor Hudson and SECONDED by Councillor Iqbal that the application be APPROVED and an additional condition for a planting scheme between the pergola and adjacent residential properties to be agreed with Planning Officers.

On being put to the vote seven VOTES were cast IN FAVOUR OF APPROVAL and six VOTES were cast AGAINST with one ABSTENTION.

DECISION: That the application be GRANTED subject to the conditions as set out in the report and the following additional condition

2. Within 28 days of the date of this permission a satisfactory scheme of landscape planting between the pergola and the rear of adjacent residential properties on Lindale

Avenue shall be submitted for the written approval of the Local Planning Authority. The duly approved scheme shall be implemented during the first planting season following the granting of approval, and shall be retained thereafter at all times the pergola is in place. Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

NOTE:

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

9

PA/343995/19 - DONKEYSTONE BREWING CO. LTD, UNIT 17/18 BOARSHURST BUSINESS PARK, BOARSHURST LANE, OLDHAM, OL3 7ER

APPLICATION NUMBER: PA/343995/19

APPLICANT: Donkeystone Brewing Co. Ltd.

PROPOSAL: Planning application for use of part of the ground floor of Unit 17 and part of the ground floor of Unit 18 as a drinking establishment (Class A4) in association with the existing brewery use of Unit 17 and 18 (Revised application to PA/343258/19)

LOCATION: Donkeystone Brewing Co. Ltd, Unit 17/18 Boarshurst Business Park, Boarshurst Lane, Oldham OL3 7ER

It was **MOVED** by Councillor Brownridge and **SECONDED** by Councillor Iqbal that the application be **APPROVED** subject to additional conditions that the approval be limited to 12 months and that clear entrance markings be put in place.

On being put to the vote seven **VOTES** were cast **IN FAVOUR OF APPROVAL** and six **VOTES** were cast **AGAINST** with one **ABSTENTION**.

DECISION: That the application be **GRANTED** subject to the conditions as set out in the report and the following amended and additional conditions:

Condition 1 deleted and replaced as follows:

The permission hereby granted shall be for a limited period only and shall cease 12 months of the date of this decision notice, unless a further permission is granted by the Local Planning authority prior to that date.

Reason – In order to allow for the impacts of the development on the amenity of the area to be assessed.

Condition 7 added as follows:

Prior to commencement of the use hereby permitted, ground markings indicating that the entrance area shall be kept clear shall be installed adjacent to the public entrance to the drinking establishment, and which shall be retained at all times that the use is in operation.

Reason – In order to ensure safe access and egress for visitors to the premises.

NOTE:

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

10 **HH/344152/19 - 19 HAREWOOD DRIVE, ROYTON, OL2 5TZ**
APPLICATION NUMBER: PA/344152/19

APPLICANT: Mr. Lonsdale

PROPOSAL: Proposed rear dormer

LOCATION: 19 Harewood Drive, Royton, OL2 5TZ

It was MOVED by Councillor Harkness 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 set out in the report.

11 **APPEALS**

RESOLVED – that the report of the Head of Planning and Infrastructure providing an update on matters relating to Planning Appeals be noted.

The meeting started at 6.00 pm and ended at 7.59 pm

APPLICATION REPORT - PA/343374/19

Planning Committee, 28 January, 2020

Registration Date: 15/05/2019
Ward: Medlock Vale

Application Reference: PA/343374/19
Type of Application: Outline Planning Permission

Proposal: Outline application for the re-development of the Hadfield Works site (to include the demolition of all existing buildings) and erection of up to 19 dwellings. Access to be considered; all other matters reserved.

Location: Hadfield Works, Hadfield Street, Oldham, OL8 3BU
Case Officer: Graham Smith

Applicant North West Fans (NWF) Limited
Agent : Cordingleys Chartered Surveyors

THE SITE

This 0.36 hectare site is on the southern side of Hadfield Street to the west of Ashton Road. Access into the site is currently off Hadfield Street. The existing site (formerly in industrial use) has two-storey buildings currently in poor condition. The site was last occupied by Northwest Fans Ltd with a total of 3 employees.

The site is alongside single-storey residential units on the corner of Wyndale Road/Hadfield Street. To the south and east the site abuts other employment activities and an ambulance depot.

THE PROPOSAL

The proposal includes the demolition of the existing buildings and outline permission for residential development of up to 19 dwellings and includes a 5.5metre wide adoptable access off Hadfield Street.

The application includes an indicative layout and a viability assessment which states that the site is no longer viable as an employment site and that the development of housing would not be viable if it provided policy compliant contribution for affordable housing.

RELEVANT HISTORY OF THE SITE:

None.

RELEVANT PLANNING POLICY

The 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham (DPD). The application site is unallocated.

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

- Policy 1 - Climate change and sustainable development;
- Policy 2 - Communities;
- Policy 3 - An address of choice;
- Policy 5 - Promoting accessibility and sustainable transport options;
- Policy 9 - Local environment;

Policy 10 - Affordable housing;
Policy 14 - Supporting Oldham's Economy
Policy 18 - Energy;
Policy 19 – Water and Flooding;
Policy 20 - Design;
Policy 25 - Developer Contributions

CONSULTATIONS

Highway Engineer	No objections subject to condition and a legal agreement for waiting restrictions.
Environmental Health	No objections subject to conditions regarding landfill gas and ground contamination and the control of noise.
GM Archaeological Unit	No objection
Drainage	No objection subject to conditions relating to surface and foul water drainage and provision of SUDS Management.
United Utilities	No objection subject to conditions.
Transport for Greater Manchester	No objection.

REPRESENTATIONS

This application was publicised by site notice, press notice and neighbour letters. No representations were received.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of Development
- Amenity
- Highways
- Ground conditions.

Principle of Development

This site was last used for employment purposes. DPD Policy 14 states '*Development proposals which would result in the loss of a site currently or most recently used for employment purposes to other uses should include measures to outweigh the loss of the site and support Oldham's economy and the regeneration plans of the borough.*' The applicant has failed to fully demonstrate that the employment use is no longer viable.

However, at present the Council is not able to demonstrate a 5-year housing land supply and the Housing Delivery Test indicates that the delivery of housing has been substantially below the housing requirement for the past 3 years. Therefore, Local Plan policies that affect the supply of housing are considered to be out of date and the 'tilted balance' provided by paragraph 11 (c) (d) of the NPPF applies to the consideration of this application. Planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF when taken as a whole or, where specific policies in the NPPF indicate development should be restricted.

In this instance there is a negative economic aspect, i.e., the loss of employment land/buildings contrary to Policy 14. However, there is no apparent evidence that the loss of this employment site, in its somewhat run-down condition, will result in substantial harm to Oldham's economy and is therefore considered only minimal negative economic harm. This harm should be weighed against the positive benefits of a development of a brownfield site currently in disrepair.

Subject to the submission of an acceptable layout at the reserved matters stage, the development is not considered likely to result in environmental harm. A development of housing is likely to have some social and economic benefits for the locality. Furthermore, the development would add up to 19 dwellings on the council's 5-year supply of housing.

Development exceeding 15 dwellings is within the threshold for affordable housing. In this instance the applicant has argued that the site has minimal viability. The Council has assessed the viability considering a total contribution of £35,000 is viable. Therefore, a legal agreement requiring contributions totalling £35,000 should address the following:

- Off-site affordable provision,
- Open space laying-out and maintenance costs,
- £5,000 for the Traffic Regulation Order regarding provision of waiting restrictions alongside the proposed access.

A legal agreement providing these elements would accord with policies.

On balance it is not considered that the harm of the loss of the employment site significantly or demonstrably outweighs the wider positive benefits of the development. Overall the proposal is considered to represent sustainable development and there is not a substantial or demonstrable reason on which to refuse the application.

Amenity

Details of proposed layout, scale, form or house types are not for determination at this stage, and would be subject to a further application. In principle up to 19 dwellings could be accommodated on this site, but this will be assessed fully once details of a layout are submitted.

Highways

The proposed access is capable of meeting adoptable standards. The Local Highway Authority has no highway safety concerns subject to recommended conditions. A detailed layout including parking provision would be subject to a further application. In terms of highway safety, the application is considered to accord with DPD Policy 5 and the relevant sections of the NPPF.

Ground Conditions

The site is within the Coal Authority referral zone and a suitable condition is recommended. Precautionary planning conditions are also recommended regarding contamination and landfill gas surveys and remediation measures to ensure safe and satisfactory development.

CONCLUSION

It is considered that the benefits of the scheme overall outweigh any harm caused by the proposal. As such, the development accords with the aims and provisions of NPPF and the scheme is considered to broadly accord with relevant policies of the Oldham Local Plan.

RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the following conditions, and to the applicant entering into a Section 106 agreement to cover the following matters:

A contribution of £5,000 for the cost of a Traffic Regulation Order preventing parking on Hadfield Street at the site access, and £30,000 for off-site provision of Affordable Housing and/or Open Space'

2. To authorise the Director of Economy to issue the decision notice upon satisfactory completion of the agreement.

1. Application for approval of the reserved matters of 1) Appearance 2) Landscape 3) Layout and 4) Scale shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or two years from the date of approval of the last of the reserved matters.

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

2. The development hereby approved shall be fully implemented in accordance with the approved plan which is referenced as 3301 Location Plan.

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 application for the approval of reserved matters in respect of Layout for the development shall show full details of the means of access to the buildings, gradients, sightlines, the means of servicing the buildings, the provision made for parking and/or garaging facilities clear of the highway, and the means of draining the development.

Reason - To ensure adequate highway and drainage standards are achieved having regard to Policies 5, 9 and 19 of the Oldham Local Plan.

4. No development shall commence until a site investigation and assessment into landfill gas risk and ground contamination has been carried out and the consultant's written report and recommendation 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 - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.

5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in National Planning Practice Guidance with evidence of an assessment of the site conditions, and a sustainable drainage management and maintenance plan for the lifetime of the development, 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. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 13 l/s.

The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage

scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan and drainage scheme..

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

6. Prior to the commencement of the built development hereby approved, the following details should be submitted to and approved in writing by the local planning authority:
 - a) The undertaking of a scheme of intrusive site investigations for the mine entries;
 - b) The submission of a report of findings arising from the intrusive site investigations for the mine entries;
 - c) The submission of a scheme of treatment for the mine entries and any necessary mitigatory measures to be incorporated in the development to address movement derived from the shafts, for approval;
 - d) The submission of a scheme of proposed remedial works for past shallow coal mining activity for approval.

The above works shall be undertaken in accordance with the approved details.

Reason – Prior approval of such details is necessary as they are fundamental to the initial site preparation works and to mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

7. 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, which shall be maintained for the duration of the construction works.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

8. No development comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local Plan Policy 18 and shall detail how a target area has been determined and how the development will meet this target. The development shall be carried out in accordance with approved scheme phasing arrangements and retained thereafter.

Reason – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.





APPLICATION REPORT - PA/343870/19

Planning Committee, 28 January, 2020

Registration Date: 04/09/2019
Ward: Saint James'

Application Reference: PA/343870/19
Type of Application: Full Planning Permission

Proposal: Proposed extensions and alterations to school, new all-weather playing surface to the south-east, new/extended car parking facility.

Location: Mayfield Primary School, Mayfield Road, Oldham, OL1 4LG

Case Officer: Graham Dickman

Applicant Agent : The Cranmer Trust
Halliday Meecham Architects LTD

THE SITE

Mayfield Primary School is located within a primarily residential area. There are a mix of residential properties immediately adjoining or facing the school grounds.

The school itself comprises a variety of single and two storey blocks in red brick. There are existing parking areas with access from Mayfield Road and Waverley Street. A grassed area is located at the junction of Waverley Street and Kingston Avenue, the latter a cul-de-sac overlooked by terraced houses. A hard-surfaced play area is located to the north-east of the site. A large number of established trees are also present

THE PROPOSAL

It is proposed to erect extensions to the school comprising:

- A two-storey pitched roof extension for eight Junior classrooms (4 on each floor) occupying part of the existing hardstanding.
- A hall extension occupying a gap between existing buildings facing Mayfield Road.
- A nursery toilet block to the south-east elevation.
- Fitting-out of the undercroft as 2-year-old nursery provision to the south-east elevation.
- A dining hall extension.

As a result of the proposal, the capacity of the school would increase from 210 to 420 pupils, and the number of full-time equivalent staff would increase from 27 to 49. There will also be a 60 pupil place 3/4-year-old nursery and 15 place two year old nursery provision.

The vast majority of pupils live within 1 mile of the school.

The school includes breakfast and after school clubs opening at 8am and finishing at 4.15pm.

RELEVANT HISTORY OF THE SITE:

Previous extensions to the school were approved between 2008 and 2011.

RELEVANT PLANNING POLICY

Local Development Framework for Oldham (DPD). The application site is unallocated within the plan.

The following DPD policies are relevant:

Policy 2 - Communities
Policy 5 - Promoting Accessibility and Sustainable Transport Choices
Policy 9 - Local Environment
Policy 18 - Energy
Policy 19 - Water and Flooding
Policy 20 - Design
Policy 21 - Protecting Natural Environmental Assets
Policy 23 - Open Spaces and Sports

Saved UDP Policy D1.5 - Protection of Trees on Development Sites

CONSULTATIONS

Highway Engineer	No objection subject to conditions.
Environmental Health	No objections subject to submission of a travel plan, and a contaminated land investigation.
Trees Officer	Has concerns at the loss of trees at the site and would require replacement planting.
Coal Authority	No objections, subject to advice in respect of previous coal mining activity.
GM Ecology Unit	Requests preliminary inspection for bats of hipped roof building to be extended.
GM Police	A Crime Impact Statement is requested
Sport England	The development does not fall within the remit for consulting Sport England.
Drainage	No comments received.
Transport for Greater Manchester	No objection subject to a School Travel Plan and review of the Traffic Regulation Orders near the site.

REPRESENTATIONS

Councillor Angela Cosgrove has noted that most residents are supportive of the proposals, but would like reassurance regarding increased parking/ dropping off demand, how construction traffic will be managed, and the need for ball-stop fencing to the MUGA.

The occupiers of 107 properties in the vicinity of the site have been notified. Three letters have been received.

The following points have been raised:

- The proposals will exacerbate existing highway problems caused by inconsiderate and dangerous parking, and increase demand for parking. Suggest making Waverley Street and Mayfield Road one-way;
- Removal of trees could cause damage to neighbouring properties due to subsidence, and suggest school should pay for structural survey of each property;
- Object to gateway on Kingston Avenue due to noise and disturbance, dust, degradation of road surface, disruption to residents' parking (including for carers) and children playing. The road should be re-surfaced and gateway removed on completion;
- Use of the MUGA should be clarified, including potential floodlighting;
- Impact on views from neighbouring properties.
- Some of red edge application site is part of a neighbouring property (NB the plan has been amended to remove this area).

PLANNING CONSIDERATIONS

DPD Policy 2 supports the provision of improved community and educational facilities across the borough, whilst Paragraph 94 of the NPPF encourages local planning authorities to take a proactive and collaborative approach to ensuring sufficient choice of school places is available to meet existing demand and pressure from new housing developments in the area.

A real demand has been identified in East Oldham for 2021 and onwards, with a particular peak expected in the September 2021 intake, according to the education department's forecasts. These indicate that for East Oldham in 2021 demand for places will be at 784 in Reception. Should the development at Mayfield Primary School not complete by September 2021, the local authority will have 720 places for a predicted demand of 784. The spare capacity as a borough in terms of places versus demand will reduce to just 1 place. Therefore, these places will have an impact borough wide, not just in East Oldham.

Consequently, this expansion is vital to the local authority's duty to provide school places, and is an important factor in the consideration of this application.

Highways and Parking

Whilst the Highway Officer has some concerns at the overall level of parking available within the site and potential demand from the increased pupil and staff numbers, this must be weighed alongside the educational benefits of providing the additional facility at an established school site which is in close proximity to a densely populated area in which many of the pupils reside.

It is noted that despite letters being sent to over 100 neighbouring properties, no significant response has been received, which suggests that this is not presently a major issue in the area.

A Travel plan submitted with the application indicates that there are 28 parking spaces at present, 7 of which are not used. No parents are allowed to park on site, although there is a visitor car park. The school believes that with the hours that staff work they could double-park, and this has been included within the car park to increase the level of parking available. The Travel Plan includes measures to promote the benefits of walking or cycling to school, undertaking annual survey and questionnaires on barriers to sustainable travel, and promoting sustainable access through newsletters, monitoring of the parking of cars, and assessing action which can be taken to improve the situation.

Impact on Trees and Ecology

The application is accompanied by an Arboricultural Impact Assessment and the Trees Officer has expressed concerns at the level of loss, including some mature specimens alongside Kingston Avenue. Options have been investigated to determine whether those trees could be retained by use of a cellular confinement system for placing the MUGA above existing ground levels. However, this would not ensure possible future root damage, and given the constraints of the site, it is not possible to create more space between the MUGA and the trees.

Similarly, the physical constraints of the site mean that replacement tree planting, as required by saved UDP Policy D1.5, cannot be achieved on-site. It is therefore recommended that the applicant enters into a legal agreement for a financial contribution of £13050 for the provision of replacement tree planting at Stomeleigh Park.

It is clearly unfortunate that established trees, and some more recently planted specimens, will need to be removed to facilitate the development. However, this must again be weighed against the benefit to the borough of much needed increased school capacity.

In respect of ecology, GMEU indicates that most of the buildings which are being extended have a negligible potential to support roosting bats. However, there is one building with a hipped roof which does have some bat roosting potential, and there is some good

commuting/foraging habitat in the trees. A preliminary inspection for bats is recommended. The applicant has indicated that the roof of this building will not be affected by the development.

Impact on Residential Amenity

Whilst the proposals will increase levels of activity, the proposal relates to an established school site.

In terms of the relationship of new buildings to neighbouring residential properties, the largest of the new structures is the two-storey classroom extension at the north-eastern end of the existing buildings, its height reinforced by a pitched roof structure and large amounts of glazing. A separation distance of approximately 22 metres will be maintained to the houses facing the site across Mayfield Road, which added to the retention of existing tree cover on this frontage will ensure a satisfactory relationship.

The closest relationship will be to the front of 18 Kingston Avenue. The new building will be visible at the front of this property, albeit offset by 5 metres and with a 17 metre separation. Nevertheless, the proposed removal of tree cover in this area would potentially expose the property to oblique views, and the plans have been amended to allow for the retention of an intervening tree.

Other new build structures are of a smaller scale, and secure satisfactory relationships to the neighbouring boundaries.

A new vehicular entrance will be formed fronting Mayfield Road at a point where existing school waiting restrictions are in place. This serves a small parking area and activity associated with it should not therefore impact adversely on nearby residents.

The introduction of the MUGA has potential to impact on adjacent residents, and therefore it would be prudent to limit the hours in which the facility can be used. No floodlighting of this facility is envisaged.

Construction access for the duration of the development was originally shown to be taken via a new access on Kingston Avenue, which is a narrow cul-de-sac, subject to existing on-street resident parking. However, it is now proposed to create a new temporary access directly off Waverley Street. A Construction Environmental Management plan will be required to regulate the construction process including hours of working and vehicular access, and control of noise, dust and associated impacts.

Conclusion

The proposal will make a significant contribution towards improving the provision of educational facilities on the existing school site, in line with both national and local planning policies. Whilst there may be adverse impacts in relation to increased traffic and loss of trees, these must be weighed against the educational benefits, and in this context, the balance is concluded to be in favour of the scheme.

RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the following conditions, and to the applicant entering into a Section 106 agreement for a financial contribution towards replacement tree planting at Stoneleigh Park.
 2. To authorise the Director of Economy to issue the decision notice upon satisfactory completion of the 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 which are referenced as:

4843-HMA-MF-ZZ-DR-A-200001 Rev T5 - Site As Proposed
4843-HMA-MF-ZZ-DR-A-10501 Rev T4 - Site As Demolished
4843-HMA-MF-00-DR-A-00205 Rev PL1 - Level 0 (Ground Floor) Classroom Extension As Proposed
4843-HMA-MF-01-DR-A-00207 Rev PL1 - Level 1 (First Floor) Classroom Extension As Proposed
4843-HMA-MF-00-DR-A-00212 Rev PL1 - Level 0 (Ground Floor) WC Extension As Proposed
4843-HMA-MF-00-DR-A-00213 Rev PL1 - Level 0 (Ground Floor) Dining Extension As Proposed
4843-HMA-MF-00-DR-A-00214 Rev PL1 - Level 0 (Ground Floor) Hall Extension As Proposed
4843-HMA-MF-B1-DR-A-00222 Rev PL1 - Basement Nursery Remodel As Proposed
4843-HMA-MF-ZZ-DR-A-00230 Rev PL1 - Floor Plans As Proposed
4843-HMA-MF-ZZ-DR-A-00251 Rev PL1 - Classroom Extension Elevations As Proposed
4843-HMA-MF-ZZ-DR-A-00252 Rev PL1 - Classroom Extension Elevations As Proposed
4843-HMA-MF-ZZ-DR-A-00253 Rev PL1 - WC Extension Elevations As Proposed
4843-HMA-MF-ZZ-DR-A-00255 Rev PL1 - Dining Extension Elevations As Proposed
4843-HMA-MF-ZZ-DR-A-00257 Rev PL1 - Hall Extension Elevations As Proposed
4843-HMA-MF-ZZ-DR-A-00261 Rev PL1 - Overall Elevation NW As Proposed
4843-HMA-MF-ZZ-DR-A-00262 Rev PL1 - Overall Elevations SW and NE As Proposed
4843-HMA-MF-ZZ-DR-A-00263 Rev PL1 - Overall Elevation SE As Proposed

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 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.

4. No development comprising the erection of any external walls shall take place until a specification or samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

Reason - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

5. Prior to the commencement of any part of the development hereby approved, details

of the method of surface water and 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 thereafter.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy 19 of the Oldham Local Plan.

6. 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, and include (i) the means of highway access and parking for construction vehicles, plant and construction workers' vehicles and sustainable travel methods for construction workers, (ii) loading and unloading of plant and materials, and (iii) wheel cleaning facilities.

No access for construction purposes shall be taken at any time from Kingston Avenue.

The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, which shall be maintained for the duration of the construction works.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

7. The use of the multi-use games area hereby permitted shall only be carried out on Monday to Friday between 09.00 and 17.00 hours and on Saturdays between 09.00 and 12.00 hours, including during Bank or public holidays, and no floodlighting or similar artificial lighting shall be used at any time.

Reason - To safeguard the amenity of the adjoining premises and the area generally, having regard to Policy 9 of the Oldham Local Plan.

8. No development other than site preparation works shall take place until full details of both hard and soft landscape works with an associated implementation plan, 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.

All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, 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 – Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to a high acceptable standard having regard to Policies

9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

9. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

Reason - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

10. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981, having regard to Policy 21 of the Oldham Local Plan.

11. No development comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local plan Policy 18 and shall detail how a target area has been determined; and how the development will meet this target.

The development shall be carried out in accordance with the approved scheme phasing arrangements and retained as operational thereafter.

Reason – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

12. The development hereby approved shall not be brought into use until the access to the site and car parking spaces have been provided in accordance with the approved plan Ref: 4843-HMA-MF-ZZ-DR-A-20001 Rev T5 and with details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure 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 having regard to Policies 5 and 9 of the Oldham Local Plan.

13. The use of the building hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.

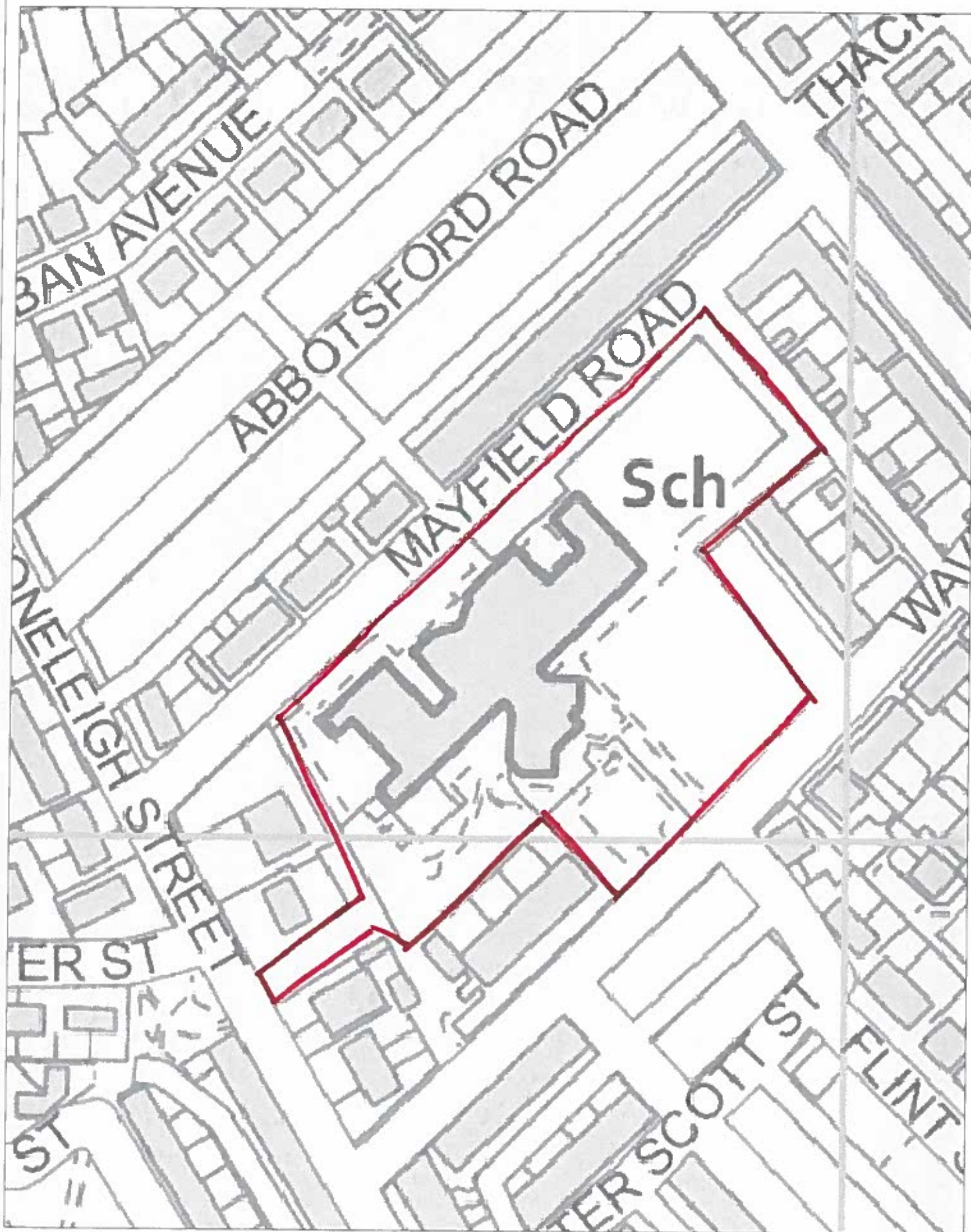
Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

14. Within three months of the first occupation of the development hereby approved, a green travel plan for the whole development shall be submitted to and approved in writing by the Local Planning Authority. Measures contained within the approved plan shall be fully implemented within six months of first occupation of the extensions hereby approved.

Reason - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.

15. The development hereby approved shall not be brought into use until a detailed scheme of School Safety Zones, including the provision of all appropriate signs, markings and pedestrian crossings and traffic calming features on the approaches to the site along Mayfield Road, Vulcan Street, Waverley Street and Stoneleigh Street has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such works that form the approved scheme shall be completed before any part of the development is brought into use.

Reason - To facilitate the safe movement of pedestrians, cyclists and other highway users in the vicinity of the development.



APPLICATION REPORT - PA/343874/19

Planning Committee, 28 January, 2020

Registration Date: 06/09/2019
Ward: Chadderton North

Application Reference: PA/343874/19
Type of Application: Full Planning Permission

Proposal: 1. Single storey changing facility and classroom block. 2. Three storey science block. 3. Third floor addition to roof of main school building to form library. 4. Extension to car park at rear of school.

Location: North Chadderton High School, Chadderton Hall Road, Chadderton, OL9 0BN

Case Officer: Osian Perks

Applicant Agent : Oldham Council
Unity Partnership

THE SITE

This application relates to North Chadderton High School, a large high school fronting Chadderton Hall Road. To the rear and west side, the site abuts residential development. The school consists of a large, irregularly shaped school building to the front of the site and a single storey building, significantly smaller in size to the rear of the site.

Car parks are located to the front and rear of the site, accessible from entrances to the on Chadderton Hall Road and Cathedral Road. Playing fields and artificial grass sports courts are located to the east of the main school building.

THE PROPOSAL

Planning permission is sought for the following:

- The erection of a three storey science block to the rear of the school built in a combination of brick and cladding with two classrooms at each level.
- The extension of the car park to the rear of the school, including the relocation of existing lighting columns.
- The creation of a new detached changing facility/toilets to the front of the artificial grass pitches.
- An extension at third floor level to the main school building to create a new library. This would positioned close to the centre of the main school building

RELEVANT PLANNING HISTORY

The site has been subject to a number of previous applications, including a comprehensive redevelopment of the school in the last 10 years (PA/055826/08 and PA/058622/10) and provision of a 3G all-weather sports pitch (PA/332609/12).

RELEVANT PLANNING POLICY

The 'development plan' is the Joint Development plan Document which forms part of the Local Development Framework for Oldham (DPD). The application site is unallocated by the plan.

The following DPD policies are relevant:

Policy 2 - Communities
Policy 9 - Local Environment
Policy 20 - Design
Policy 21 - Protecting Natural Environmental Assets

Saved UDP Policy D1.5 - Protection of Trees on Development Sites

REPRESENTATIONS

The application has been publicised by site notice and letters to the occupiers of neighbouring properties.

One representation has been received raising concern regarding illegal parking on Kiln Hill Lane, Chadderton Hall Road and Kiln Hill Close, blocking bus stops, driveways, pavements and affecting traffic flows, and cars of parents and guardians left running.

CONSULTATIONS

Highway Engineer	No objections subject to conditions
Environmental Health	No objections subject to conditions regarding contaminated land investigation and at least one electrical vehicle charge point.
Coal Authority	No objections
Natural England	No objections.
Greater Manchester Ecology Unit	No objections subject to landscaping conditions.
Greater Manchester Police	No objections subject to conditions relating to the Crime Impact Statement
Architectural Liaison Unit	Impact Statement
Tree Officer	No objections subject to conditions
Street Lighting	No objections
Drainage	No objections
United Utilities	No comments received
Transport for Greater Manchester	Conditions suggested.
Cadent Gas	No objections
Sport England	No objections subject to community use agreement condition being attached to any subsequent approval.

PLANNING CONSIDERATIONS

Main issues to consider are:

Principle of Development
Residential Amenity
Visual Amenity
Drainage
Trees and Ecology
Transport and highways
Land Contamination/Stability

Principle of Development

DPD Policy 2 stipulates that the council will support the development and improvement of educational facilities that benefit the borough's population. The development will ensure that the currently over-subscribed school can adequately accommodate the current and anticipated student cohort. As such, it is considered that the proposed development would accord with the aims of Policy 2 and is acceptable in principle.

Paragraph 92 of the NPPF seeks to ensure the provision of social, recreational and cultural facilities and services (such as sport facilities) as shared spaces of benefit to local community. The creation of the changing facility provides an opportunity to create an

inclusive community facility in accordance with this aspiration. Through the application of a condition recommended by Sport England requiring a community agreement requiring details of community use it is considered that the aim set out in paragraph 92 can be achieved.

Residential Amenity

By virtue of their size and siting in relation to the existing school and the distance of separation between them and nearby residential properties, the erection of the proposed three storey science block and library extension would not result in an unacceptable loss of light or privacy to, or have an oppressive impact upon, the occupants of nearby residential properties.

The extension of the car park to the rear of the school site would result in more vehicles manoeuvring within close proximity to the boundary with the properties fronting Cathedral Road and Coventry Grove. Given the likely hours of use, similar to the opening hours of the school and the likely intensity of use, peaking around school starting and finishing times, it is not considered that the noise impact of this element of the development would be so severe as to have an unacceptable adverse impact upon nearby residents.

Whilst lighting would be visible from neighbouring residential properties, the Council's Lighting Engineer considers that the light spillage would not be substantial enough as to have a significant adverse impact upon residents.

Similarly, the distance of separation between the proposed changing facility and nearby residential properties would not result in an unacceptable loss of light or privacy to, or have an oppressive impact upon, the occupants of nearby residential properties. Whilst there is likely to be some noise associated with its use, such as congregation outside before PE classes, this is associated with the use of the existing artificial pitch and would be unlikely to cause significant additional levels of disturbance.

It is considered therefore that the proposed development would accord with the residential amenity aims of Policy 9.

Visual Amenity

The designs of the proposed science block and library extension are sympathetic to the design of the main school building. The proposed use of brick and cladding is reflective of the school's existing material palette. As an addition to a school building which is of a considerable size, the proposed extensions would not appear unduly prominent or dominant.

The extension of the car park to the rear of the school and the relocation of existing flood lights would not appear out of character in the school setting and would not, by virtue of their size, have a detrimental impact upon the character of the wider area.

The large glazed portion of the south elevation and palette of materials, similar to those of the existing school, ensures that the proposed changing facility appears sympathetic in appearance to the main school building. By virtue of its height and overall size, it would appear clearly subservient to the main school building.

It is therefore considered that the proposal would accord with the visual amenity aims of DPD Policies 9 and 20.

Drainage

As indicated in the consultee response from the Council's drainage team, the proposed method of drainage would be adequate for the proposed development without adversely impacting upon the existing drainage network or surrounding area.

Trees and Ecology

To ensure that trees close to the development sites are adequately protected during the construction phase an arboricultural impact assessment and method statement are required before the commencement of development.

The Greater Manchester Ecology Unit indicates that there is limited scope for biodiversity benefits. However there may be scope for small biodiversity gains through the introduction of flowering/ or fruiting plant species which will attract insect pollinators. A landscaping condition requiring details of these is recommended.

Transport and Highways

A transport statement has been submitted which indicates the additional impact of the development upon the transport network.

Additional pupils travelling to and from the school can put additional strain on the highway network and increase demand for on-street parking nearby. As stipulated in the response from TfGM it is considered that a travel plan should be submitted. Along with this, it is advised measures to ensure the school is accessible via sustainable methods of transport are incorporated in the scheme including the introduction of cycle storage facilities to ensure compliance with Policy 5.

The Environmental Health Officer has indicated that an electric vehicle fast charge should be installed and a condition requiring this has been recommended to encourage this use of transport which has less of an impact upon air quality than traditional vehicles.

Land Contamination/Stability

Whilst it has been indicated within the Coal Authority consultee response that a coal seam is present beneath the southern part of the site, it is also indicated this is at a depth of which is unlikely to impact surface stability.

Within the comments received from the Environmental Health Officer, it is recommended that a condition is attached to any subsequent approval, requiring site investigation to be carried out on site to identify the extent of land contamination on site and remedial measures where appropriate in order to protect public safety and the environment. Such a condition is recommended in accordance with Policy 9..

CONCLUSION

The proposed development would be acceptable in principle, appear acceptable within its setting and would not have a significant adverse impact upon the amenities of the occupants of nearby residential properties. Transport and Highway impacts can be adequately mitigated through the creation of a travel plan and other identified issues can be mitigated through the application of conditions given below. As such the proposal is recommended for approval in accordance with Policy D1.5

RECOMMENDATION

It is recommended that the application should be approved 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 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 dated 07/11/2019 which are referenced as:

NCS-KBS-01-RF-DR-A-1205,
NCS-KBS-01-00-DR-A-9102 Revision P02,
NCS-KBS-01-00-DR-A-1202 Revision P02,
NCS-KBS-01-ZZ-DR-A-1350 Revision P02,
NCS-KBS-03-00-DR-A-1200 Revision P02,
NCS-KBS-03-RF-DR-A-1201 Revision P02,
NCS-KBS-03-ZZ-DR-A-1352 Revision P02,
NCS-KBS-03-00-DR-A-9101 Revision P02,
NCS-KBS-02-ZZ-DR-A-1351 Revision P02,
23407-KBS-04 -ZZ-DR-A-9103 Revision P03,
23407-KBS-ZZ-ZZ-DR-A-1401 Revision P02,
23407-KBS-ZZ-ZZ-DR-A-1053 Revision P02,
23407-KBS-ZZ-ZZ-DR-A-1051 Revision P02,
NCS-KBS-01-02-DR-A-1204 Revision P02.

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 until a specification for the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

Reason - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

4. No development comprising the construction of any building shall take place until full details of both hard and soft landscape works with an associated implementation plan, 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.

All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, 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 – Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

5. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of

2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

Reason - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

6. The use of the building hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.

Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

7. Prior to the occupation of the development, details of a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show measures to reduce the need to travel to and from the site by private transport and the timing of such measures. Within six months of the occupation of the development the plan shall be implemented in accordance with the details as approved.

Reason- To ensure that the development accords with the sustainable transport aims of policy 5 of the Oldham Local Plan.

8. No development shall commence 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 - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.

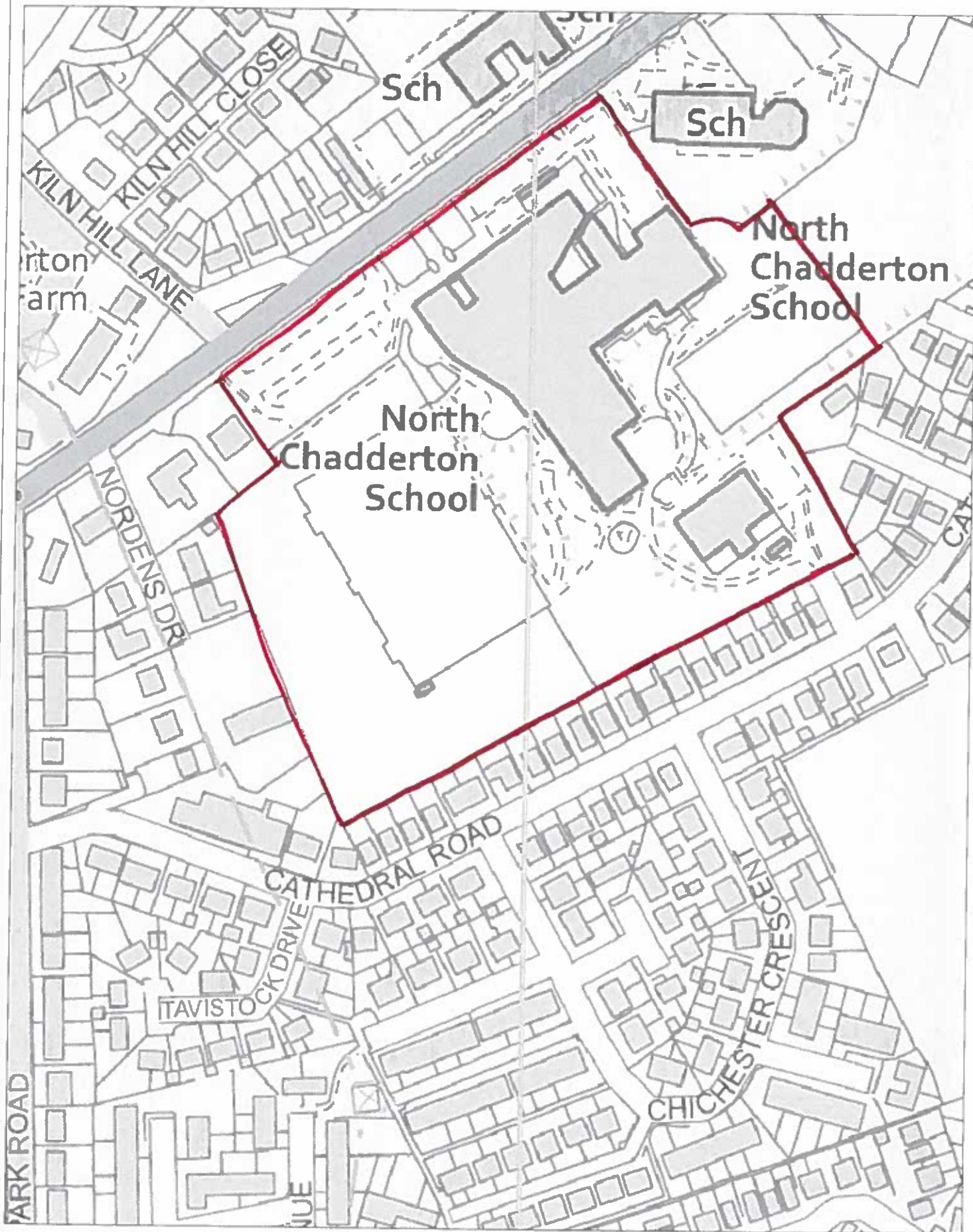
9. Prior to first use of the changing rooms a community use agreement should be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the changing rooms and any other sports facilities intended for community use that the changing rooms will support, and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason - To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy 2 and section 8 of the NPPF.

10. Prior to the first occupation of the three storey extension hereby approved, a scheme for the provision of an electric vehicle fast charging facility shall be installed in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority.

Reason - To encourage the use of electrical vehicles which benefit local air quality in accordance with DPD Strategic Objective 1 and Policy 5 stress a need to consider

environmental concerns and local air quality.



APPLICATION REPORT - PA/343991/19

Planning Committee, 28 January, 2020

Registration Date: 02/10/2019
Ward: Failsworth West

Application Reference: PA/343991/19
Type of Application: Full Planning Permission

Proposal: Erection of 12 no. dwellings and associated works including the laying out of roads, footways and landscaping.
Location: Land at the former Lancaster Club, A663 Broadway, Failsworth, Oldham
Case Officer: Dean Clapworthy

Applicant Agent : Bellway Homes (Manchester Division)

THE SITE

The proposal relates to a 0.38 hectare area of generally level land west of Broadway, with residential units relating to the associated residential development to the south and west and open land to the north. The Lancaster Club, a Grade II listed building is around 40m south-west across from the nearest proposed dwelling.

The site is presently utilised for materials storage relating to the on-going construction of the neighbouring residential development.

THE PROPOSAL

The proposal is for the erection of 12 dwellings and associated works. There would be eight detached dwellings and two pairs of semi-detached laid out around new cul-de-sacs. All would be two storey and finished in red brick with grey concrete roof tiles. Each would have two off-street parking spaces. Boundaries would be formed by a mix of piers brick walls with timber infills to frontages and timber fences between gardens.

RELEVANT HISTORY OF THE SITE:

PA/337955/16: Reserved Matters application relating to access, appearance, landscaping, layout and scale relating to application PA/337778/15 for the erection of 148 no. dwellings and other associated development. Approved. May 2016.

PA/337778/15: Variation of conditions 1 (relating to the reserved matters to be considered), 6 (Energy) and 19 and removal of condition 13 (Removal of emergency access) relating to outline application PA/333602/13. Approved. March 2016.

PA/336254/14: Reserved matters application relating to part of the site (Phase 2) approved under outline permission PA/333602/13 for provision of a new soccer centre. Appearance, Landscaping, Layout and Scale to be considered. Approved. February 2015.

PA/334034/13: Reserved matters application relating to phase 1 of PA/332371/12 for the relocation and construction of allotments. Layout, scale, appearance and landscaping to be considered. Approved. August 2013.

PA/333602/13: Variation to conditions associated with planning permission PA/332371/12. Approved. May 2013.

PA/332371/12: Outline application for a residential-led mixed use scheme, to include engineering works, change of use and construction of new buildings and structures to provide shop (A1), financial and professional services (A2), restaurants and cafe's (A3), drinking establishments (A4), hot food takeaway (A5), dwelling houses (C3), non-residential institutions (D1) and assembly and leisure (D2) together with ancillary and associated development including open space, car parking and vehicular access. Access to be considered. All other matters were reserved. Approved. August 2012.

RELEVANT PLANNING POLICY

The 'development plan' is the Joint Development plan Document which forms part of the Local Development Framework for Oldham (DPD). The application site is unallocated by the plan.

The following policies are relevant:

Policy 1: Climate change and sustainable development

Policy 3: An Address of Choice

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

Policy 11: Housing

Policy 19: Water and Flooding

Policy 20: Design

Policy 23: Open Spaces and Sports

Policy 24: Historic Environment

Policy 25: Developer Contributions

CONSULTATIONS

Drainage	No comment.
United Utilities	No objection, subject to conditions relating to surface and foul water drainage.
Greater Manchester Police Architectural Liaison Unit	No objection, subject to a condition requiring the implementation of the security measures set out in the Crime Impact Statement.
Environmental Health	No objection, subject to a condition requiring implementation in accordance with the recommendations of the Ground Investigation.
Highway Engineer	No objection, subject to conditions relating to the provision of the access and parking spaces and highway improvements at the junction between the existing and proposed access roads.

REPRESENTATIONS

The application has been advertised by direct neighbour notification and press and site notices. No representations have been received.

PLANNING CONSIDERATIONS

The principal issues pertaining to the assessment and determination of the proposal are:

- Principle of the development;
- Impact on visual amenity (including impact on heritage);
- Access and highway safety;
- Impact on amenity.

Principle of the development

At present the Council is not able to demonstrate a 5-year housing land supply and the

Housing Delivery Test indicates that the delivery of housing has been substantially below the housing requirement for the past 3 years. Therefore, Local Plan policies that affect the supply of housing are considered to be out of date and the 'tilted balance' provided by paragraph 11 (c) (d) of the NPPF applies to the consideration of this application. Planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF when taken as a whole or, where specific policies in the NPPF indicate development should be restricted.

The site is within the urban area, close to local goods and services and public transport routes and is therefore considered to be in a sustainable location for further residential development. The proposal is therefore acceptable in principle, subject to consideration of the following matters.

Open space

The proposal is required to contribute towards the provision of new or enhanced open space, unless it can be demonstrated that it is not financially viable. Given the limited scale of the site and the development it would be appropriate to seek a contribution or the enhancement of existing off-site open space. In this instance, it has been identified that a financial contribution should be provided for the enhancement of Moston Brook. This would be secured by a Section 106 obligation.

Impact on visual amenity (including impact on heritage)

The proposal comprises a variety of housetypes laid out in cul-de-sacs. The layout and housetypes would reflect the broad form, proportions and incorporate similar materials to the on-going related development. The proposal would therefore reinforce the suburban residential character presently being established at the associated site.

The adjacent Failsworth Lodge (the former Lancaster Sports and Social Club) is a Grade II listed Georgian former country house. As a result of the on-going residential development, the only remaining historic elements of the setting of the building that remain legible and make a positive contribution to its heritage significance are the remains of the carriage drive and the open grassed area to the immediate south.

The supporting Heritage Statement finds that the site does not make any positive contribution to the understanding or appreciation of the heritage value of the listed building. Therefore, it concludes that the proposed development would have a neutral effect on the heritage significance and thus no adverse impact on the historic environment, and this is considered to be an appropriate assessment.

Given the above, the proposal would not have any adverse impacts on visual amenity, would reinforce the developing residential character in the adjoining area and would have no adverse impact on the adjacent listed building to accord with Local Plan Policies 20 and 24.

Access and highway safety

The Highway Officer confirms that an additional 12 dwellings in this location would not generate any significant amounts of traffic or demand for on-street parking on the local highway network. Some amendments are required to the existing highway layout to ensure that the proposed development site can be accessed safely, as well as ensuring the continued safe use of the highway by all other users of the highway. This would include the provision of a roundabout at the junction of the existing access and proposed access, which has been agreed in principle.

The proposal would therefore be compliant with Local Plan Policy 5.

Impact on amenity

Due to the layout, orientation and arrangement of fenestration to the elevations of the

proposed dwellings, the development would not have any unacceptable impacts upon neighbouring residential amenity or between the proposed dwellings.

The Technical housing standards - nationally described space standard is a guide to adequate minimum space standards in new dwellings. Taking those standards into consideration, it is considered that the dwellings achieve a satisfactory degree of amenity in accord with Local plan Policy 9.

Conclusion

The proposal would deliver much needed housing in the borough in a sustainable location without detriment to highway safety. Furthermore, the proposal would appropriately assimilate with the on-going adjacent residential development and would not harm the setting of the listed building, and would make an appropriate contribution for the enhancement of nearby open space.

As such, the proposal would comply with the above relevant policies of the Local Plan and the NPPF.

RECOMMENDATION

It is recommended that Committee resolves:

1. To grant planning permission subject to the conditions set out below and to a Section 106 obligation being secured to provide a financial contribution of £60,636 for the improvement and maintenance of off-site open space.
2. To delegate authority to the Director of Economy to issue the decision notice upon satisfactory completion of the planning obligation.

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

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

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

Location Plan (ref: BHM163/LP02)
Planning Layout (ref: BHM163/PL01 Rev P4)
Proposed Mini-Roundabout Arrangement (ref: 2175-F07 Rev C)
Housetype Range dated January 2020
Materials Plan (ref: BHM163/ML01)
Fencing Layout (ref: BHM163/FL01 Rev P1)
Hard Surfacing Plan (ref: BHM163/HS01 Rev P1)
Cross-Section Drawing (ref: BHM163/S02)
Planting Plan (ref: LDS362-04A)
450 - 900mm high knee rail fence (ref: BH/MAN/SD/FD013)
900mm / 1100mm high knee rail fence (ref: BH/MAN/SD/FD016)
1.8m Closed Boarded Fence (Acoustic) (ref: BH/MAN/SD/FD019)
900mm / 1.2m High Wrought Iron Railings (ref: BH/MAN/SD/WRG002)

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 materials to be used in the construction of the external surfaces of the development, including boundary treatment, shall be in accordance with those referred to on the approved planning application documentation.

Reason - To ensure that the appearance of the development is acceptable having regard to Policy 20 of the Oldham Local Plan.

4. The drainage for the development hereby approved shall be carried out in accordance with the principles set out in drawing 30153/1 Rev Q (Foul & Surface Water Drainage Design). For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, no surface water will be permitted to drain directly or indirectly into the public sewer.

Reason - In order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.

5. All soft landscape works shall be carried out in accordance with the approved plan (Ref: LDS362-04A) prior to the occupation of any part of the development or in accordance with a programme agreed in writing 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.

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 having regard to Policies 9, 20 and 21 of the Oldham Local Plan.

6. No dwelling shall be occupied until:

a) The access road and car parking space for that dwelling has been provided in accordance with the approved plan Ref: BHM163-PL01 and with details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces.

b) A highway improvement at the junction of the existing access road and the proposed access road into the development site has been provided in accordance with the approved plan Ref: 2175-F07 Rev C and with details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access.

Thereafter, all works that comprise the agreed details in relation to (a) and (b) shall be implemented in full and retained thereafter.

Reason - To ensure safe access into the site and adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

7. No dwelling shall be occupied until a highway improvement scheme comprising the abandonment of the existing access road and gap in the central reservation on Broadway and reinstatement with full footway construction has been implemented in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works that comprise the approved highway improvement scheme shall be implemented in full and retained thereafter.

Reason - To ensure that safe access into the site exists in the interest of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

8. Notwithstanding the approved plans, the dwelling at Plot 1 shall not be occupied until a drawing has been submitted to and approved in writing by the local Planning

Authority that shows that the access to the driveway and parking spaces do not conflict with the operation of the nearby roundabout. Such works that form part of the approved scheme shall be retained thereafter

Reason - To ensure that safe access in to the site exists in the interest of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

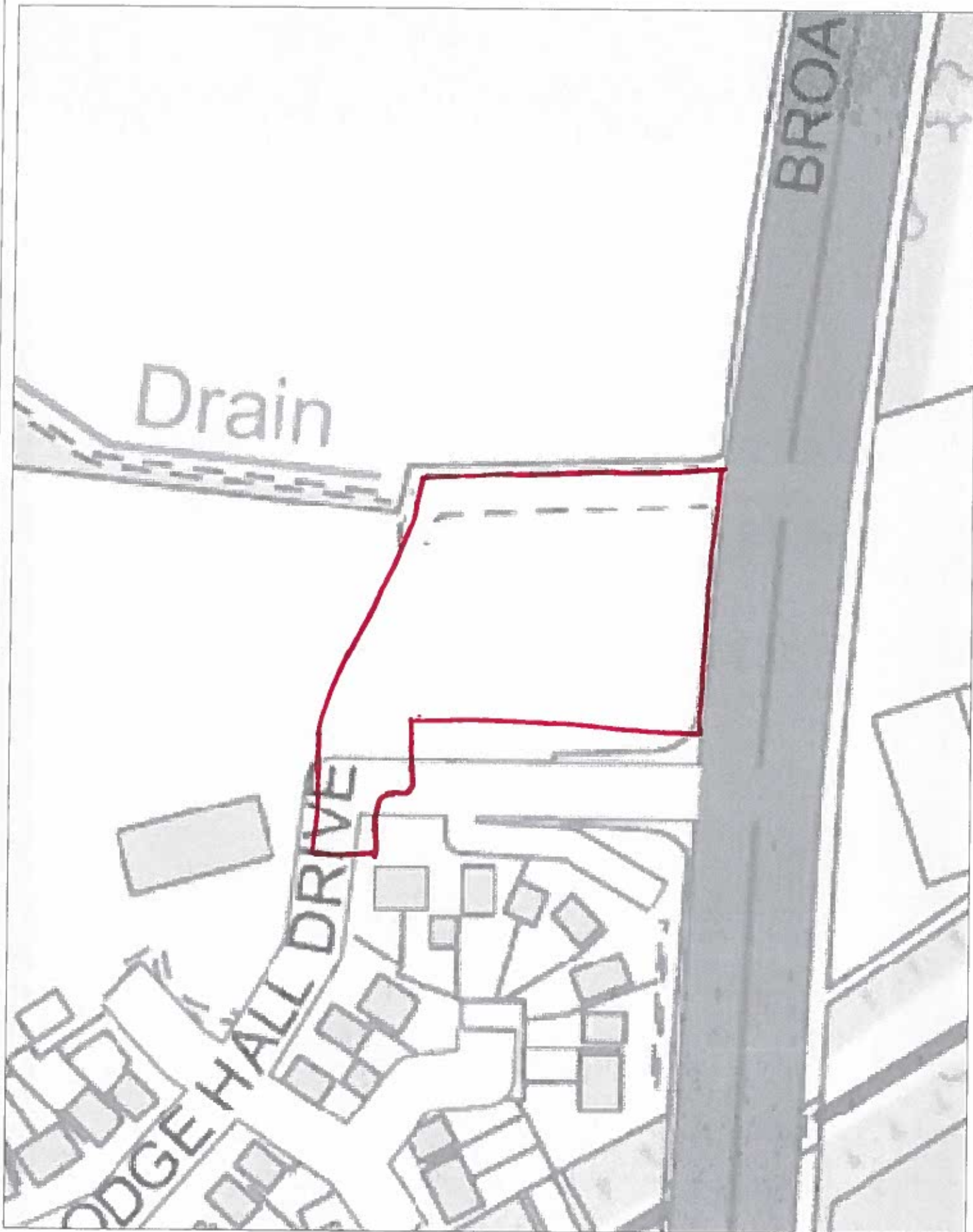
Reason - In the interests of retaining the open plan housing layout and minimising the presence of the housing development within the setting of the Grade II listed Lancaster Club in accordance with policies 20 and 24 of the Oldham Local Plan.

10. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures set out at section 6.0 of the Geo-Environmental Ground Investigation submitted with the application.

Reason - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan.

11. The development shall be carried out in accordance with the physical security measures contained in the Crime Impact Statement (Ref. v1.0 dated September 2019).

Reason - To create safe and accessible environments in accordance with Policy 20 of the Oldham Local Plan.





APPLICATION REPORT - PA/344056/19

Planning Committee, 28 January, 2020

Registration Date: 17/10/2019
Ward: Coldhurst

Application Reference: PA/344056/19
Type of Application: Full Planning Permission

Proposal: 1) Demolition of two teaching blocks (Bronte & Bevan) and two mobile classrooms. 2) Erection of a new two storey teaching block on existing college car park/landscaping. 3) Creation of new car parking spaces on the college campus to mitigate loss.

Location: Oldham College, Rochdale Road, Oldham, OL9 6AA
Case Officer: Graham Smith

Applicant Agent : Ms Inchbold
AHR

THE SITE

The college is to the west of Rochdale Road and north of Middleton Road. The campus comprises a range of buildings of varying heights and designs. The site slopes downwards from Rochdale Road. There are several established trees, particularly those on the embankment abutting Rochdale Road.

THE PROPOSAL

The scheme includes demolition of two buildings and removal of mobile classrooms. The proposed teaching building (2,296m² in area in two floors) will replace an existing car park near the eastern edge of the site; it will comprise large practical areas and workshops, six classrooms and an I.T. room. The building will be used for the teaching of construction skills.

The building will have a blue engineering brick base with a steel frame and clad upper floor of industrial character, deliberately relevant to the construction skills purpose. It includes 'punched hole' windows with blue brick reveals.

The proposal includes replacement parking on the western edge of the site for 50 vehicles replacing the 46 spaces lost to the development of the new building.

PLANNING HISTORY

PA/334942/14.- Three storey education building (adjacent the current application site). Approved 12/03/2014.

RELEVANT PLANNING POLICY

The 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham (DPD). The application site is identified within Oldham Town Centre. The following DPD policies are relevant:

Policy 2 - Communities

Policy 5 - Promoting Accessibility and Sustainable Transport Choices

Policy 9 - Local Environment

Policy 18 - Energy
Policy 20 - Design
Policy 21 - Protecting Natural Environmental Assets

Saved UDP Policy D1.5 - Protection of Trees on Development Sites

REPRESENTATIONS

The application has been publicised by site notices and a press advertisement. No representations have been received.

CONSULTATIONS

Highway Officer	No objection to the revised scheme subject to conditions preventing access from Middleton Road, a Travel Plan and cycle parking.
Environmental Health	No objection subject to conditions regarding ground contamination, landfill gas, the prevention of burning waste during construction and wheel wash facilities.
Tree Officer	The amended layout plan and replacement tree planting is acceptable subject to conditions for tree protection and replacement planting.
GM Ecology Unit	No objections subject to recommended conditions.
United Utilities	No objection subject to conditions regarding drainage details and no development over existing sewers.
Coal Authority	No objections subject to a condition regarding remediation of former mining areas.
Environment Agency	No objection subject to conditions regarding measures to address the discovery of any unknown ground contamination during construction.

PLANNING CONSIDERATIONS

The main material considerations are:

Principle of the development
Design and amenity
Highways
Trees and ecology
Ground conditions.

Principle of Development

DPD Policy 2 seeks to support community and education facilities, including Oldham College, and the proposal therefore accords with the policy.

The College is an existing educational facility located in the Town Centre. The proposal seeks to increase teaching facilities.

The applicant has identified the proposal will provide the following benefits:

- ensure Oldham has a high quality 'Further Education' facility;
- create a new building to house the construction and technical/management skills curriculum;
- provide the College with the capacity to increase its construction provision by 70% (250+ students per year);
- increase the number and level of construction apprenticeships;
- involve local employers and assist with meeting the widespread skill shortages in the construction industry.

The proposal includes a building of contemporary design built slightly into the sloping land that rises to the east, requiring small retaining walls on the eastern edge. There are no residential properties nearby (the Civic Centre is almost opposite to the west).

The design is considered to compliment the recent nearby teaching buildings, and there are no adverse amenity issues envisaged. The proposal therefore accords with DPD Policies 9 and 20.

Highways

The proposal is well positioned for modes of sustainable transport and is highly accessible. The applicant has produced a Travel Plan which includes measures to increase car sharing and enhance the use of public transport. The proposed replacement car parking on the western edge of the site is considered acceptable. The proposal does not result in significant loss of car parking or result in severe harm to the highway network. The proposal therefore accords with Policy 5.

Trees and Ecology

The applicant submitted an arboricultural survey identifying 15 trees that are to be removed at the teaching building site due to the close proximity and likely damage to root systems. However, amended plans identify 30 replacement trees to be planted within the campus particularly around the eastern side of the site. The applicant also identifies trees to be protected during construction. The replacement planting is considered satisfactory.

The scheme is not considered likely to harm the biodiversity of the area and the proposal therefore accords with Policy 21 and saved UDP Policy D1.5.

Ground Conditions

The applicant submitted relevant surveys regarding ground conditions. However, consultee assessments required some pre-commencement conditions. Where possible these have been amended or removed due to the submission of further information, but precautionary conditions regarding contamination, landfill gas, and coal mining remediation measures are included. The applicant is continuing to work towards discharging the requirements. The proposal is considered to safeguard pollution and safety concerns regarding ground conditions and accords with Policy 9 Local Environment.

CONCLUSION

The proposal is in the interests of the wider community by introducing improved training opportunities. Whilst the scheme will lose some established trees, given the increased number of replacements proposed it will not result in harm to the local environment. The proposed building has an appropriate design. It is located in a position with good access to sustainable transport and is unlikely to result in harm to the highway network. The proposal is considered to accord with relevant policies and the thrust of the NPPF.

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, ref 00002 Rev P03 (Red Line Boundary), 00004 Rev P05B (Site

Plan), 00005 Rev P02B (Demolition Plan), 00006 Rev PO1A(Tree Protection Plan), 00020 Rev P8 (Building D Ground Floor Plan),00021 Rev P9 (Building D First Floor Plan), 00022 Rev P6, (Building D Roof Plan), 00023 RevP4 (Building D Elevations), 00024 Rev P4 (Building D sections) AO 19H090/001 Topographical survey, Building D Flood Risk Assessment and Drainage Strategy, Ecological Assessment dated September 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 development above slab level shall take place until a specification of the materials to be used in the construction of the external surfaces of the development 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 specification.

Reason - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policies 9 and 20 of the Local Plan.

4. No trees shall be removed until full details of both hard and soft landscape works with an associated implementation plan, 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. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat.

All planting shall be implemented in accordance with the approved details either prior to or in the first available planting season following the completion of the development, 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 and in the interests of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

5. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005 outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

Reason - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

6. No development shall take place until a scheme of remedial works comprising of drilling and grouting within the footprint of the proposed teaching building, as

recommended in the Ground Investigation Report (Tier Environmental Ltd, 19 September 2019) has been submitted to and approved in writing by the local planning authority. The remedial works shall then be implemented in accordance with the approved scheme.

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 in order to ensure the safety and stability of the development, having regard to Policy 9 of the Oldham Local Plan.

7. No occupation of the building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Policy 18 of the Oldham Local Plan and shall detail how a target area has been determined; and how the development will meet this target.

The development shall be carried out in accordance with the approved scheme and phasing arrangements and retained as operational at all times thereafter.

Reason – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

8. Within three months of the first occupation of the development hereby approved, a Green Travel Plan for the whole development shall be submitted to and approved in writing by the local planning authority. Measures contained within the approved plan shall be fully implemented within six months of first occupation.

Reason - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.

9. The means of vehicular access to the application site shall be from Alderson Street only and no vehicular access shall be gained from Middleton Road.

Reason - To ensure that the means of vehicular access to the application site is of an acceptable standard in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

10. The use of the building hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.

Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

11. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided by the Local Planning Authority that no active bird nests are present.

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981, having regard to Policy 21 of the Oldham Local Plan.

12. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in National Planning Practice Guidance with evidence of an assessment of the site conditions, and a sustainable drainage management and maintenance plan for the lifetime of the development, 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. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 15 l/s.

The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan and drainage scheme..

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

13. No development shall commence 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 - Prior approval of such details is necessary since they are fundamental to the initial site preparation works in order to protect public safety and the environment having regard to Policy 9 of the Oldham Local Plan.

14. 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.

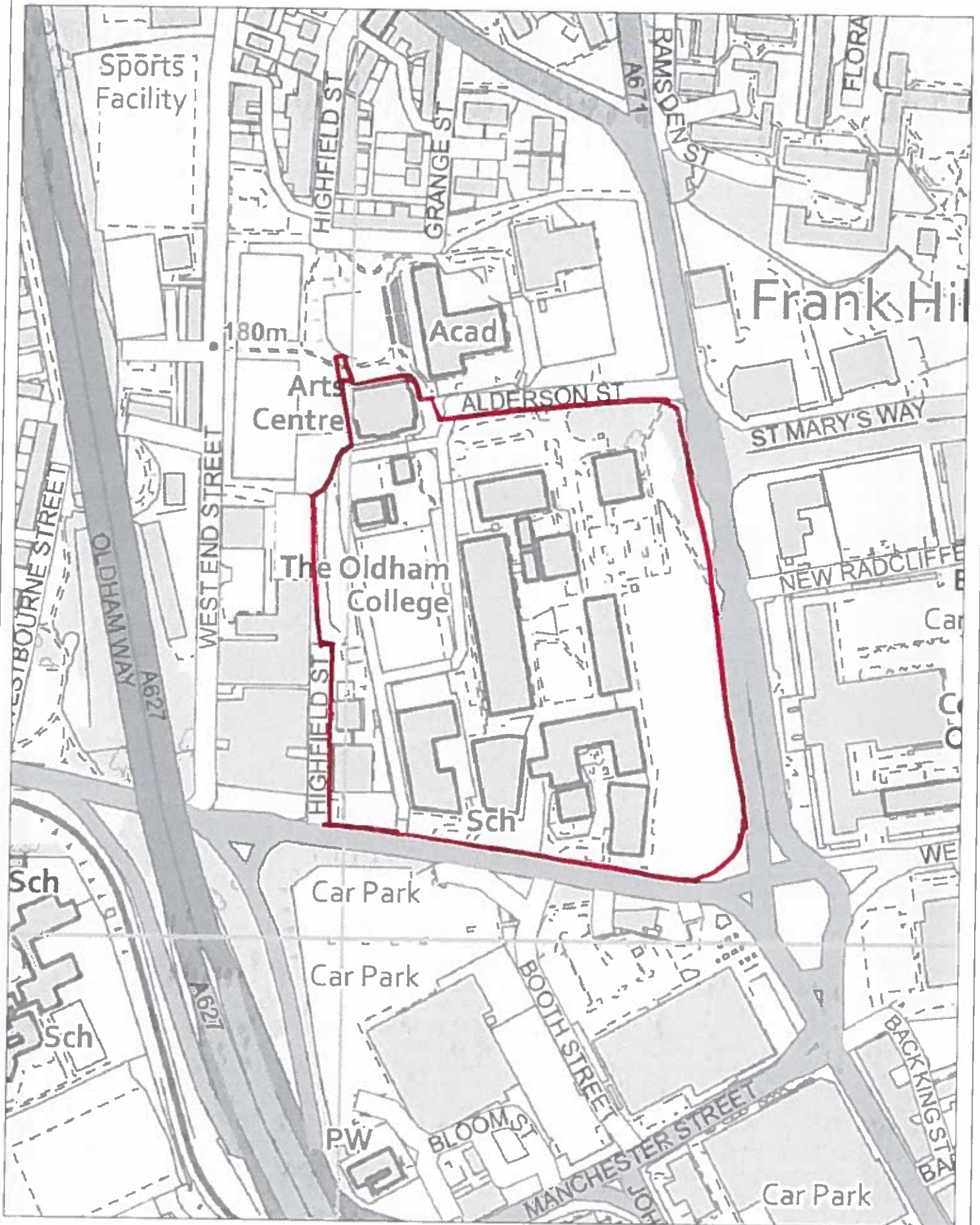
Reason - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site having regard to Policy 9 of the Oldham Local Plan.

15. No development shall commence 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 - Prior approval of such details is necessary since they are fundamental to the initial site preparation works in order to protect public safety, because the site is located within 250m of a former landfill site, having regard to Policy 9 of the Oldham Local Plan.

16. Prior to the commencement of any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Cotoneaster should be supplied to and approved in writing to the local planning authority. The approved method statement including a timetable, shall be adhered to and implemented in full in accordance with the approved scheme.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works in the interests of the protection of the natural environment having regard to Policy 9 of the Oldham Local Plan.





APPLICATION REPORT - HH/344160/19

Planning Committee, 28 January, 2020

Registration Date: 13/11/2019
Ward: Chadderton North

Application Reference: HH/344160/19
Type of Application: Full Planning Permission

Proposal: Single storey side and rear extension
Location: 140 Chadderton Park Road, Chadderton, OL9 0QT
Case Officer: Sophie Leech

Applicant Agent : Mrs Makinson

This application is being reported to Planning Committee as the applicant is related to a member of staff.

THE SITE

The site relates to a 1930s style detached property located on the eastern side of Chadderton Park Road, Chadderton. The property occupies a spacious corner plot with the northern boundary fronting Chadderton Hall Road. The site is bound by a mixture of trees and vegetation and there is a hedge running along the principal elevation. The property has an existing access and dropped kerb onto Chadderton Park Road.

THE PROPOSAL

The application proposes a single storey side and rear extension. The single storey rear extension will measure 3.4m in depth, 13.2m in width, 4.35m in height and 2.5m in eaves height. This extension will join onto a new single storey side extension which will measure 7.8m in width, 10.1m in depth, 5.5m in height and 2.5m in eaves height.

PLANNING HISTORY

HH/341462/18 - Proposed garage conversion and raised roof with the erection of front and rear dormers - Approved 04/05/18
HH/340672/17 - Proposed garage conversion and rear dormer - Refused 18/10/17
PA/339204/16 - Erection of one detached dwelling within garden including demolition of garage at No.140 - Refused 22/11/16
PA/058501/10 - Erection of 1 detached bungalow - Withdrawn - 13/09/10
PA/058499/10 - Erection of 1 detached house - Refused - 21/09/10

RELEVANT PLANNING POLICY

The development plan for the area is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham.

The following policies are relevant:

Policy 9 - Local Environment;
Policy 20 - Design.

CONSULTATIONS

REPRESENTATIONS

The application has been publicised by neighbour notification letters. No comments have been received.

PLANNING CONSIDERATIONS

Amenity

DPD Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity to neighbouring residents. The application property sits within a spacious plot, whereby the single storey nature of the extensions will not have any adverse impact on neighbouring amenity given their siting and proximity from adjacent boundaries. Furthermore, there are no side facing windows proposed on either of the extensions, therefore there is no potential for overlooking.

Design

DPD Policy 20 seeks to promote high quality design in all new development. The properties along Chadderton Park Road all vary in age, character, size and design. The proposed single storey extensions have been designed with monopitch and pitched roofs in order for the original character of the property to remain. It is considered that had the Applicant mirrored the unique roof design, the extensions would look at odds against the existing property. The external materials will match those of the existing property and the overall design is considered to be in keeping with the wider street scene, with regards to extensions that are of a similar proportion and scale.

CONCLUSION

The extensions are of a scale which would not cause any undue overbearing impact or loss of amenity on any surrounding neighbours. Furthermore, the size and design of the extensions would not detract from the wider streetscene. As such, the proposals are considered to comply with the relevant development plan policies and guidance contained within the NPPF.

RECOMMENDATION

Approve; subject to 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.

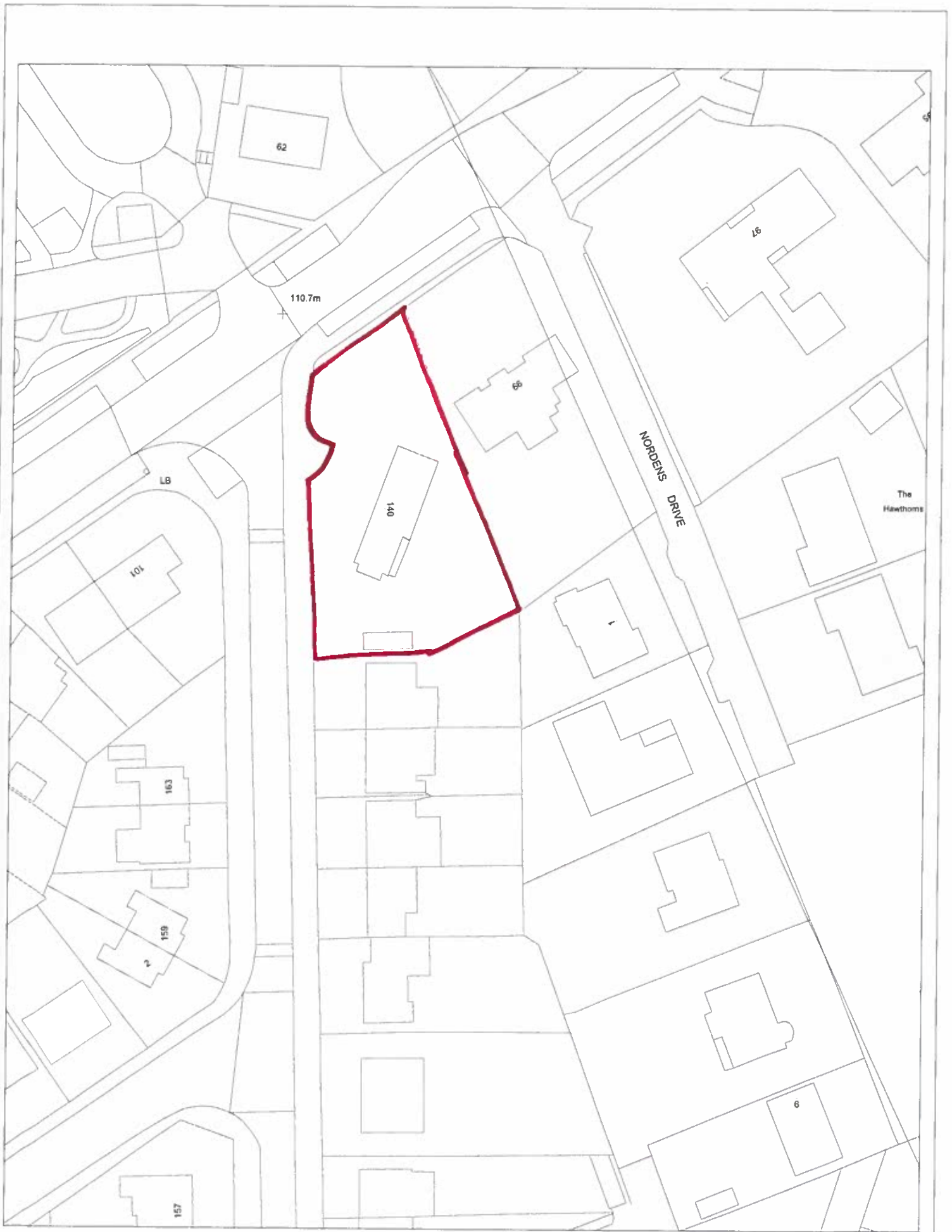
2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications which are referenced as follows:

Location Plan
140CH 002
140CH 003

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be those used in the existing building.

Reason - To ensure that the appearance of the existing building is not detrimentally affected by the proposed extension.



APPLICATION REPORT - PA/344251/19

Planning Committee, 28 January, 2020

Registration Date: 03/12/2019
Ward: Chadderton South

Application Reference: PA/344251/19
Type of Application: Full Planning Permission

Proposal: Change of use from dwelling to House in Multiple Occupation (HMO), including garage conversion and side extension
Location: 285 Hollinwood Avenue, Chadderton, OL9 9NG
Case Officer: Sophie Leech

Applicant Agent : Mr Mijares
R.A.Fisk and Associates

This application is being reported to Planning Committee due to significant local objection to the proposal.

THE SITE

The application relates to a semi-detached property located on the southern side of Hollinwood Avenue, Chadderton, in a primarily residential area. The property is situated on a dual carriageway and is in close proximity to the crossroads with Broadway. The property has existing off road parking for two vehicles and has an existing dropped kerb onto Hollinwood Avenue.

THE PROPOSAL

Planning permission has recently been granted for a two storey side and rear extension to the existing dwelling (HH/343661/19), and that development remains capable of implementation.

The present application seeks planning permission for the change of use from a dwelling to a house in multiple occupation, incorporating the above extensions.

The proposal will create 7no. bedrooms. 3no. en-suite bedrooms and a kitchen/dining room would be provided at ground floor level and 4no. en suite bedrooms would be provided at first floor. Cycle storage would be provided and 2no. existing car parking spaces would be retained on the driveway. An area would be set aside for refuse and recycling storage.

RELEVANT HISTORY OF THE SITE

HH/343661/19 - Demolition of existing garage and erection of two storey side and rear extension - Approved 15/11/19

PA/023781/89 - Bedroom extension - Approved 26/04/89

RELEVANT PLANNING POLICY

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 site is unallocated on the Proposals Map pertaining to the Local Plan.

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 - Sustainable transport choices
Policy 9 - Local environment
Policy 11 - Housing
Policy 20 - Design

CONSULTATIONS

Highway Engineer	No objection.
Environmental Health	No objection providing the property is built to standard and correct fire warning systems and protections are installed.
Greater Manchester Police Architectural Liaison Unit	No objection subject to various security measures.

REPRESENTATIONS

The application has been advertised by neighbour notification letter and site notice displayed outside the property. 157 objections have been received raising the following issues:

- Lack of off-road parking;
- Loss of character of area and of a family home;
- HMOs are not suitable in family areas;
- Lack of knowledge of what type of people will live there;
- Increase in noise, anti social behaviour and crime;
- No provision for bins has been identified.

PLANNING CONSIDERATIONS

Impact on the character of the area

DPD Policy 11 states that houses in multiple occupation will not be permitted unless it can be demonstrated that the proposal would not adversely affect the local character of the area; the residential and workplace amenity of current, future and neighbouring residents, traffic levels, and the safety of road users.

The proposal will result in the loss of a family dwelling. However, the proposed use will continue as residential occupation of the property. Both Policy 11 and the NPPF seek to ensure the provision of accommodation to meet the needs for all different groups in the community.

Furthermore, permitted development rights allow the conversion of a single dwelling into a 6 bed house in multiple occupation without the need for planning permission, and as such recognise that such uses are appropriate in principle through such changes of use. In this instance, the proposed use would involve the introduction of one additional resident above that permitted change. Therefore, in assessing the impact of the proposal, it is necessary to consider whether the increase from 6 to 7 residents would itself result in an adverse material impact on the property and the wider area.

The property is located close to a busy road junction in an area that attracts a high level of general activity. There is no evidence to suggest that in this context, the activity associated with the proposed use would be particularly noticeable or impact on the area's character.

Members may recall an application approximately 12 months ago at a property at Pole Lane, Failsworth (PA/341496/18), also for a 7 bed HMO, which was refused on the grounds of loss of a family dwelling and impact on the character of the area. Whilst each application must be assessed on its own merits, the Planning Inspector, in allowing a subsequent appeal, concluded that the property would provide accommodation for a different housing sector and would support a housing mix in a street where there is not a large proportion of HMO. It

would therefore help to create a sustainable and inclusive community with future occupants benefiting from the property's sustainable location.

It is considered that in this instance, a similar conclusion would apply, and there is no substantive evidence to justify refusal of the application on the grounds of loss of a family dwelling, or that the use would adversely impact on the character of the surrounding area.

In respect of the erection of extensions to the property, as noted above these have already been deemed accepted in terms of the relationship with the existing and neighbouring building and the appearance on the street scene. A number of other dwellings in the vicinity have already been extended in a similar manner and, as the proposed extension would replace the existing garage at the side, which was well-sited within the larger than average (for the immediate vicinity), it would not be particularly prominent.

Impact on amenity

Neighbouring residential amenity

It is considered that the level of activity and noise generated would therefore be no more significant than a regular residential dwelling.

A large number of representations have been received on the grounds of impact associated with future resident of the property, including noise, crime and anti-social behaviour. The fear of crime and disorder, and the perception of it, is a material planning consideration. However, in order to carry weight, it must be based on sound reasons and that there needs to be reasonable evidential basis for that fear. Houses in multiple occupation provide accommodation for a wide range of people, and it cannot therefore be concluded that such negative impacts would inevitably arise from multiple occupation. Greater Manchester Police Architectural Liaison has assessed the application, noting various measures to provide security for future residents of the property, and has raised no concerns regarding the use.

Consequently, it is not considered that these fears would constitute a reasons for refusal of the application.

Future occupiers' amenity

An assessment is also required in relation to the form of residential accommodation and the level of amenity it would deliver for future occupiers. The Oldham Council document 'Standards for Houses in Multiple Occupation' October 2010 advises that for shared houses/flats, a minimum of 10 square metres and 2.15m width should be provided for a single room if no shared living room is provided. Each bedroom would exceed the minimum single room requirement as set by the standards as the proposed bedroom sizes would range from a minimum of 10.1sqm to a maximum of 12.7sqm. All of the bedrooms would incorporate en-suite bathroom facilities. The Council's HMO standards also require dining kitchens for use by 6-10 persons to be a minimum of 19.5sqm. The proposed dining kitchen measures 20.5sqm therefore is above minimum standards.

Environmental Health is satisfied with the proposed layout and have advised that providing the property was built to standard and correct fire warning systems and protections were installed, the dwelling would be suitable to apply for a HMO licence. It is noted that the HMO licence would restrict the number of occupiers of the dwelling.

The submission indicates that there would be a dedicated area within the curtilage of the building for refuse and recycling storage and the private rear garden would still provide amenity space. Therefore, the proposal would adhere to Policy 9 and 11 in protecting the amenity of future occupants.

Traffic and highways

The Council's Highway Engineer has no objection on the basis that the site is in a sustainable location with good links to public transport, opportunities for walking and cycling

and access to a range of local amenities. It is considered that car ownership amongst occupiers of Houses of Multiple Occupation is generally expected to be low. It is recommended that secure cycle storage facilities are secured by condition.

CONCLUSION

The proposal would deliver much needed housing in the borough in a highly sustainable location without detriment to the character of the area, residential amenity, or highway safety. As such, the proposal would comply with the above policies of the Local Plan and the NPPF.

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 amended plans and specifications, received on 17th January 2020 which are referenced as follows:

3408:01 Revision A
3408:07 Revision B

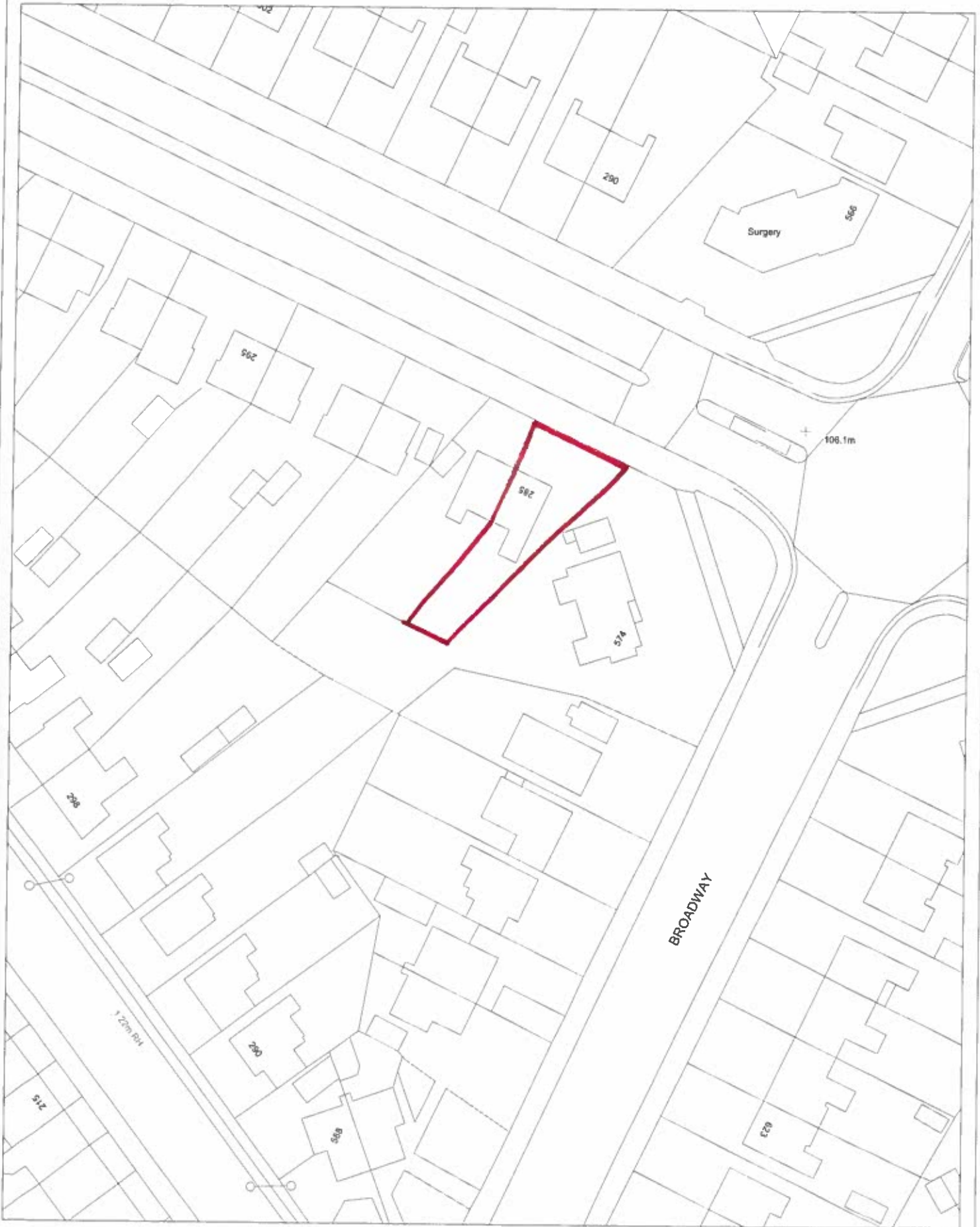
Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason - To ensure that the appearance of the existing building is not detrimentally affected by the proposed extension.

4. 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 having regard to Policy 5 of the Oldham Local Plan.



PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT APPLICATIONS

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

THE BACKGROUND PAPERS

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

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



Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

January 2020

PLANNING APPEALS

WRITTEN REPRESENTATION

HEARINGS

HOUSE HOLDER

ADVERTISEMENTS

APPEAL DECISIONS

PA/342870/19	49-51 Edward Street, Werneth, Oldham, OL9 7QT
Original Decision	Del
Appeal Decision	Allowed

PA/342386/18	5 St. Thomas Court, Church Street, Delph, OL3 5ES
Original Decision	Del
Appeal Decision	Dismissed

RECOMMENDATION - That the report be noted.

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information as defined by that Act.

Files held in the Development Control Section

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



Appeal Decision

Site visit made on 26 November 2019

by **Katie McDonald MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th January 2020

Appeal Ref: APP/W4223/W/19/3238394

49-51 Edward Street, Werneth, Oldham OL9 7QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M Rafique against the decision of Oldham Council.
- The application Ref PA/342870/19, dated 22 January 2019, was refused by notice dated 3 May 2019.
- The development proposed is change of use of reception room into a convenience store.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of reception room into a convenience store at 49-51 Edward Street, Werneth, Oldham OL9 7QT in accordance with the terms of the application, Ref PA/342870/19, dated 22 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1 of 4, 2 of 4, 3 of 4 and 4 of 4.
 - 3) The development hereby permitted shall not be brought into use until footway bollards have been provided to the front of the site, in accordance with a scheme that shall first be submitted to and approved in writing by the local planning authority. Such works that form part of the approved scheme shall be retained thereafter for the life of the development.
 - 4) The use hereby permitted shall only take place between 0800-2200 hours every day.

Main Issues

2. The main issues are the effect of the proposal on the:
 - (a) living conditions of the occupiers of nearby residential properties; and,
 - (b) safety of all highway users.

Reasons

3. The site is a pair of 2 storey semi-detached dwellings, converted into one house, located in a predominantly residential area of Oldham. The proposal is to change the use of the lounge of the dwelling into a small convenience store, which would include some minor alterations to the external appearance of the building.

Living conditions

4. Adjacent to the site is another pair of semi-detached dwellings, separated by around a 2m gap. To the north west and rear of the site is open space and a dilapidated children's play area, and construction was underway for a housing development opposite the site.
5. The application form details that opening hours are proposed to be 0700 – 2300 every day. However, the appellant sets out that the opening hours could be changed and despite the planning application form, opening hours is a matter that can be controlled by a planning condition. Given the site is adjacent to residential dwellings, noise associated with opening and closing of the store at these times may affect neighbouring living conditions, given that nearby occupants may be sleeping.
6. Having regard to this, and having sought both parties' comments, a condition to control opening hours between 0800-2200 could be imposed. This would result in activities associated with opening and closing the store taking place within more reasonable daytime hours. Other unacceptable noise or disturbance from activities or servicing arising at the site would be highly unlikely given it would be such a small convenience store.
7. I agree with the appellant that the proposal would provide a local community shop that would be accessible on foot for a high number of residents, encouraging sustainable modes of transport and promoting social interaction and the provision of jobs. Indeed, the Council note that it would be the only shop in the immediate locality.
8. The concerns from the Council regarding other harmful activities associated with the use are not substantiated or indeed expanded upon. Customers parking outside neighbouring houses may occur, and while this may be an inconvenience, it would not amount to any significant harm to living conditions.
9. Consequently, the proposal would have an acceptable effect upon the living conditions of the occupiers of nearby residential properties. This would be compliant with Policy 9 of the Oldham Joint Core Strategy and Development Management Policies (November 2011) (the development plan), which seeks to protect and improve local environmental quality and amenity.

Safety of all highway users

10. The road contains a traffic calming measure in the form of a raised junction platform on the bend immediately to the north west of the site, near to the play area. There are also tactile paving sections which indicate 2 pedestrian crossing points to both ends of the raised junction platform, and there are bollards on the footway. The road contains no parking restrictions.
11. The proposal is likely to receive a high number of its customers on foot, given it would be a convenience store in an accessible area that would promote walking to the site. However, I agree with the Council that customers arriving by car are likely to park on Edward Street in order to access the shop. The Council claims this would block the footway such that pedestrians would be forced to walk in the vehicular carriageway.
12. Although I have no substantive evidence to indicate that customers would park in such locations and I observed the footway was wide; if this did happen, this



may restrict its width unacceptably. In order to control this, the Council suggest a condition to require bollards to be placed on the footway outside the site. This would ensure that the footway could not be obstructed by vehicle parking. It would be a reasonable, appropriate and necessary highway safety measure given the proximity to the play area, and it would support the safety of pedestrians and other vulnerable road users. For this reason, a condition should be imposed.

13. In terms of servicing the site, with the bollards in place, a delivery vehicle would park on street, not on the driveway. This would not obstruct the footway and the scenarios envisaged by the Council would not be possible. Therefore, I see no reason why servicing the site would cause unacceptable harm to highway safety.
14. Vehicles parked on street near the crossing could restrict the inter-visibility for the crossing presently. Although the use may attract some customers by car, there is little substantive evidence to indicate that customers would park in such a location, particularly as the area to the front of the site would contain bollards, it is near a bend and having regard to a drivers' highway safety awareness when parking. Moreover, controlling where drivers choose to park their vehicles is a matter outside that of planning, and parking in this location could occur without the development. Consequently, as the proposal would be a small shop serving the local community, and I consider a high number of customers would arrive on foot, to withhold planning permission on this basis alone would, on balance, be unjustified.
15. Consequently, the proposal would have an acceptable effect upon the safety of all highway users, compliant with Policies 5 and 9 of the development plan. Policy 5 seeks to ensure the safety of pedestrians and promote accessibility and sustainable transport choices.

Conditions

16. Aside from the conditions detailed above, the plans are listed for certainty. Agreement of the appellant for the pre-commencement condition has been sought.

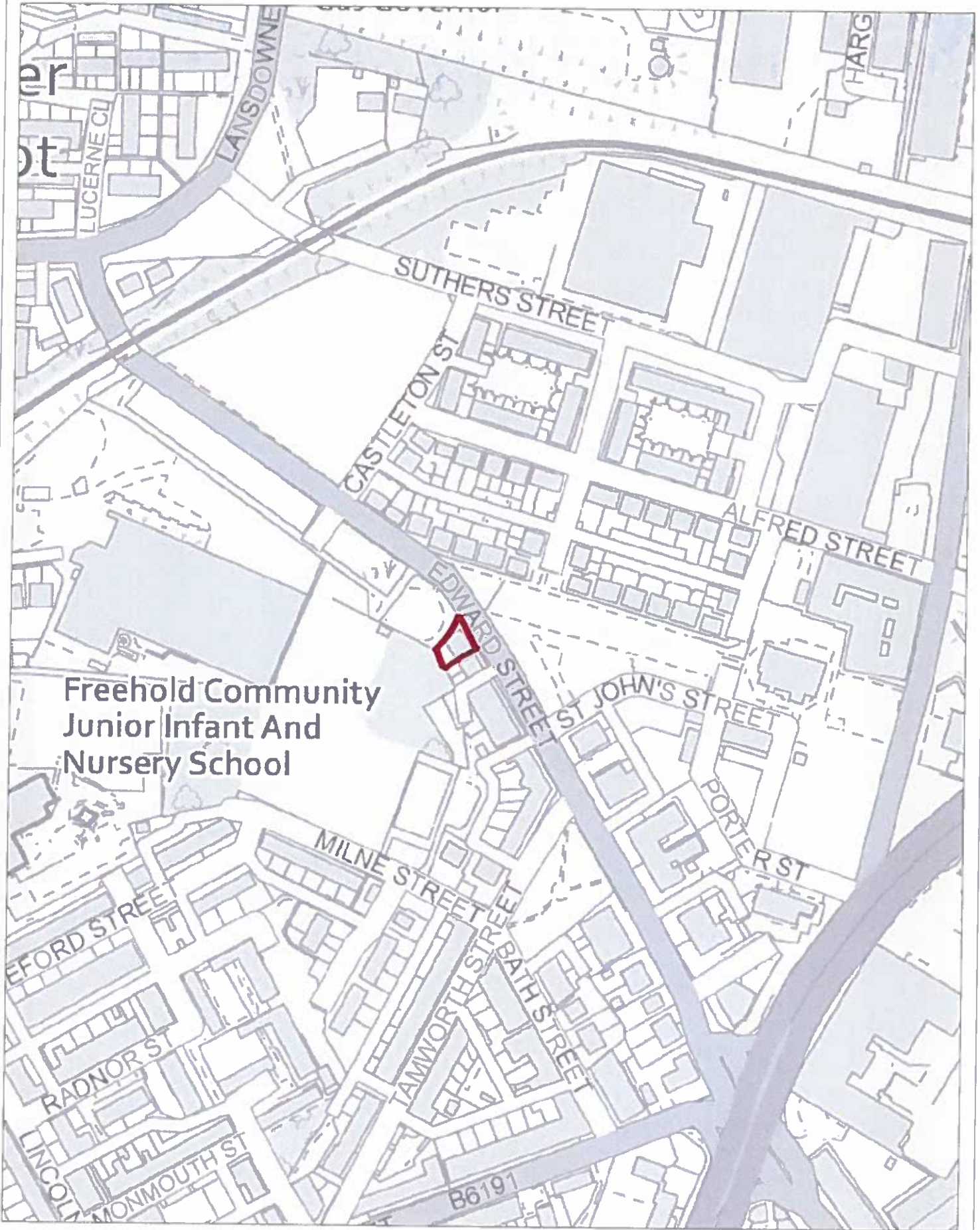
Conclusion

17. For the reasons set out above, I conclude that the appeal should be allowed.

Katie McDonald

INSPECTOR

342870



**Freehold Community
Junior Infant And
Nursery School**







Appeal Decision

Site visit made on 23 July 2019

by **David Storrie Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 December 2019

Appeal Ref: APP/W4223/W/19/3224418

5 St. Thomas Court, Church Street, Delph, OL3 5ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Buckley against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/342386/18, dated 27 September 2018, was refused by notice dated 14 December 2018.
 - The development proposed is loft conversion including dormer and velux windows/doors. Roof terrace and replace windows for Upvc.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. Post decision the appellant has suggested changing the proposed railings to the roof terrace to a frameless glass balustrade. The Council have had an opportunity to comment on this change. Whilst I have not been provided with any details of this, I have taken it into account in my consideration of the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the Delph Conservation Area (CA).

Reasons

4. The appeal site is located within a former Victorian Conservative Club building that has been converted into apartments. It is sited within Delph and within a designated CA. The proposed alterations would be at roof level. An existing flat roofed dormer faces the car park to the apartments.
5. The proposed pitched roof dormer would be visible from side and rear views along Church Street although the rear view would be partly obscured by a chimney on the neighbouring property. The roof terrace and balustrade would be clearly visible when approaching the site from King Street. When viewed alongside the existing flat roofed dormer on this elevation it would present a disjointed roof profile with unsympathetic additions. The change from railings to a frameless glass balustrade does not change my view on this. The

introduction of a terrace set into the roof slope would be an alien feature in the roofscape.

6. Equally, the proposed dormer to the side and rear views would introduce a feature unsympathetic to the Victorian character of the host building that would be harmful to the character and appearance of the host building and the wider CA.
7. The existence of the existing flat roofed dormer window on the building carries little weight in my judgement as I consider that it detracts from the character of the building and the CA and the proposed development would add to this harm.
8. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight in my consideration. The proposed alterations to the existing roof to accommodate the proposed dormer and roof terrace would have a negative effect on the host building and on the significance of a designated heritage asset. This would result in "less than substantial harm" in the words of the Framework. Whilst the appellant's desire to improve the level of accommodation is noted, this does not amount to public benefits that could be considered to weigh against this harm. This would be contrary to the Act and paragraph 196 of the Framework.
9. Taking all the above into account, I consider that the impact of the changes to the roof profile would be harmful to the character and appearance of the host building and would not preserve nor enhance the character or appearance of the CA. This would be contrary to the aims of Policies 9, 20 and 24 of the Oldham Local Development Framework Joint Development Plan Document (2011) that, amongst other things, seeks to ensure that new development does not harm visual amenity, be of a high quality of design that respects local character and preserves or enhances the character or appearance of conservation areas.
10. The appellant has referred to a number of dormer windows approved in the locality, but I have been provided with limited information. Nevertheless, I must consider the proposed development before me on its individual merits and the existence of other dormer windows in the area carry little weight in my determination.

Conclusion

11. Taking all the above into account, the appeal is dismissed.

David Storrie

INSPECTOR

342 386

