

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 12 February 2020

Time 6.00 pm

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

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

2. CONTACT OFFICER for this Agenda is Mark Hardman Tel. 0161 770 5151 or email mark.hardman@oldham.gov.uk

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 7 February 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.

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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 - 6)
The Minutes of the meeting of the Planning Committee held on 28th January 2020 are attached for Members' approval.
- 6 PA/343254/19 - Land to the East of Cobalt Way, Foxdenton Lane, Chadderton Oldham (Pages 7 - 18)
Full planning application for two industrial/warehousing units (Classes B1, B2 and B8), external lighting, electricity substation, regrading of the site, access road, parking and service yards
- 7 PA/344184/19 - 1-5 Church Terrace, Oldham, OL1 3AU (Pages 19 - 24)
Change of use of first and second floors from financial services (Class A2) to residential (Class C3) comprising four residential apartments
- 8 PA/344196/19 - Vacant land adjacent to Meek Street/Higginshaw Lane, Woodstock Business Park, Oldham, OL2 6HN (Pages 25 - 34)
Erection of warehouse building (use class B8) including associated parking and servicing areas
- 9 Appeals (Pages 35 - 42)
Appeals



PLANNING COMMITTEE
28/01/2020 at 6.00 pm

Present: Councillor Dean (Chair)
Councillors Akhtar, Brownridge, Davis, H. Gloster, Harkness, Hewitt,
Hudson, Phythian, Cosgrove (Substitute), Hulme, Jacques and Malik

Also in Attendance:

Alex Bougatef	Group Lawyer
Wendy Moorhouse	Principal Transport Officer
Graham Dickman	Development Management Team Leader
Graham Smith	Principal Planner
Sian Walter-Browne	Principal Constitutional Services Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Ibrahim and Councillor Malik.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Councillor Cosgrove declared a personal interest in Item 7. PA/343870/19 - Mayfield Primary School, Mayfield Road, Oldham, OL1 4LG, by virtue of being a Ward Councillor,

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 18th December 2019 be approved as a correct record.

6 **PA/343374/19 - HADFIELD WORKS, HADFIELD STREET, OLDHAM, OL8 3BU**

PA/343374/19 - Hadfield Works, Hadfield Street, Oldham, OL8 3BU

APPLICATION NUMBER: PA/343374/19

APPLICANT: North West Fans (NWF) Limited

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

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

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



Oldham
Council

DECISION: That the application be GRANTED.

NOTES:

1. The Applicant's agent attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 14, including the additional Condition 12.

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PA/343870/19 - MAYFIELD PRIMARY SCHOOL, MAYFIELD ROAD, OLDHAM, OL1 4LG

PA/343870/19 - Mayfield Primary School, Mayfield Road, Oldham, OL1 4LG

APPLICATION NUMBER: PA/343870/19

APPLICANT: The Cranmer trust

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

Councillor Cosgrove declared a personal interest in this Item, by virtue of being a Ward Councillor, and did not speak or vote on this matter.

It was MOVED by Councillor Dean and SECONDED by Councillor Harkness that the application be APPROVED.

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

DECISION: That the application be GRANTED.

NOTES:

1. The Applicant and a Ward Councillor attended the meeting and addressed the Committee on this application.
2. In reaching its decision the Committee took into consideration the information as set out in the Late List included in Item 14, including the additional representations and the amended recommendation.

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PA/343874/19 - NORTH CHADDERTON HIGH SCHOOL, CHADDERTON HALL ROAD, CHADDERTON, OL9 0BN

PA/343874/19 - North Chadderton High School, Chadderton Hall Road, Chadderton, OL9 0BN



APPLICATION NUMBER: PA/343874/19

APPLICANT: Oldham Council

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

It was MOVED by Councillor Dean and SECONDED by Councillor Brownridge that the application be APPROVED.

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

DECISION: That the application be GRANTED.

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PA/343991/19 - LAND AT THE FORMER LANCASTER CLUB, A663 BROADWAY, FAILSWORTH, OLDHAM

PA/343991/19 - Land at the former Lancaster Club, A663 Broadway, Failsworth, Oldham

APPLICATION NUMBER: PA/343991/19

APPLICANT: Bellway Homes (Manchester Division)

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

It was MOVED by Councillor Dean and SECONDED by Councillor Davis that the application be APPROVED.

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

DECISION: That the application be GRANTED.

NOTES:

3. The Applicant's agent attended the meeting and addressed the Committee on this application.
4. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 14, including the additional Condition 12.

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PA/344056/19 - OLDHAM COLLEGE, ROCHDALE ROAD,

OLDHAM, OL9 6AA

**PA/344056/19 - Oldham College, Rochdale Road, Oldham,
OL9 6AA**



APPLICATION NUMBER: PA/344056/19

APPLICANT: Ms Inchbold

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

It was **MOVED** by Councillor Dean and **SECONDED** by Councillor Jacques that the application be **APPROVED**.

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

DECISION: That the application be **GRANTED**, subject to Condition 4 being amended to require replacement tree planting on a 3 for 1 basis.

NOTES:

3. In reaching its decision the Committee took into consideration the information as set out in the Late List included in Item 14, including the amended recommendation.

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**HH/344160/19 - 140 CHADDERTON PARK ROAD,
CHADDERTON, OL9 0QT**

**HH/344160/19 - 140 Chadderton Park Road, Chadderton,
OL9 0QT**

APPLICATION NUMBER: HH/344160/19

APPLICANT: Mrs Makinson

PROPOSAL: Single storey side and rear extension

LOCATION: - 140 Chadderton Park Road, Chadderton, OL9 0QT

It was **MOVED** by Councillor Dean and **SECONDED** by Councillor Brownridge that the application be **APPROVED**.

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

DECISION: That the application be **GRANTED**.

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**PA/344251/19 - 285 HOLLINWOOD AVENUE,
CHADDERTON, OL9 9NG**

**PA/344251/19 - 285 Hollinwood Avenue, Chadderton, OL9
9NG**



APPLICATION NUMBER: PA/344251/19

APPLICANT: Mr Mijares

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

It was **MOVED** by Councillor Hudson and **SECONDED** by Councillor Hewitt that the application be **REFUSED** (against Officer recommendations).

On being put to the vote, 6 **VOTES** were cast **IN FAVOUR OF REFUSAL** and 6 **VOTES** were cast **AGAINST** with 0 **ABSTENTIONS**. The Chair used his casting vote, and 7 votes were cast **AGAINST REFUSAL**.

It was **MOVED** by Councillor Dean and **SECONDED** by Councillor Brownridge that the application be **APPROVED**.

On being put to the vote, 6 **VOTES** were cast **IN FAVOUR OF APPROVAL** and 6 **VOTES** were cast **AGAINST** with 0 **ABSTENTIONS**. The Chair used his casting vote, and 7 votes were cast **IN FAVOUR OF APPROVAL**.

DECISION: That the application be **GRANTED**.

NOTES:

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

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APPEALS

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

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LATE LIST

RESOLVED that the information contained in the Late List be noted.

The meeting started at 6.00 pm and ended at 7.35 pm

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APPLICATION REPORT - PA/343254/19

Planning Committee, 12 February, 2020

Registration Date: 17/04/2019
Ward: Chadderton Central

Application Reference: PA/343254/19
Type of Application: Full Planning Permission

Proposal: Full planning application for two industrial/warehousing units (Classes B1, B2 and B8), external lighting, electricity substation, regrading of the site, access road, parking and service yards
Location: Land to the East of Cobalt Way, Foxdenton Lane, Chadderton Oldham
Case Officer: Dean Clapworthy
Applicant Agent : Commercial Development Projects Limited (CDP Ltd)

THE SITE

The site occupies an undulating area of approximately 4 hectares. A small watercourse flows generally north/south through the site, with natural vegetation covering much of the area. It is criss-crossed by informal paths that link to the linear walkway. A fenced rectangular compound comprising mostly cracked hardstanding is located within the south-western corner.

The site is bounded by industrial buildings to the west, residential development under construction to the east, a linear walkway to the north with established housing beyond, and a mixture of wooded landscaped areas, residential properties and commercial garage operations to the south. A public right of way is routed along the eastern boundary (partially outside of the site).

THE PROPOSAL

The proposal is for the erection of two industrial/warehousing units, with associated infrastructure, car parking and landscaping. The proposal would principally comprise the following:

- The erection of two units (Unit 1 - 5713 sq m GIA; Unit 2 - 4018 sq m) for uses within the B1, B2 and B8 use categories.
- Unit 1 would have a maximum height to ridge of 15.75m (13.5m to eaves); Unit 2 a maximum of 13.5m to ridge and 11.5m to eaves. The development would be finished with low level smooth brickwork in blue and profiled metal cladding in Merlin and Goosewing grey to elevations and roof.
- Associated car parking (Unit 1 - 76 spaces, Unit 2 - 43 spaces) and servicing areas accessed from a new estate road off Cobalt Way which links to Foxdenton Lane;
- A new public footpath along the western boundary connecting Foxdenton Lane (via Cobalt Way) to the linear footpath;
- Retaining walls, acoustic fencing to the northern boundary, landscaping, culverting of the brook, external lighting and electricity substation.

RELEVANT HISTORY OF THE SITE:

PA/059408/11: Extension of time limit to ~~Page 7~~ previously approved PA/51737/06 for erection of 6no. industrial units (B1, B2 and B8), infrastructure and parking. Approved October 2011

PA/051737/06: Erection of 6 no. industrial units (B1, B2 and B8), infrastructure and parking. Approved July 2008.

RELEVANT PLANNING POLICIES & GUIDANCE

The site is allocated for business and industry (Use Classes B1, B2 and B8) under Saved UDP Policy B1.1 and Oldham DPD Policy 14. The following policies are relevant to the determination of this application.

Joint Development Plan Document (DPD)

Policy 1: Climate change and sustainable development
Policy 5: Promoting Accessibility and Sustainable Transport Choices
Policy 6: Green Infrastructure
Policy 9: Local Environment
Policy 13: Employment Areas
Policy 14: Supporting Oldham's Economy
Policy 18: Energy
Policy 19: Water and Flooding
Policy 20: Design
Policy 21: Protecting Natural Environmental Assets
Policy 25: Developer Contributions

Saved Unitary Development Plan (UDP) Policies

Policy B1.1: Business and Industrial Allocations
Policy D1.5: Protection of Trees on Development Sites

CONSULTATIONS

Highway Engineer	No objection, subject to conditions requiring a green travel plan, provision of the access, servicing, car parking and secure cycle storage; along with wheel washing facilities during construction.
Environmental Health	No objection subject to conditions relating to noise control, flood lighting and air quality.
Coal Authority	No objection as the site does not fall within the defined Development High Risk Area.
Environment Agency	No objection subject to condition as the submitted Flood Risk Assessment (FRA) demonstrates that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere.
Lead Local Flood Authority	No objection.
Greater Manchester Ecology Unit	No objection, subject to conditions to protect retained features, flora and fauna.
G M Police Architectural Liaison Unit	No objection subject to the development being designed and constructed in accordance with the recommendations of the submitted Crime Impact Statement.
G M Architectural Advisory Service	No objection subject to condition requiring a programme of archaeological works.
Transport for Greater Manchester	No objection subject to a condition relating to travel planning.
Ramblers	No objection.
Trees Officer	No objection subject to the retained trees being enclosed by protective fencing and a site specific Arboricultural Method Statement undertaken.
Natural England	No objection as the proposed development would not have significant adverse impacts on statutorily protected natural heritage sites or landscapes.

Street Lighting

No objection subject to a condition for the development to be undertaken in accordance with the submitted external lighting details.

REPRESENTATIONS

The application has been advertised by direct neighbour notification and press and site notices. 81 representations have been received raising matters that can be summarised as follows:

Access and highway safety

- The proposal would result in additional traffic in an area that is already congested, overloading local road infrastructure to the detriment to highway safety in an area that has a history of collisions;
- There are schools and play parks in the local area and there would be increased risks when crossing local roads/junctions;

Landscape/open space/visual amenity

- Loss of attractive landscape and unacceptable impact on visual amenity as the buildings themselves are overbearing and out of scale;
- Loss of open space used by local residents as an amenity area which provides quality of life for the many people who use the field for walking their dogs, recreation and running and walking on the public right of way;
- The loss of this natural pocket of green space goes against the principles of the 5 year Environment Plan for Greater Manchester which outlines as part of its vision that all citizens will have access to green space in every community;
- The linear walkway/park would be affected;

Ecology

- Loss of woodland, habitat and (protected) wildlife and birdlife at the site and adjacent areas (e.g. the Rochdale Canal);
- Impact of external lighting on wildlife, including bats;
- The stream would be affected by the proposal;

Neighbouring amenity

- Noise and disturbance from construction activities;
- Disturbance from 24 hour operations/vehicles arriving, outside working and vehicle manoeuvring (warning bleeps) and flood light spillage;
- Loss of privacy;

Environmental/Health and wellbeing

- Impact on air quality and therefore detrimental impacts on neighbours/school children's health and wellbeing and the canal, which is a SSSI;
- It will increase carbon levels and impact on climate change;
- Loss of amenity land would reduce potential for exercise, therefore impacting on physical and mental health;

Other matters

- There is no provision for waste storage and collection;
- The use of the buildings is not clearly defined;
- The security measures would deflect attention onto nearby properties;
- Loss of Green Belt land when unused brownfield land should be used;
- Impact on local GP services;
- Unsafe to residents' health having an electrical substation nearby;
- Serious health concerns over two large power stations being so near to a residential and

- school area;
- There is no need for the development given that many existing units are vacant;
- House prices would be affected;
- The publicity for the application was inadequate and the information was not available on the website on occasion.

PLANNING CONSIDERATIONS

The principal issues relate to:

- Principle of the development;
- Visual amenity;
- Residential amenity
- Access and highway safety;
- Ecology;
- Drainage and ground conditions.

Principle of the development

Although presently undeveloped, the site has an established allocation for business and industry purposes (Use Classes B1, B2 and B8) under Saved UDP Policy B1.1 and DPD Policy 14, which aims to create a premium business location at Foxdenton with opportunities for a variety of employment developments. Given that the proposal is for large scale commercial units to be occupied by B1, B2 or B8 uses, the proposal is therefore acceptable in principle. Furthermore, there are historic, but expired, planning permissions for employment units at the site as detailed above.

As the development is greater than 1,000 square metres of floor space, and having regard to the objectives of the 5 Year Environment Plan for Greater Manchester, the proposal would be required to achieve the energy efficiency targets indicated in Local Plan Policy 18. Therefore, a condition is recommended requiring agreement of the appropriate energy savings, along with the introduction of electric vehicle charging points.

Design and impact on visual amenity

As the site is allocated for employment uses, it is accepted that a significant change in the character of the site would follow from this. In particular, given its raised position relative to the site, the views from the linear footpath to the north would be changed to one with business and industry development upon it. There is no specific guidance on the form of commercial development at the site in the above stated policies, other than encouraging high quality development to create a premium business location. The undulating site would be re-engineered to provide level platforms for the units and the associated parking and servicing areas. Whilst there would be some infilling, the median level of the site would not be raised. The existing higher levels at the southern boundary to the rear of the short block of terraced dwellings at no's 133 to 139 Foxdenton Lane and the eastern boundary to the neighbouring development site to the east would be retained.

The proposed units would be relatively large, but of a contemporary design in a recessive colour finish, positioned within spacious landscaped grounds, that due to the topography of the enclosing land, would frame and soften the appearance of the units over time. The woodland to the south of the site would largely screen the development from Foxdenton Lane. The proposed units would be relatively large in absolute terms, they would not be out of scale in the context of the large site and curtilage. Although the proposed units would represent substantial new elements in the landscape, immediate views of them from the linear footpath to the north would relate to only a short section and views would be filtered by the existing vegetated boundary, that would be reinforced.

In this context, it is considered that the development comprises an appropriate scale, layout, and design and would not be unduly harmful to visual amenity.

The nearest dwellings to the proposed units are on Birchwood and Tulip Close on the north side of the raised embankment of the intervening linear footpath, a minimum of 40m from proposed Unit 1. These dwellings are set down significantly and the embankment is lined by with an unbroken stand of mature trees (largely to the north side of the embankment closest to the dwellings on that side). The finished floor level of the proposed units would be around 4m lower than the top of the embankment.

The nearest dwellings to the south at 133-139 Foxdenton Lane are around 60m to the south of proposed Unit 2. Furthermore, land re-engineering would set the unit lower than the intervening banking that would also be landscaped. Dwellings presently under construction to the east are further away again.

The servicing areas to both proposed units are on the south side shielding any activity from the neighbouring residential areas. The electricity sub-station will similarly be located away from the nearest housing. The proposal is supported by a Noise Impact Assessment and this has been considered by the Council's Environmental Health Officer. In order to protect the amenity of occupants of nearest neighbouring residential properties, it is recommended that conditions are imposed setting noise limits from the site, controlling external lighting, and requiring the installation of acoustic fencing.

Access and highway safety

The proposal is supported by a Transport Statement and Travel Plan. Cobalt Way presently provides access to two business units. Both the Council's Highway Officer and TfGM are satisfied with the proposal, as the likely increase in traffic as a result of the development proposal is considered to be negligible on the existing highway network with current and predicted traffic flows.

Traffic calming measures are to be introduced along Foxdenton Lane between Broadway and the junction with the new spine road, and a weight restriction already exists ensuring large vehicles are unable to travel along Foxdenton Lane, including past Foxdenton Park. Therefore, traffic from the development would be most likely to use either the new spine road or Broadgate as the preferred route of entry/exit from the site, as Foxdenton Lane would not be suitable.

The Highway Officer advises that there are existing linear footpaths leading to the site which require upgrading to improve cycling and pedestrian routes to the site and that a contribution of £35000 should be sought for improvements to the linear path to the north of the proposed development site. This would be secured via a Section 106 agreement.

The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given the above, it is not considered that the proposal would conflict with the above Local Plan policies or the NPPF.

There are existing (non-definitive) public paths which cross the site, and these will be the subject of stopping up and diversion orders, as required under highways legislation.

Ecology

The GMEU notes the site has some ecological value, although this is largely restricted to the brook and woodland to the south, both of which would be largely retained. The site is within the SSSI Impact Risk Zone for the Rochdale Canal. However, the GMEU are satisfied that subject to conditions, the proposal would not have any unacceptable impacts upon the Rochdale Canal, the brook through the centre of the site, habitat or species.

The development will be required to be implemented in accordance with the mitigation proposed in the submitted Biodiversity Management Plan and Construction Environmental Management Plan.

The development would result in some loss of existing trees. The Council's Tree Officer agrees that this loss would be adequately compensated for by the landscape proposal and advises that conditions should be attached relating to implementation of this. He furthermore recommends that conditions should be attached requiring protective tree measures and an Arboricultural Method Statement.

Drainage and ground conditions

The site lies within Flood Zones 1, with a narrow strip alongside the watercourse in Flood Zone 3. The Environment Agency has reviewed the submitted Flood Risk Assessment (FRA) and is satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, so long as the development proceeds in strict accordance with this FRA, and the mitigation measures identified will form a condition of any approval. The drainage details are considered acceptable by the Lead Local Flood Authority.

The Environmental Health team has confirmed that there are no concerns regarding ground conditions, whilst the Coal Authority confirms the development is in a low risk area.

Conclusion

The proposed development would deliver a major employment scheme at a site identified for such development. Subject to appropriate conditions and Section 106 agreement, the proposal would not have any unacceptable adverse impacts on traffic and highway safety, visual, neighbouring and general amenity, ecology and biodiversity, drainage and would not be at risk from contamination.

The proposal therefore complies with the relevant Oldham Local Plan policies 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 contribution £35,000 for improvements to the linear path to the north of the proposed development site.
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 (Drawing No. M2803-01)
Site Layout Plan (Drawing No. M2803-Sk20H)
Site Sections (Drawing No. M2803-03A)
Detailed Planting Plan (Drawing No. DR-3727-03.04)
Drainage Layout (Schematic) including Protective Planting (Drawing No. 5519-JPG-XX-00-DR-C-1401 S2 P01)
External Lighting Design (Drawing No. 1905027DNA)
Lighting Schedule (Drawing No. 1905027DNA)
Unit 1 - Proposed Elevations (Drawing No. M2803-01-02)

Unit 1 - Roof plan (Drawing No. M2803-01-03)
Unit 1 - Floor Layout Plan (Drawing No. M2803-01-01B)
Unit 2 - Floor Plan (Drawing No. M2803-02-01B)
Unit 2 - Roof Plan (Drawing No. M2803-02-03A)
Unit 2 - Elevations (Drawing No. M2803-02-02B)
Electricity Substation Plans and Elevations

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 materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentatio, unless otherwise approved in writing with the Local Planning Authority.

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. All hard and soft landscape works shall be carried out in accordance with the approved plan (Drawing no. DR-3727-03.04) within the first available planting season following the occupation of any part of the development or in accordance with the 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity having regard to Policies 9, 20 and 21 of the Oldham Local Plan and Saved Unitary Development Plan Policy D1.5.

5. The tree protection measures as detailed on approved plan (Drawing no. 5519-JPG-XX-00-DR-C-1401 S2 P01) shall be implemented to BS:5837:2012 standards before 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. The fencing shall be maintained for the duration of the construction of the development and no excavation, site works, trenches or channels shall be cut or laid or materials stored within the fenced tree protection areas.

Reason - To protect existing trees having regard to saved Policy D1.5 of the Unitary Development Plan.

6. Prior to the commencement of any development, an Arboricultural Method Statement shall be submitted to and approved in writing with the local planning authority. Thereafter, the construction of the development shall adhere to the Arboricultural Method Statement for the full duration of the construction works.

Reason - To protect existing trees having regard to saved Policy D1.5 of the Unitary Development Plan.

7. All ecological measures and/or works shall be carried out in accordance with the details contained in the Biodiversity Management Plan (Ref R-3727-05-1) and Construction Environment Management Plan (Biodiversity) (Ref R-3727-06) dated October 2019 by Brooks Ecological.

Reason - In order to ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan.

8. No removal of or works to trees or shrubs shall take place during the main bird breeding season between 1st March and 31st August inclusive, 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.

9. Within three months of occupation of any part of the development hereby approved, an interim green travel plan for that part of the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan, the occupier shall submit their travel plan to the Local Planning Authority for approval and the approved travel plan shall thereafter be implemented within six months of occupation of the development.

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

10. No part of the development hereby approved shall be occupied until the access, car parking spaces and service areas including turning areas for that part of the development have been provided in accordance with the approved plan Ref: M2803-SK20 Rev H. The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access or parking spaces. Thereafter the parking spaces and turning areas shall not be used for any purpose other than the parking and manoeuvring of vehicles.

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

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

Reason - To ensure that debris is not does not obstruct the highway network In the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

12. Prior to the commencement of the use of each industrial unit hereby approved, a scheme for the provision of secure cycle parking for that development shall be 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 at all times thereafter.

Reason – To ensure that adequate and satisfactory provision is made for bicycle parking in order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

13. 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.

14. Prior to the commencement of the use of either industrial unit hereby approved, electric vehicle charging points shall be provided at that unit in accordance with a scheme which has previously been submitted to and approved in writing with the Local Planning Authority. The electric vehicle charging points shall be retained for that purpose thereafter.

Reason - To enable the use of alternative fuels for transport purposes such as electric vehicle charging stations in order that sustainable travel alternatives needs are supported and promoted within the development in accordance with Policies 5 and 9 of the Oldham Local Plan.

15. The following noise limits shall apply to the development hereby approved:
 1. The level of noise emanating from the site shall not exceed 38 dBA (15 min) when measured free field at the boundary of any residential property on Tulip Close, Foxdenton Lane or Ferney Field Road. The measurement height for measuring this level is any height from 1.6 metres to 4 metres.
 2. The level of noise emanating from the site shall not exceed 60 dB(A) Max between the hours of 11.00pm and 7.00am when measured free field at the boundary of any residential property on Tulip Close, Foxdenton Lane or Ferney Field Road. The measurement height for measuring this level is any height from 1.6 metres to 4 metres.

Reason - In order to protect neighbouring residents from noise nuisance from the development hereby approved having regard to Policy 9 of the Oldham Local Plan.

16. Prior to the commencement of the use of either unit hereby approved, an acoustic fence shall be installed from Point A to Point B as per drawing M2803-Sk 20 Rev. H. This fence must be at least 2.4 metres high and have a density of at least 10 kg/m³ and have no gaps in its entire length and height. The acoustic fence shall be retained and maintained for the life of the development.

Reason - In order to protect neighbouring residents from noise nuisance from the development hereby approved having regard to Policy 9 of the Oldham Local Plan.

17. As far as is practicable, the development shall be carried out in accordance with the recommendations contained within section 3.3 of the Crime Impact Statement by Design for Security dated 10/04/2019 (Ref. URN: 2019/0054/CIS/01) and the physical security specification listed within section 4 of the appendices.

Reason - To create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion in accordance with Policy 20 of the Oldham Local Plan.

18. The external lighting shall be installed in full accordance with the lighting plan and schedule (Drawing no. 1905027DNA) dated 25/07/1 and retained in the approved format thereafter.

Reason - To protect the amenity of the area having regard to Policy 9 of the Oldham Local Plan.

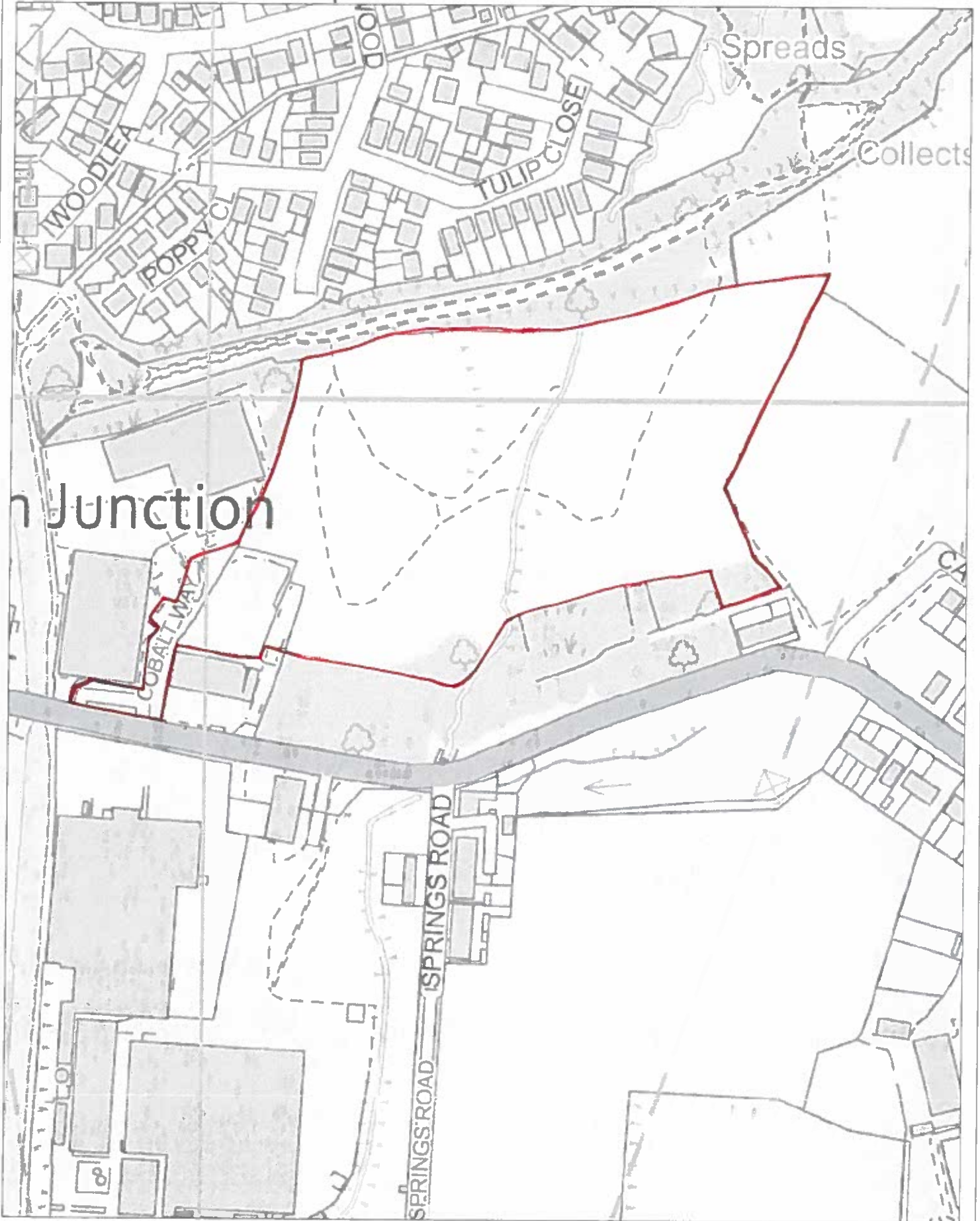
19. The development shall be carried out in accordance with the measures/recommendations identified in the Drainage and Flood Risk Assessment by JPG dated 10/04/2019 (Ref. TM/DFS/5519.V5) and maintained as such thereafter.

Reason - To minimise the risk of flooding having regard to Policy 19 of the Oldham Local Plan.

20. No development or groundworks shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Oldham Planning Authority. The WSI shall cover the following:
1. A phased programme and methodology of investigation and recording to include:
i) - geophysical evaluation survey ii) - a scheme of targeted archaeological evaluation, possibly leading to iii) - targeted open area excavation and recording.
 2. A programme for post investigation assessment to include: i) - analysis of the site investigation records and finds ii) - a detailed analysis of the fieldwork records iii) - production of a final report on the significance of the archaeological and historical interest represented.
 3. Deposition of the final report with the Greater Manchester Historic Environment Record and dissemination of the results in a manner commensurate with their significance. This may include production of a volume in the Greater Manchester's Past Revealed series, and a report in a more academic journal.
 4. Provision for archive deposition of the report and records of the site investigation.
 5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and form of the development in order to secure the to record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible having regard to Policy 24 of the Oldham Local Plan.

343254



APPLICATION REPORT - PA/344184/19

Planning Committee, 12 February, 2020

Registration Date: 19/11/2019
Ward: Saint Mary's

Application Reference: PA/344184/19
Type of Application: Full Planning Permission

Proposal: Change of use of first and second floors from financial services (Class A2) to residential (Class C3) comprising four residential apartments

Location: 1-5 Church Terrace, Oldham, OL1 3AU
Case Officer: Abiola Labisi

Applicant Agent : Mr Mushtaq Whittaker Design

In accordance with the Council's Scheme of Delegation, the application is required to be determined at Planning Committee as the applicant is a relative of an elected member.

THE SITE

1-5 Church Terrace is a three-storey stone building occupying a prominent setting within the Oldham Town Centre Conservation Area.

THE PROPOSAL

The proposal relates to the change of use of the first and second floors of the building to residential use comprising of 4 apartment units. Two of the proposed four units would be on the first floor while the other two would be on the second floor. In terms of occupancy/size, two of the units would be one bedroom apartments for two persons while the other two would be two bedroom apartments for four persons. The one bedroom apartments would be laid out over 58 square metres while the two bedroom apartments would have an internal area of 70 square metres.

There would be no external alterations to the building.

RELEVANT HISTORY OF THE SITE:

PA/343581/19 - Permission granted for change of use from offices (Class A2) to 2no.residential apartments (Class C3) on 18/10/201.
PA/341814/18 - Permission granted for alterations to front elevation following removal of existing ATM and night safe on 18/07/2018

CONSULTATIONS

Highway Engineer	No objection subject to the provision of secure cycle parking facilities.
Environmental Health	No objection subject to submission of details relating to wall sound proofing and noise mitigation.

REPRESENTATIONS

Occupiers of neighbouring properties were notified of the application and a site notice was displayed near the site. No representation was received.

RELEVANT PLANNING POLICIES & GUIDANCE

The application site is located within a Conservation Area as identified within the Proposals Map associated with the Joint Development Plan Document (DPD). Therefore, the relevant policies are as listed below:

Policy 1 - Climate change and sustainable development
Policy 3 - An address of choice
Policy 5 - Promoting accessibility and sustainable transport choices
Policy 9 – Local Environment
Policy 11 - Housing
Policy 20 – Design
Policy 24 - Historic Environment

PLANNING CONSIDERATIONS

The main planning issues to consider are:

- Principle of the development
- Impact on the character of the area
- Residential amenity
- Highway issues.

Principle of the development

The site occupies a sustainable location and the provision of dwelling units in the town centre is consistent with DPD Policies 1, 3 and 5 with ready access to a range of services.

The proposal is therefore considered acceptable in principle.

Impact on the character of the area

The proposal does not include any significant external alteration works to the building and as such, it is considered that the proposal would not lead to any harm to the character and appearance of the Conservation Area neither would it harm the significance of any of the designated heritage assets within the vicinity of the site.

In terms of land use, it is noted that the ground floors of majority of the properties in the area are in commercial use. The proposal would not alter this established character as the proposed change of use is limited to the upper floors only with the ground floor retaining its current commercial use.

Residential amenity

In terms of compliance with the provisions of the Technical housing standards - nationally described space standard, it is noted that the proposed single bed units would have an internal floor area of 58 square metres while the two bed units would have an internal area of 70 square metres. The minimum requirement for a single bedroom two person unit is 50 square metres while that for a two bedroom four person unit is 70 square metres. The scheme would comply with these minimum requirements and would therefore provide adequate amenity in terms of internal space.

The Environmental Health Officer has recommended a condition relating to the soundproofing of the walls, floors and ceilings between the flats, and for mitigation of noise from external sources, in the interest of the amenity of the occupiers of the flats. This is considered reasonable.

Highway Issues

The site is located in close proximity to a range of public transport modes and the proposal

does not include any provision for on-site car parking. Given the location and the available range of public transport modes, it is considered that non-provision of car parking spaces as part of the scheme would be acceptable. However, a condition requiring the provision of secure cycle parking facilities within the site is recommended.

CONCLUSION

Having regard to the scale and nature of the proposed development, the location of the site and the general pattern of development in the area, it is considered that the proposal would not lead to any significant adverse impact on the character of the area neither would it lead to any significant adverse impact on the amenities of the occupiers of neighbouring properties. The proposal would therefore be in accordance with relevant provisions of Oldham Local Plan and relevant provisions 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications received on 19/11/2019, which are referenced as Drawing No. 3760.3 (Proposed Floor Plans).

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

3. Prior to the first occupation of the development, details of measures for the insulation of floors/ceilings and separating walls between commercial and residential uses, and for mitigation of external noise, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved measures shall be implemented in full prior to first occupation of the approved residential apartments.

Reason - To minimise the impact of noise on the future occupiers of the development in accordance with Policy 9 of the Oldham Local Plan.

4. The apartments hereby approved shall not be occupied until facilities for the storage and removal of refuse and waste materials have been provided in accordance with a scheme which has previously been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved facilities shall remain available for use.

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

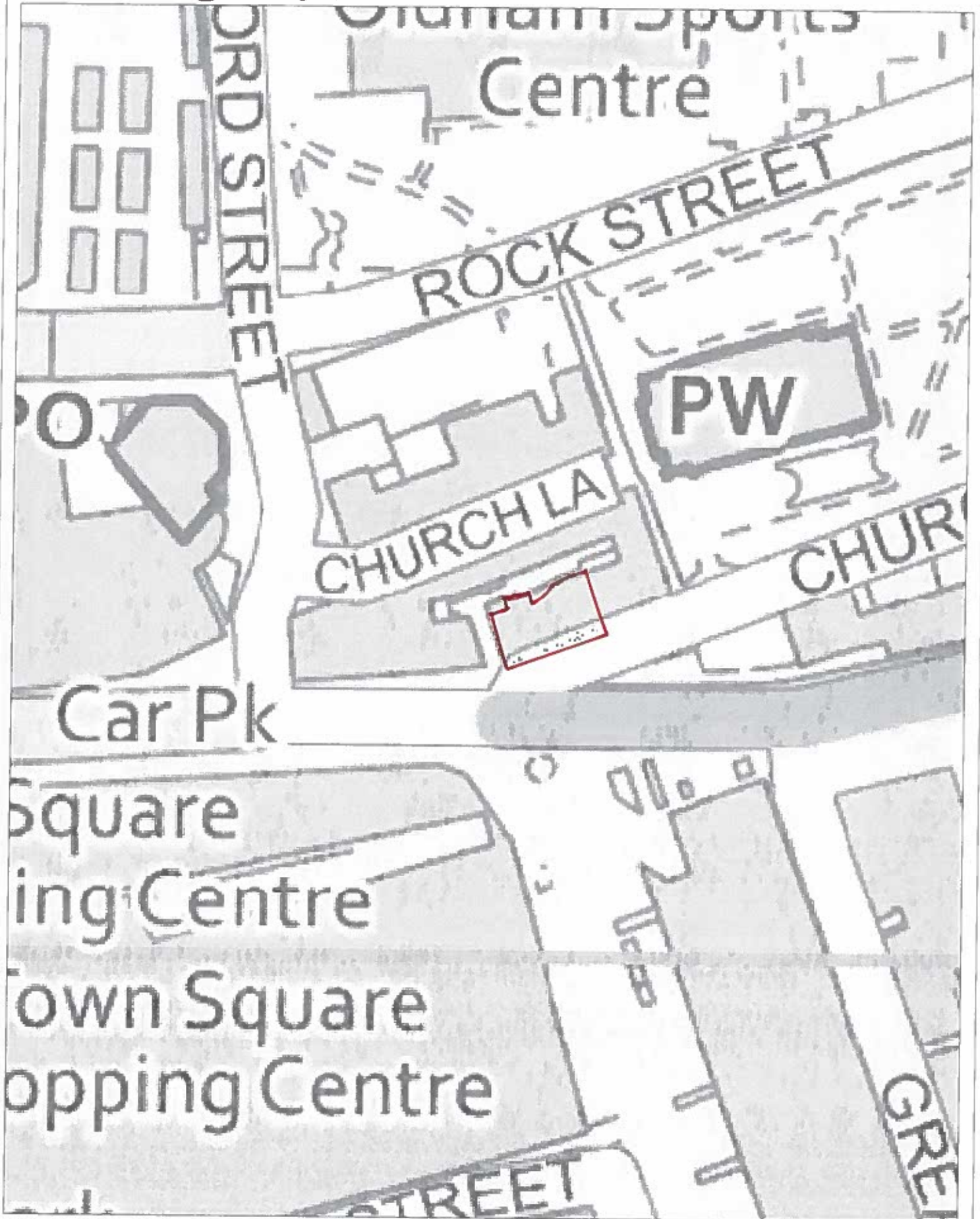
5. The development hereby approved shall not be occupied until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-instating that Order with or without modification, the use of the residential apartments hereby permitted shall be restricted to use within Class C3 of the Town and Country Planning (Use Classes) Order 1987, and to no other purposes including those within Class C4 of that Order.

Reason – To protect the amenity of the area and the character of the Oldham Town Centre Conservation Area.

344184



APPLICATION REPORT - PA/344196/19

Planning Committee, 12 February, 2020

Registration Date: 21/11/2019
Ward: Royton South

Application Reference: PA/344196/19
Type of Application: Full Planning Permission

Proposal: Erection of warehouse building (use class B8) including associated parking and servicing areas
Location: Vacant land adjacent to Meek Street / Higginshaw Lane, Woodstock Business Park, Oldham, OL2 6HN
Case Officer: Dean Clapworthy

Applicant CHORLTON EXPRESS
Agent : GSM Industrial Properties LTD

THE SITE

The application relates to a 0.35 hectare parcel of land to the southern end of Woodstock Business Park at the junction of Meek Street and the B6194 (Higginshaw Lane), Royton. The site is presently used as a parking area for vehicles and storage of heavy goods trailers, and comprises a hardstanding service yard enclosed by 2m high concrete post and wire mesh fencing to its southern and western boundaries with flanking highways. Vehicular access is gained via Meek Street and is controlled by a gatehouse, which also serves a number of other industrial units. There is a second vehicle access from Meek Street to the southwest corner of the site.

Surrounding uses include a group of retail, entertainment and leisure units on the opposite side of Meek Street to the south; other industrial units to the east and north, and traditional terraced dwellings on the opposite side of Higginshaw Lane to the west. A 25m deep strip of grassland occupied by scattered planting falls outside the site and intervenes between its western boundary and the footway of Higginshaw Lane.

THE PROPOSAL

The proposal is for the erection of a warehouse building (use class B8) with associated parking and servicing areas. The main warehouse would have a gross floor space of 1147 square metres (49.2m long x 21.2m deep x 9.1m high to ridge) with the front elevation containing seven HGV roller shuttered openings and a glazed office front. There would be a lean-to storage building at the eastern end. The building would contain warehousing and storage space, with ground floor offices and welfare facilities. It would be clad in plastisol coated profiled sheeting.

There would be parking for 9 car and HGV trailer parking.

RELEVANT HISTORY OF THE SITE:

PA/339370/16: Erection of warehouse and vehicle garage building (use classes B8 and B2) including associated parking and servicing areas. Approved May 2017.

RELEVANT PLANNING POLICIES & GUIDANCE

The site is allocated for business and industry within the Higginshaw Business Employment Area (BEA) as defined on the Joint Core Strategy and Development Management Policies

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

Joint Development Plan Document (DPD)

Policy 1: Climate change and sustainable development

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

Policy 13: Employment Areas

Policy 14: Supporting Oldham's Economy

Policy 18: Energy

Policy 19: Water and Flooding

Policy 20: Design

CONSULTATIONS

Environmental Health

No objection, subject to condition

Highway Engineer

No objection, subject to condition

Coal Authority

No objection, subject to conditions

REPRESENTATIONS

The proposal has been advertised by neighbour notification and site note. No representations have been received.

PLANNING CONSIDERATIONS

Principle of development

The site falls within the Higginshaw Business Employment Area. DPD Policy 14 indicates that B1 and B8 uses will, as a matter of principle, be considered appropriate within this BEA. Furthermore, the previous planning permission for a warehouse unit (PA/339370/16) remains extant. The principle of the development is therefore firmly established.

Visual amenity

The proposed unit would be located adjacent to the northern boundary, beyond which is the long blank elevation of a similarly proportioned business unit. The narrower side elevation would front the landscaped amenity area between the site and Higginshaw Lane, and would be less prominent than the unit approved under the extant planning permission to views from Higginshaw Lane and the dwellings opposite. The unit would therefore be compatible with the prevailing industrial character of the site and its surroundings.

Impact on neighbouring amenity

The closest dwellings to the west would be located a minimum of approximately 44m from the edge of the proposed building, similar to the situation in relation to the extant planning permission. When considered in combination with the building's lower height in comparison to neighbouring industrial units to the north, this spacing would ensure that the unit does not appear as an oppressive or overbearing feature in the outlook of neighbouring dwellings facing the site which is already one of an industrial nature. The easterly position of the building and the lack of any openings to its west facing elevation would also avoid any adverse effects due to overshadowing and overlooking.

The Councils Environmental Health team does not object to the proposal, nor recommend that any conditions are attached requiring mitigation to protect neighbours.

Given the above, the proposal would not have any unacceptable impact on neighbouring amenity.

The Council's Highway Officer notes that the proposed development is located in an area with established commercial use, that the existing access road would be utilised and there is sufficient area within the site for parking and for delivery vehicles to enter, leave and turn in a forward gear with no effect on the local highway network. Furthermore, the Highway Officer advises that there will not be a significant increase in traffic generation as a result. Given these comments, and subject to the recommended condition securing the parking spaces and turning area, it is considered that the proposal would not have any unacceptable impacts on highway safety.

It would also be appropriate, given that the proposal is an employment generating use, to require that secure cycle parking is also provided.

Other matters

The site falls within the Development High Risk Area with respect to coal mining legacy issues. Accordingly, there are coal mining features and hazards within the site and the surrounding area that need to be considered as part of the application. The applicant has submitted a coal mining risk assessment and the Coal Authority has advised that subject to the imposition of an appropriate condition, the development would not be at risk.

To ensure that the proposal is not put at risk from landfill gas, the Council's Environmental Health Officer has recommended that an appropriate condition is attached.

Conclusion

The proposed development would deliver a major employment scheme at a site identified for such development. Subject to appropriate conditions, the proposal would not have any unacceptable adverse impacts on traffic and highway safety, visual, neighbouring and general amenity.

The proposal therefore complies with the relevant Oldham Local Plan policies 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 following approved plans and specifications:

Drawing No. 01 A
Drawing No. 02 A
Drawing No. 03 A
Drawing No. 04 A
Drawing No. 05 A

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

3. The development hereby approved shall not be brought into use unless and until the turning area and parking spaces have been provided in accordance with the approved plan (Drawing No. 01 A). The details of construction, levels and drainage shall be

submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. 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 that adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policy 9 of the Oldham Local Plan.

4. 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.

5. 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 - In order to protect public safety, because the site is located within 250m of a former landfill site and having regard to Policy 9 of the Oldham Local Plan.

6. No development shall take place until a report containing the following details in relation to previous coal mining activities on the site has been submitted to and approved in writing by the Local Planning Authority:

1. A scheme for intrusive site investigations in respect of shallow coal mine workings;
2. A report of the findings arising from the intrusive site investigations;
3. A scheme of remedial works required to ensure that the development does not pose a risk to public safety and/or the stability of the development.

The development shall be carried out in full accordance with the details set out in the duly approved report and a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm that any necessary remedial works have been implemented before the development is first brought into use.

Reason - In order that appropriate measures are put in place to ensure that the development is not at an unacceptable risk as a result of previous coal mining activities in accordance with the requirements of policy 9 of the Oldham Local Plan.

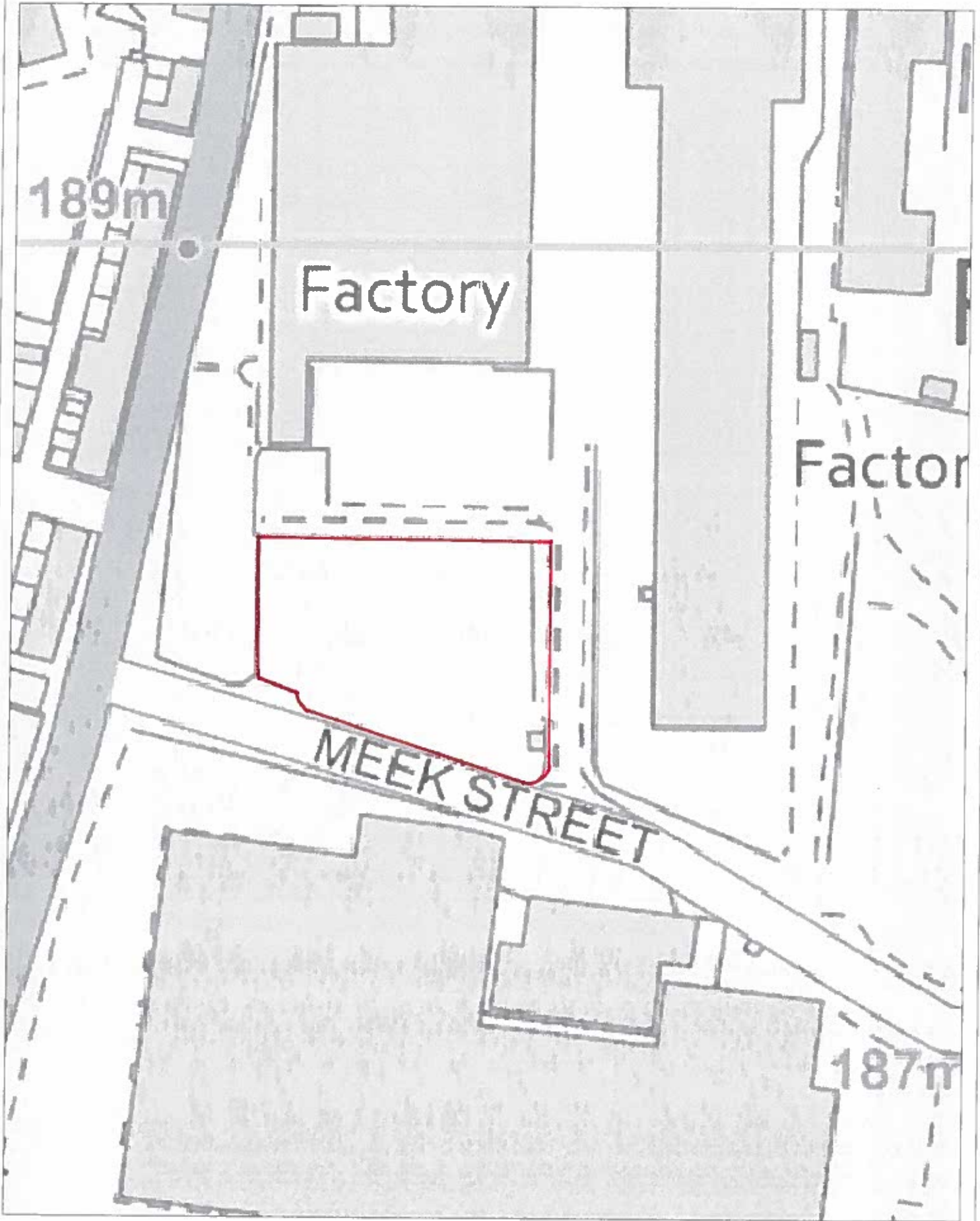
7. No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development 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.

8. Prior to the installation of any external lighting on the building or the external areas of the site an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the lighting's: (i) position and height on the building(s) and/or site; (ii) spillage, luminance and angle of installation; and (iii) any hoods to be fixed to the lights. Any external lighting shall only be installed in accordance with the duly approved scheme.

Reason - To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or detract from visual amenity in the surrounding area as a result of light pollution in accordance with the requirements of Policy 9 of the Oldham Local Plan.

344196



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

February 2020

PLANNING APPEALS

WRITTEN REPRESENTATION

HEARINGS

HOUSE HOLDER

ADVERTISEMENTS

APPEAL DECISIONS

HH/343875/19 – 4 Birks Avenue, Lees, Oldham OL4 3PR – 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 4, Civic Centre, West Street, Oldham.



Appeal Decision

Site visit made on 21 January 2020

by **Sarah Manchester BSc MSc PhD MIEnvSc**

an Inspector appointed by the Secretary of State

Decision date: 27th January 2020

Appeal Ref: APP/W4223/D/19/3240038

4 Birks Avenue, Lees, Oldham OL4 3PR

- 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 & Mrs John Cheetham against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/343875/19, dated 06 September 2019, was refused by notice dated 18 October 2019.
 - The development proposed is single storey dining room extension to front of property.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. No 4 is part of a group of matching semi-detached properties on this side of the street that have single storey front elevations, with single width garage extensions flush with their side elevations. The garage extensions have dual pitch gable roofs set well below the ridgelines of the dwellings. Notwithstanding modest flat roof porch extensions to the front of several properties, the group appears substantially as built. Consequently, there is a coherent and harmonious character and appearance to this part of the street scene.
4. The proposed extension would be single storey with a dual pitch roof. In this respect, it would mirror and match the garage extension. However, the resulting front elevation, with extensions at either side linked by the intervening flat roof porch feature, would be markedly dissimilar to the adjoining property. The proposal would be an incongruous and prominent addition that would not relate well to the original dwellings. It would be a discordant feature that would unbalance the pair of semi-detached properties and it would disrupt the regularity and consistency of the otherwise coherent group of properties. Consequently, it would not make a positive contribution to local distinctiveness or sense of place.
5. I appreciate that away from the immediate area, there are different sizes and styles of property in the street. My attention has also been drawn to extensions elsewhere, although full details of those schemes have not been provided. On the basis of the evidence before me, dormer extensions to 2 storey properties,

detached garages and varying styles of modest porch extensions are not directly comparable to the appeal scheme. Moreover, they do not provide a visual context for the proposal. Furthermore, I cannot be certain that those schemes benefit from planning permission or that they were considered in the same policy context. Therefore, they do not provide a justification for the appeal scheme, which must be considered on its own merits.

6. Therefore, the proposed development would result in significant harm to the character and appearance of the area. It would conflict with Policy 20 of Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies Adopted November 2011. This requires that development, among other things, is of high quality design, reflecting the character and distinctiveness of the area and reinforcing local identity. It would also conflict with policies in the National Planning Policy Framework that require development to be sympathetic to the surrounding built environment and to maintain a strong sense of place.

Conclusion

7. I have concluded that the proposal would conflict with the development plan and there are no other considerations that outweigh that conflict. For this reason, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR

343875

