

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 13 May 2020

Time 6.00 pm

Venue Virtual Meeting – click on the link below to access this meeting
https://www.oldham.gov.uk/info/200608/meetings/1940/live_council_meetings_online

- 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 email sian.walter-browne@oldham.gov.uk
 3. PUBLIC SPEAKING – Any applicant or objector wishing to speak at this meeting must register to do so by email to constitutional.services@oldham.gov.uk by no later than 12.00 Noon on Wednesday 13 May 2020. Full joining instructions will be provided.
 4. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if the question is submitted by email to constitutional.services@oldham.gov.uk by 12 Noon on Thursday, 7 May 2020. The question will be read out by the Chair and a response will be provided at the virtual meeting.
 5. 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.

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 12th February 20202 are attached for Members' approval.
- 6 PA/344149/19 - Former abattoir, Edge Lane Street, Royton, OL2 6DS (Pages 5 - 16)
Former abattoir, Edge Lane Street, Royton, OL2 6DS
- 7 PA/344187/19 - 148 Middleton Road, Royton, OL2 5LL (Pages 17 - 24)
Residential Development to form 14 no Residential Apartments (Use Class C3) following demolition of existing public house.
- 8 PA/344254/10 - Dryclough Manor, Shaw Road, Royton, OL2 6DA (Pages 25 - 32)
Three storey extension to provide 13no additional bedrooms and additional lounge at ground floor.
- 9 PA/344381/20 - Land to the west of Greengate, Oldham, M24 1SE (Pages 33 - 46)
Proposed development comprising of Class B1, B2 or B8 units, associated parking, landscaping and infrastructure.
- 10 Appeals (Pages 47 - 52)
Appeals



PLANNING COMMITTEE
12/02/2020 at 6.00 pm

Present: Councillor Dean (Chair)
Councillors Brownridge, Davis, H. Gloster, Hudson, Phythian,
Cosgrove (Substitute), Hulme, Iqbal and Williamson (Substitute)

Also in Attendance:

Simon Rowberry	Interim Head of Planning
Matthew Taylor	Senior Planning Officer
Dean Clapworthy	Planning Officer
Wendy Moorhouse	Principal Transport Officer
Alan Evans	Group Solicitor
Mark Hardman	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ibrahim and Jacques.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting of the Planning Committee 28th January 2020 be approved as a correct record.

6 **PA/343254/19 - LAND TO THE EAST OF COBALT WAY,
FOXDETON LANE, CHADDERTON OLDHAM**

APPLICATION NUMBER: PA/343254/19

APPLICANT: Commercial Development Projects Ltd

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, Foxderton Lane, Chadderton, Oldham.

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

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



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DECISION: That

1. the application be GRANTED, subject to the conditions set out in the report, other than Condition 20 being as set out in the Late List, and to a Section 106 obligation being secured to provide a contribution of £35,000 for improvements to the linear path to the north of the proposed development site;
2. the Director of Environment be authorised to issue the decision notice upon satisfactory completion of the planning obligation issue.

NOTES:

1. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at agenda item 10.

7 **PA/344184/19 - 1-5 CHURCH TERRACE, OLDHAM, OL1 3AU**

APPLICATION NUMBER: PA/344184/19

APPLICANT: Mr Mushtaq

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.

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

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

DECISION: That the application be GRANTED, subject to the conditions set out in the report, other than Conditions 2 and 5 being as set out in the Late List.

NOTES:

1. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at agenda item 10.

8 **PA/344196/19 - VACANT LAND ADJACENT TO MEEK STREET / HIGGINSHAW LANE, WOODSTOCK BUSINESS PARK, OLDHAM, OL2 6HN**

APPLICATION NUMBER: PA/344196/19

APPLICANT: Chorlton Express



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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.

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

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

DECISION: That the application be **GRANTED**, subject to the conditions set out in the report.

9

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 6.17 pm

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APPLICATION REPORT - PA/344149/19

Planning Committee, 13 May, 2020

Registration Date: 12/11/2019
Ward: Royton South

Application Reference: PA/344149/19
Type of Application: Full Planning Permission

Proposal: Proposed residential development comprising 8no. 2 bed houses, 17no. 3 bed houses, 2no. 4 bed houses, 6no. 2 bed apartments and 6no. 1 bed apartments.

Location: Former abattoir, Edge Lane Street, Royton, OL2 6DS
Case Officer: Graham Smith

Applicant Agent : Wiggitt Construction Limited
Nicol Thomas

THE SITE

0.85 hectare site formerly an abattoir, on the south-western side of Edge Lane Street near the junction with High Barn Street in Royton. Housing to the south off Shaw Street is located on higher ground and is largely obscured from overlooking the site by a significant tree belt adjacent the southern edge of the site.

THE PROPOSAL

Proposed residential development comprising 8no. 2 bed houses, 17no. 3 bed houses, 2no. 4 bed houses, 6no. 2 bed apartments and 6no. 1 bed apartments. The application refers to 19 Affordable rent dwellings and 20 Shared Ownership and as such is a 100% affordable scheme. The site access road is off Edge Lane Street. The applicant has submitted a viability assessment arguing that the site should not be tied to a legal agreement on affordable housing and cannot provide open space contributions.

RELEVANT HISTORY OF THE SITE:

An application for 63 dwellings and 6 offices on this site and the adjacent car sales site fronting High Barns Street was received in 2007 ref PA/052622/07. However, this was withdrawn by the council in 2010.

RELEVANT PLANNING POLICIES

The 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham (DPD). The application site is within the Shaw Road Business and Employment Area (BEA).

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 13 - Employment Areas

Policy 14 - Supporting Oldham's Economy

Policy 18 - Energy;

Policy 19 – Water and Flooding

CONSULTATIONS

Environmental Health - No objection subject to conditions.

Environment Agency - No objection subject to conditions.

Highway Engineer - No objection subject to conditions.

United Utilities - No objection subject to conditions.

Local Lead Flood Authority – After further discussions with the applicant the LLFA considers the proposal with recommended 'Finished Floor Levels' appropriately addresses flood risk subject to conditions.

REPRESENTATIONS

This application was publicised by site notice, press notice and neighbour letters. One objection was received referring to the increased traffic congestion exacerbated by recent developments in the area. The objector requests parking restrictions on Cardigan Street and High Barn Street.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of development & loss of employment land
- Sustainability
- Flood risk
- Amenity
- Design
- Highways
- Ground conditions
- Affordable housing
- Infrastructure contributions

Principle of development & loss of employment land

The Council cannot currently demonstrate a five-year supply of deliverable housing land. The Housing Delivery Test indicates that the delivery of housing in Oldham has been substantially below the housing requirement for the past 3 years. Therefore paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Therefore, in this case the 'titled balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

This site was last used as an abattoir. DPD Policy 14 details uses appropriate within employment areas but does not include residential uses. However, the site is vacant with all buildings demolished. 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 provided some anecdotal evidence regarding the previous owner's unsuccessful marketing of the site since 2008 and the previous owner's own benefit gained by relocation elsewhere. The applicant concludes the site's viability for business purposes is limited. The applicant also highlights the regeneration benefits of this development compared to an otherwise ongoing vacant 'brownfield site', and that the council is encouraging housing on brownfield sites, as such the loss of employment land should be accepted.

Given the present housing supply position, Policy 14 in respect of where the proposal relates to the delivery of housing, is considered to be out-of-date.

Sustainability

The site is considered to have good access to services, facilities and transport and is therefore sustainably located. The proposed energy statement provided by the applicant will produce housing with a reduction in energy consumption of 15% than that required by part L of the Building regulations which accords with Oldham's policy requirements.

Flood Risk

Most of the site is within flood risk zone 1, an area considered to be at the least risk of flooding. However, there is a culverted watercourse that runs across the site and appears at the south western side. The point at which the watercourse emerges is in zones 2 and 3. The NPPF seeks to divert development away from areas of high risk of flooding. The layout does not propose to build in the flood zones 2 and 3, the principle of which is considered to accord with the aims of the NPPF. In this instance as no development takes place in zones 2 and 3 no sequential test is considered necessary.

The applicant's Flood Risk Assessment recommended the need to raise finish floor levels to protect future occupiers of nearby houses to the level proposed. The Lead Local Flood Authority confirms the information the applicant has provided demonstrates that the Finished Floor Levels proposed are more than adequate to mitigate the flood risk from the culvert. The proposal is considered to accord with paragraphs 163 and 165 of the NPPF and the aims of Policy 19.

Amenity

The proposal would not abut any existing residential properties. All houses include rear gardens and result in reasonable separation distances. The two blocks of flats have small amenity areas. Houses on the south-western boundary have some overhanging trees that would appear to impact on the proposed rear gardens on the southern side. The applicant is therefore required to undertake appropriate works on these trees prior to occupation. Overall the amenity provided to future residents is considered to be acceptable and accords with Policy 9.

Design

The proposed houses are of simple design with red facing bricks and smooth grey concrete tiles. The flats are two three-storey buildings with hipped roofs. The layout plan indicates some tree planting, largely in rear gardens, but with some fronting the street. The street scene created with a bland 3-storey block of flats, limited landscaping and close boarded

fencing, is functional in appearance and despite officer's requests for some improvements the application remains as proposed.

Highways

The application includes an access off Edge Lane Street providing an adoptable road to most houses. The rest are served directly from Edge Lane Street. The proposal provides 200% parking for the houses and 100% for the flats considered acceptable for this development.

Concern was raised by an objector regarding general traffic levels in the area, citing Cardigan street, Byron Street and High Barns Street and the traffic roundabout, with problems of rat-running through the area. The applicant provided a Transport Statement that assessed traffic speeds, capacity and accident data in the area. The proposal concludes that the impact of a 39-dwelling development is unlikely to result in severe impact on the use of the immediate highway network. The Local Highway Authority has no objection.

Ground conditions.

The applicant provided phase 1 ground condition survey data. The Environment Agency and the Environmental Health Officer have no objection subject to appropriate planning conditions in order to safeguard the health of future occupiers. Conditions are attached.

Affordable Housing

The application proposes 100% affordable housing and therefore accords with policy requirements. However, due to funding constraints the applicant is unable to enter into a bi-lateral agreement (a section 106 agreement). Nevertheless, it is considered acceptable for a unilateral agreement to safeguard the provision of affordable housing and the applicant has agreed to provide.

Infrastructure contributions

The applicant has submitted a viability assessment which argues that the resulting profit would not enable any contributions to be made (partly due to Infrastructure and abnormal costs associated with a contaminated brownfield site).

This application would normally be required to provide off site open space contribution £198,965.13. Due to high level of abnormal costs the developer's profit falls below the 20% recognised by the NPPF/NPPG guidance on viability. The developer has demonstrated in a robust manner that the outcome would be only 18.44% and members are advised therefore no additional contributions (open space in this instance) can be sought.

Planning Balance

The Council cannot demonstrate a five-year supply of deliverable housing land and as such, in accordance with Paragraph 11 of the National Planning Policy Framework (NPPF), the policies which are most important for determining the application are considered to be out of date. Therefore, the NPPF directs that planning permission should be granted unless either Paragraph 11(d)(i) or 11(d)(ii) apply. In considering Paragraph 11(d)(i), the site is not located near any assets of particular importance. In terms of Paragraph 11(d)(ii), there is a presumption in favour of sustainable development unless the adverse impacts of approving the development would be significant and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Paragraph 8 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives: the 'economic objective', the 'social objective' and the 'environmental objective'. The tilted balance favouring sustainable development applies. In this instance the benefits are considered to include the following:

- The significant social benefit of the provision of 39 affordable dwellings

- The significant social benefit of 39 dwellings towards Oldham's 5-year land supply
- The social, economic and environmental benefit of the site having good access to services and facilities
- The social and environmental benefit of satisfactory amenity provided by an appropriate layout.
- The economic benefit of creation of short-term construction jobs and development of a derelict site and the additional vitality of occupancy of a new residential development to the community.
- The significant environmental benefit of development of a brownfield contaminated site where no significant assets of particular importance (i.e. SSSI) exists and results in no harm to the landscape.

Set against the benefits are the following resulting negative aspects as follows;

- The loss of employment land considered to be of medium harm
- The standard design providing a functional street scene, regrettable but considered of low environmental impact.
- The inability to contribute toward open space (Social and Environmental) is of medium harm, but given the applicant's demonstration of viability this is not considered a demonstrable reason to refuse the application.

Conclusion

Assessing the balance of the benefits against the harms, it is considered that whilst there is some harm identified there are no significant or demonstrable adverse impacts that outweigh the benefits provided. The proposal is therefore considered to represent sustainable development. Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, planning permission should be granted.

RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the following conditions, and to the applicant entering into a Unilateral Undertaking in respect of the provision of 20 shared ownership homes, and 19 affordable rent homes.

2. To authorise the Director of Economy to issue the decision notice upon receipt of a satisfactory Unilateral Undertaking.

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 referenced L1 Location Plan, PL002 Floor Plan, PL003 Floor Plan, PL004 Elevations, PL005 Elevations, and PL006 Street Scene received on 13/11/2019, and referenced M2688.PL.001 RevC Layout Plan received on 29/01/2020.

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 approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks

associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on the information already submitted, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination and in accordance with Policy 9 of the adopted Oldham Local Plan.

4. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the future protection of the Water Environment from risks arising from land contamination and in accordance with Policy 9 of the adopted Oldham Local Plan.

5. No infiltration of surface water drainage into the ground where adverse concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - For the future protection of the Water Environment from risks arising from land contamination and in accordance with Policy 9 of the adopted Oldham Local Plan.

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

The drainage scheme must include:

- (i) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (ii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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.

7. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety, because the site is located within 250m of a former landfill site in accordance with Policy 9 of the adopted Oldham Local Plan.

8. Prior to occupation of the development 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 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 resident's 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.

Reason - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policy 9 of the adopted Oldham Local Plan.

9. Prior to the commencement of any development above slab level, the applicant shall submit for the written approval of the Local Planning Authority a report on the condition of the culverted water course within the site. The report shall assess the condition of the culvert and if in a poor condition, shall recommend rehabilitation works to be undertaken. The development shall be implemented prior to occupation in accordance with the required improvement works to the culvert.

Reason - In the interests of the ongoing protection of the watercourse in accordance with Policy 9 of the adopted Oldham Local Plan.

10. The development shall be implemented in full accordance with the Energy Statement submitted by Lancaster Maloney Ltd Date: November 2019, Ref:1911/01 which details an average completed energy performance of 15% improvement on Part L of the Building Regulations and retained as operational thereafter.

Reason – In the interests of sustainability and to ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

11. Notwithstanding the details shown on the approved plans, no development comprising the erection of any external walls shall take place until 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.

12. No development above slab level 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 including 33 trees to be planted as indicated on approved layout ref M2688.PL.001 version C and a Species-rich native hedgerow to be created as recommended by the applicant's habitat survey, 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 and with all planting within plots to be completed prior to occupation of that plot, 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 having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

13. Prior to the commencement of 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. Before 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 approved in writing by the Local Planning Authority.

Reason – Prior approval is necessary since the facility is fundamental to the initial site preparation works in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

14. The development hereby approved shall not be brought into use until the access and the parking area have been constructed, hard-surfaced, drained and marked out to enable all vehicles to enter and leave the application site in forward gear entirely in accordance with the approved plan Ref: M2688.PL.001 Rev C and thereafter the parking 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 in accordance with Policy 9 of the adopted Oldham Local Plan.

15. Prior to any development above slab level, details of the following measures should be submitted to and approved in writing by the Local Planning Authority to enhance the biodiversity value of the site and include the following measures (as recommended by the Applicant's Habitat Survey):

- 5 general purpose bird nesting boxes to be erected on the exterior of the new buildings as mitigation for the loss of bird nesting sites :
- 5 2FE Schwegler bat boxes to be erected onto the new buildings.
- Where planting is proposed, this should include the provision of native and non-native flowering perennial, annual and shrub species, to provide a pollen and

nectar source for invertebrates.

- Species-rich native hedgerows to be created around the perimeter of the site.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and form of the development and 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.

16. No first occupation of any dwelling abutting the south-western boundary of the site (plots 18 -28 on the layout plan) shall take place until an arboriculture report has been submitted to and approved in writing by the Local Planning Authority demonstrating that over-hanging trees from Shaw Street will not result in unacceptable levels of light and amenity for residents of these plots. The scheme shall include any necessary works to overhanging trees to each plot which will be carried out prior to occupation of that dwelling.

Reason - In the interest of the amenity of the occupiers of the development in accordance with Policy 9 of the Oldham Local Plan.

17. The applicant's Habitat survey identifies the presence of invasive species on the site. No earthworks shall take place until mitigation measures proposed within the survey including eradication for Himalayan Balsam and Cotoneaster have been implemented in full. Evidence of eradication works shall be provided to the Local Planning Authority to enable discharge of this condition.

Reason - In the interests of the protection of the natural environment having regard to Policy 9 of the Oldham Local Plan.

Ordnance Survey Plan
Published 1954 - 1955

Source map scale - 1:2,500

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1940's. In 1954 the 1:2,500 scale was adopted for mapping urban areas and by 1966 it covered the whole of what was considered to be the calibrated parts of Great Britain. The published date given below is often some years later than the surveyed date. Before 1935, all OS maps were based on the Cassini independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas.

Map Name(s) and Date(s)

SD9108	1954	12,500
SD9108	1954	12,500
SD9107	1954	12,500
SD9107	1954	12,500

Historical Map - Segment A13



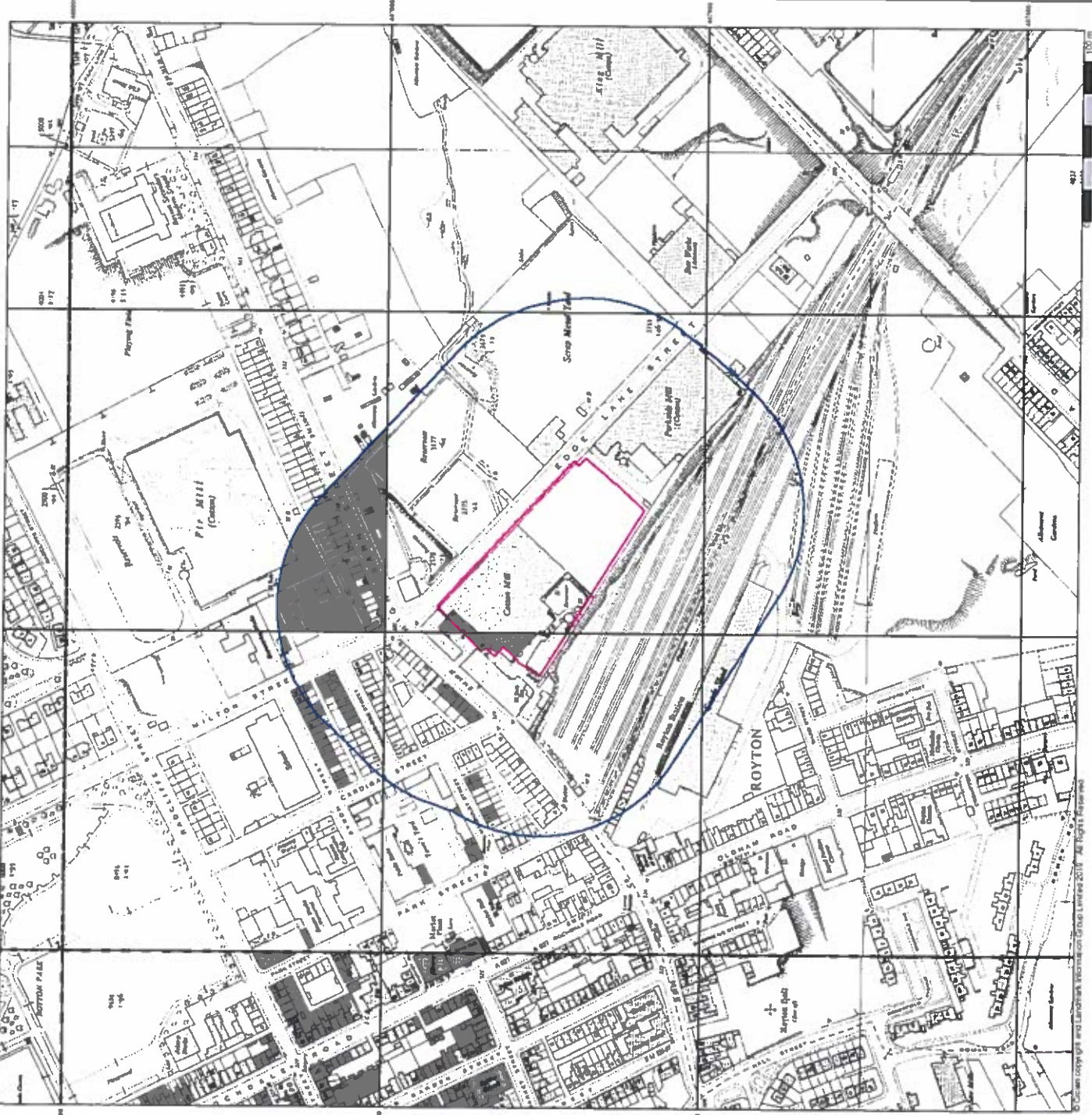
Order Details

Order Number: 218568993_1_1
 Customer Ref: 1264
 National Grid Reference: 392240, 407700
 Slice: A
 Site Area (Ha): 0.85
 Search Buffer (m): 100

Site Details

Parkside House, Parkside Industrial Estate, Edge Lane Street, ROYTON, DL2 8DS

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APPLICATION REPORT - PA/344187/19

Planning Committee, 13 May, 2020

Registration Date: 19/11/2019
Ward: Royton North
Application Reference: PA/344187/19
Type of Application: Full Planning Permission

Proposal: Residential Development to form 14 no Residential Apartments (Use Class C3) following demolition of existing public house.
Location: 148 Middleton Road, Royton, OL2 5LL
Case Officer: Abiola Labisi

Applicant Samrum Investments Ltd
Agent : Dawson Williamson Ltd

THE SITE

The site is located at the junction of Holden Fold Lane and Middleton Road. To the west of the site, on the other side of Holden Fold Lane, are some commercial units which are occupied by various businesses, along with Vine Mill, a four-storey brick mill building located to the south of the site. To the north, on the opposite side of Middleton Road, are some dwellings.

THE PROPOSAL

The proposal relates to a residential development of 14 apartments, comprising 9 single bed units and 5 two-bed units, in a replacement building following the demolition of a former public house, which will be connected to a three-storey extension which is presently under construction approved under planning ref. PA/339829/17 and linked by a communal entrance/circulation area off Middleton Road.

The new building would be constructed of Forterra Farmstead Antique facing brick with blue slate roof over and a combination of uPVC and aluminium windows.

RELEVANT HISTORY OF THE SITE

PA/339829/17 - Three/four storey extension to side and rear of building and conversion of public house to provide a mixed use development comprising four offices and 9 apartments. Approved 12 March 2018

RELEVANT PLANNING POLICIES & GUIDANCE

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

Policy 1 - Climate Change and Sustainable Development
Policy 3 - An Address of Choice
Policy 9 - Local Environment
Policy 10 - Affordable Housing
Policy 11 - Housing
Policy 18 - Energy
Policy 20 - Design
Policy 23 - Open Spaces and Sports

CONSULTATIONS

Highway Engineer	No objection subject to condition relating to the car parking spaces having been provided in accordance with the approved plan (Ref.R1060-101 Rev 1).
Environmental Health	No objection subject to conditions relating to details of landfill gas and contaminated land investigation.
LLFA	No comments received.
Greater Manchester Ecology Unit	No objection subject to condition relating to submission of a scheme for biodiversity enhancement.
Greater Manchester Police Architectural Liaison Unit	A Crime Impact Statement was requested.
United Utilities	No objection subject to condition relating to details of surface water drainage scheme and different systems for draining foul and surface water.

REPRESENTATIONS

No representations have been received.

PLANNING CONSIDERATIONS

The main planning issues to consider are:

- Principle of the development
- Design and Impact on the character of the area;
- Impact on Amenity; and
- Highway issues.

Principle of the development

The principle of redevelopment of the site with a primarily residential scheme has previously been approved, along with the loss of the former community facility, and part of that redevelopment has already commenced.

The Council cannot currently demonstrate a five-year supply of deliverable housing land. Paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Given the present Housing Land Supply position, the most important policies for determining housing applications are afforded "less weight" in the tilted balance.

Those detailed considerations are assessed below.

In accordance with DPD Policies 10 and 23, the development will be required to contribute towards off-site public open space and affordable, and approval of the application will be subject to the completion of a legal agreement to secure that contribution.

The development will also be required to ensure it achieves it secures carbon reduction targets in line with DPD Policy 18, and this will be subject to a condition of approval.

Design and Impact on the character of the area

NPPF p-Paragraph 127 as well as DPD Policies 9 and 20 require that developments are

visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

Apart from the commercial buildings to the west of the site, the area is characterised by mainly brick buildings of two to four storeys and of various designs. The proposed development would be in keeping with the general pattern of development in the area, having regard to its scale and design.

In relation to the proposed use, it is also considered that this would be in keeping with the general character of the area as there are residential properties nearby.

Impact on Amenity

NPPF paragraph 127 requires that new development should ensure a high standard of amenity for existing and future users, whilst DPD Policy provides that development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

Having regard to its separation distance from neighbouring properties, its design and the use of the surrounding properties, it is considered that the proposal would not lead to unacceptable adverse impacts on the amenities of the occupiers of neighbouring properties.

The development is in close proximity to some commercial premises. However, it is not considered that the neighbouring commercial uses would impact on the amenities of the occupiers of the development to an unacceptable degree given the nature of the surrounding commercial uses. The Environmental Health Officer has no objection to the proposal on residential amenity grounds.

Further on amenity, the units would comply with the space standards set out within the Technical housing standards – nationally described space standard, March 2015.

Highway Issues

NPPF Paragraph 108 provides that proposals should ensure that safe and suitable access to the site can be achieved for all users while paragraph 109 provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal includes provision of nine car parking spaces as well as eight cycle storage racks which can be safely accessed. In addition, the site is within walking distance of Royton Town Centre where a range of facilities is available. Given the size of the development, and the proximity to community facilities, it is considered that the number of vehicle parking and cycle storage facilities to be provided would not lead to any severe highway issues and would therefore be acceptable.

CONCLUSION

Given the above, there would be no adverse impact of approving the development that would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as whole and there are no specific policies that indicate that the development should be restricted. In these terms, the NPPF advises that permission should be approved.

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 £37,169.31 for the improvement and maintenance of off-site open space and affordable housing.

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 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 19/02/2020, which are referenced as:

- i. Drawing No. R1060-101 Rev 2 (Proposed Site Plan)
- ii. Drawing No. R1060-102 Rev 1 (Site Elevations as Proposed)
- iii. Drawing No. R1060-110 Rev 4 (Proposed Ground Floor Plan)
- iv. Drawing No. R1060-111 Rev 4 (Proposed First Floor Plan)
- v. Drawing No. R1060-112 Rev 4 (Proposed Second Floor Plan)
- vi. Drawing No. R1060-113 Rev 3 (Proposed Third Floor/Roof Plan)
- vii. Drawing No. R1060-114 Rev 1 (Proposed Roof Plan)
- viii. Drawing No. R1060-201 Rev 3 (Proposed Front Elevation Plan)
- ix. Drawing No. R1060-202 Rev 3 (Proposed Side Elevation Plan)
- x. Drawing No. R1060-203 Rev 3 (Proposed Rear Elevation Plan)
- xi. Drawing No. R1060-204 Rev 3 (Proposed Side Elevation 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. Notwithstanding the details shown on the planning application documents, no development comprising the erection of any external walls shall take place until 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.

4. The development hereby approved shall not be brought into use unless and until the car parking spaces have been provided in accordance with the approved plan received on 19/02/2020 (Ref. R1060-110 Rev 4) and thereafter the parking spaces shall not be used for any purpose other than for the parking and manoeuvring of vehicles.

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

5. The landscaping works shown on the approved Site Plan and Ground Floor Plan shall be carried out in accordance with the approved details within the first planting season following first occupation of the development hereby permitted. Any shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by shrubs of similar size and species to those originally required to be planted.

Reason - To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in order to enhance the site's biodiversity having regard to Policy 20 of the Oldham Local Plan.

6. Prior to any part of the development hereby approved being occupied, a verification report demonstrating the completion of remediation works set out in the Phase 2 Site Investigation Report prepared by Build Vision Limited (Consulting Engineers) and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site does not pose any further risk to human health or the water environment 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 during the demolition and construction phases of the development. 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. The development shall be implemented in accordance with the physical security measures set out in Crime Impact Statement report prepared by the Greater Manchester Police (Reference. 2017/0238/CIS/01) submitted with the application.

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

9. Prior to the commencement of the development, details of separate proposals for the disposal of surface and foul water shall be submitted to the Local Planning Authority for written approval. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 6 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

10. The demolition of the Dog and Partridge public house building shall not commence 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.

GENERAL NOTES
 1. REFER TO ALL PREVIOUS REVISED SHEETS.
 2. VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.
 3. VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.
 4. VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.
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 9. VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.
 10. VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.

- EXCLUDED WORK**
- PRELIMINARY
 - PERMITS
 - FINISH
 - PLUMBING
 - ELECTRICAL
 - MECHANICAL
 - INTERIORS
 - EXTERIORS
 - LANDSCAPE
 - SIGNAGE
 - FURNITURE
 - EQUIPMENT
 - MATERIALS
 - LABOR
 - TRAVEL
 - MEALS
 - ACCOMMODATION
 - UTILITIES
 - INSURANCE
 - TAXES
 - OTHER

NO. 1
 REV. 11
 PROJECT REPORT

R1060-001 Rev. 1

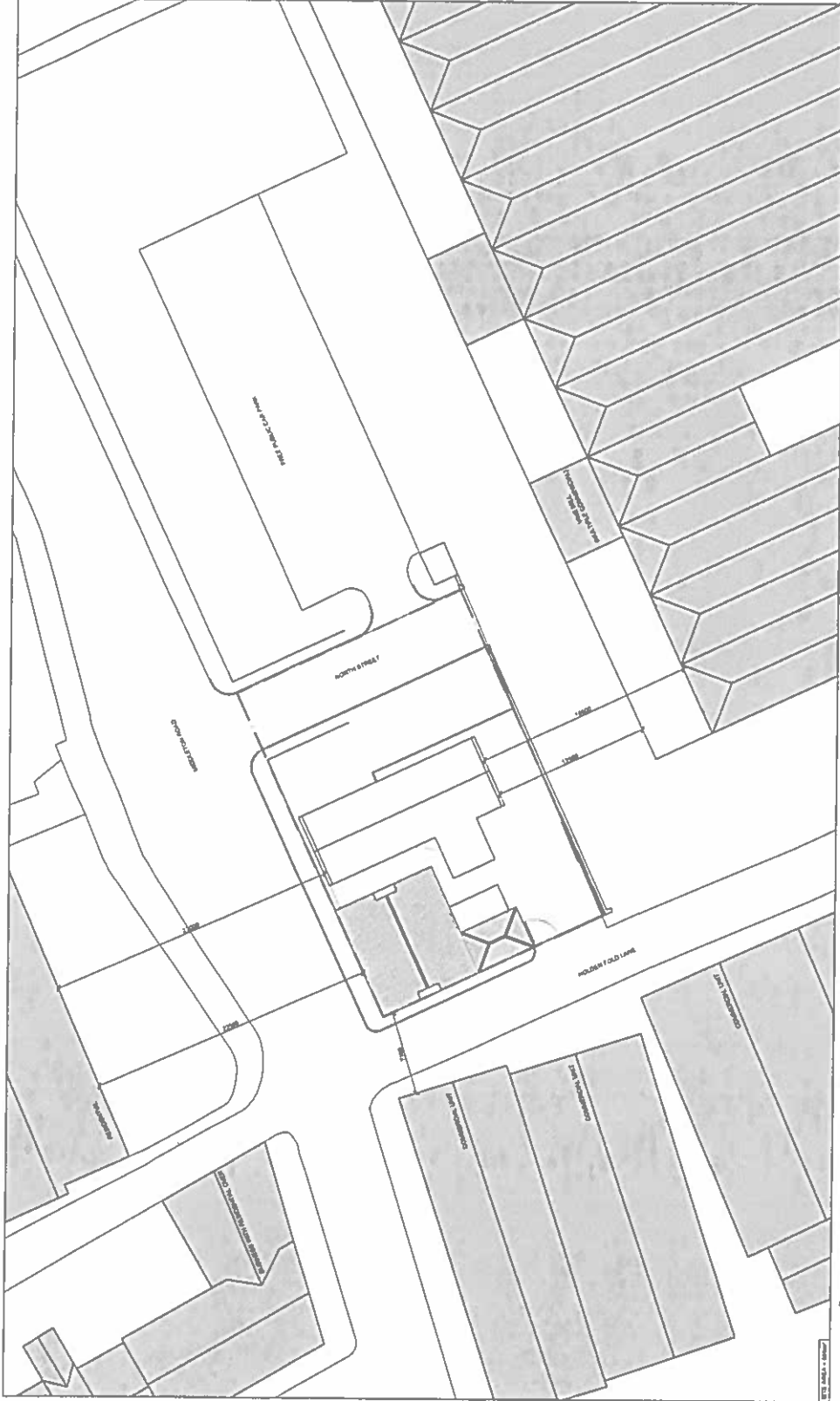
TITLE SITE PLAN
CLIENT [REDACTED]
DATE [REDACTED]
SCALE 1/8" = 1'-0" @ A1

PROJECT PROPOSED RESIDENTIAL DEVELOPMENT OF 1075
 1075 1/2 OLD LANE, HOUSTON, TEXAS 77055
 CLIENT: [REDACTED] PUBLIC HOUSE
 OLD LANE

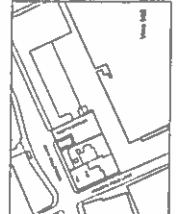
CLIENT [REDACTED] / [REDACTED]

DAWSON WILLIAMSON
 ARCHITECTS
 6100 FIVE STAR DRIVE, SUITE 1000, HOUSTON, TEXAS 77056
 281.461.1111
 WWW.DAWSONWILLIAMSON.COM

1075 1/2



NOTE: CHECKED TO BE PLACED IN CORRECT POSITION WITH
 LOCATION SITE TO MATCH THE DRAWING OF 1075 1/2



APPLICATION REPORT - PA/344254/19

Planning Committee, 13 May, 2020

Registration Date: 03/12/2019
Ward: Royton South
Application Reference: PA/344254/19
Type of Application: Full Planning Permission

Proposal: Three storey extension to provide 13no additional bedrooms and additional lounge at ground floor.
Location: Dryclough Manor, Shaw Road, Royton, OL2 6DA
Case Officer: Dean Clapworthy

Applicant Carewise Homes Ltd
Agent : C C Gladding Architects

THE SITE

Dryclough Manor is a residential care home occupying a large detached and extended two storey building which is positioned within large mature grounds that are bounded to the south, west and north by Valley Road, Shaw Road and Salmon Fields. To the east is a wooded area and communal garage site. There are presently 44 residents.

The premises are accessed via Eleanor Road, which is a relatively narrow residential street serving traditional terraced dwellings without off-street parking. Trees within the site are protected by Tree Preservation Order (TPO).

THE PROPOSAL

The proposal is for a three storey extension attached to a previous extension to provide 13no additional single bedrooms for people in need of care and an additional lounge at ground floor. The extension would be finished in facing brick with grey concrete roof tiles. No alterations are proposed to the existing site layout, which has twelve off-street parking spaces.

The submitted car parking statement confirms that the site presently employs 38 staff of which a maximum of 12 are on site at any one time. They arrive by mixed modes of transport, either in private cars, public transport or walking. The proposed development would result in an increase of 3 members of staff on site at a time.

RELEVANT HISTORY OF THE SITE:

PA/337280/15: Single storey extension to lounge area. Approved September 2015.

PA/041081/01: Single storey extension to contain residents kitchen. Approved April 2001.

PA/033009/95: Extension to residential care home (resulting in 40 beds). Approved June 1995.

PA/032051/94: Renewal of consent for extension to residential care home (resulting in 30 beds). Approved June 1994.

PA/029992/93: Conservatory and new windows. Approved March 1993.

PA/027653/91: Removal of Condition 5 of PA/027653/91. Approved September 1991.

PA/024486/89: Extension to residential home. Approved Jan 1990.

PA/19076/85: Change of use to home for the elderly. Approved January 1986.

RELEVANT PLANNING POLICIES & GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004, reiterated in Paragraph 2 of the NPPF, requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

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 DPD 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 2: Communities

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

Policy 20: Design

Saved Unitary Development Plan Policies

Policy D1.5: Protection of Trees on Development Sites

CONSULTATIONS

Highway Engineer

Environmental Health

No objection.

No objection, subject to a condition relating to ground conditions.

Coal Authority

No objection, subject to a condition requiring the investigation of past mine workings.

Drainage

No objections.

Tree Officer

No objection, subject to condition requiring tree protection measures.

REPRESENTATIONS

The application has been advertised by direct neighbour notification and site notice. 61 representations have been received raising matters that can be summarised as follows:

- The proposal would result in an unacceptable increase in traffic in an already congested area with insufficient existing parking at the site. Roads leading to the site are narrow and visitor, delivery and emergency vehicles can experience difficulties gaining access. An alternative access route to the site should be required with increased on-site parking
- Due to the existing congestion, the Council issued letters to nearby residents of the surrounding streets stating that double yellow lines may be required to ensure emergency vehicle access is maintained
- There is a culverted stream at the site which needs to be considered
- The Coal Mining Report relates to a previous extension
- The extension would extend towards neighbouring residential dwellings, impacting on amenity
- The proposal will have an impact on property values

PLANNING CONSIDERATIONS

Background

The proposal has been called-in for Planning Committee determination by Councillor Bashforth due to concerns relating to the access and parking at the site and the potential detrimental effect of additional traffic on the surrounding streets.

The main issues to consider are:

- The principle of the proposed development
- Access and highway safety
- Design and impact on visual amenity
- Amenity
- Other matters

The principle of development

DPD Policy 2 states that the council will support proposals for new and improved community facilities that meet an identified need. A care home constitutes a community facility and the applicant has identified a need for further accommodation for residents in need of care. The proposal is therefore acceptable in principle.

Access and highway safety

DPD Policy 5 states that the Council will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals. Policy 9 states that local environmental quality and amenity will be protected and/or improved by ensuring development minimises traffic levels and does not harm the safety of road users. 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.

This is the principal issue raised in representations. The proposal would facilitate 13 additional residents, supported by 3 full time equivalent additional staff members on site at any one time. The Highway Officer confirms that there are no national or local parking standards and that any assessment needs to be based on the location and existing conditions.

It is noted that the proposed development is located in a sustainable location with links to public transport and opportunities for staff and visitors to travel to the site by more sustainable modes of transport. Whilst it is recognised that the access to the site can and does become congested, the increase in the bedroom numbers and the associated visits by medical professionals, staff and other visitors will not have any significant or detrimental impact on the local highway network either from traffic generation or demand for on-street parking. As a result, the Highway Officer does not object to the proposed extension.

Given the assessment by Highway Officer and the scale and nature of the proposed extension, it is not considered that the proposal would have any unacceptable impacts on the safe operation of the local highway network.

Design and impact on visual amenity

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20 as it requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene. Furthermore, Policy 9 stipulates that development should not have a detrimental impact on the visual appearance of an area.

The proposed extension would largely continue the scale and form of the existing extension and the fenestration would replicate the regimentation and alignment of the existing. The materials would match. A generous distance of around 12 metres would be retained to the southern boundary, such that the building to plot ratio would remain low. Land reprofiling

would be minor in scale and would not be significant, particularly from beyond the site boundaries.

The proposed extension would therefore appropriately assimilate with the existing building and the site

Amenity

DPD Policy 9 aims to safeguard the users or occupiers of adjoining land or properties from the impacts likely to be associated with development proposals.

The proposed extension would retain a distance of at least 25 metres to nearest boundaries of neighbouring dwellings to the south with intervening trees, which would be retained and would significantly screen it. Given these circumstances, the proposal would not have any unacceptable impacts upon neighbouring amenity.

Other matters

The site falls within an Air Quality Management Area (AQMA), but relates to an existing facility that falls within a densely populated residential area. Neither the Lead Local Flood Authority, Environmental Health Officer, Tree Officer or Coal Authority have objected to the proposal. Conditions are recommended to ensure that the proposed development proceeds in a manner that ensures that ground conditions are appropriate and trees are adequately protected.

Other matters have been raised in representations that are not material to the assessment and determination of the proposal.

Conclusion

The proposed development would enable an existing community facility to expand and improve its facilities at the site. Subject to appropriate conditions, the proposal would not have any unacceptable adverse impacts on traffic and highway safety, visual and neighbouring amenity and would not be at risk from contamination or former coal mining activity in the area and protected trees would be adequately protected during construction works.

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. 2269/loc/a
Drawing No. 2269/LGF19/1
Drawing No. 2269/LGF19/2
Drawing No. 2269/LGF19/3

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 consistent in terms of colour, size and texture with those used in the existing building.

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

4. Prior to the commencement of development a site investigation and assessment to identify the extent of land contamination shall be carried out and the consultant's report and recommendations 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.

5. 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:

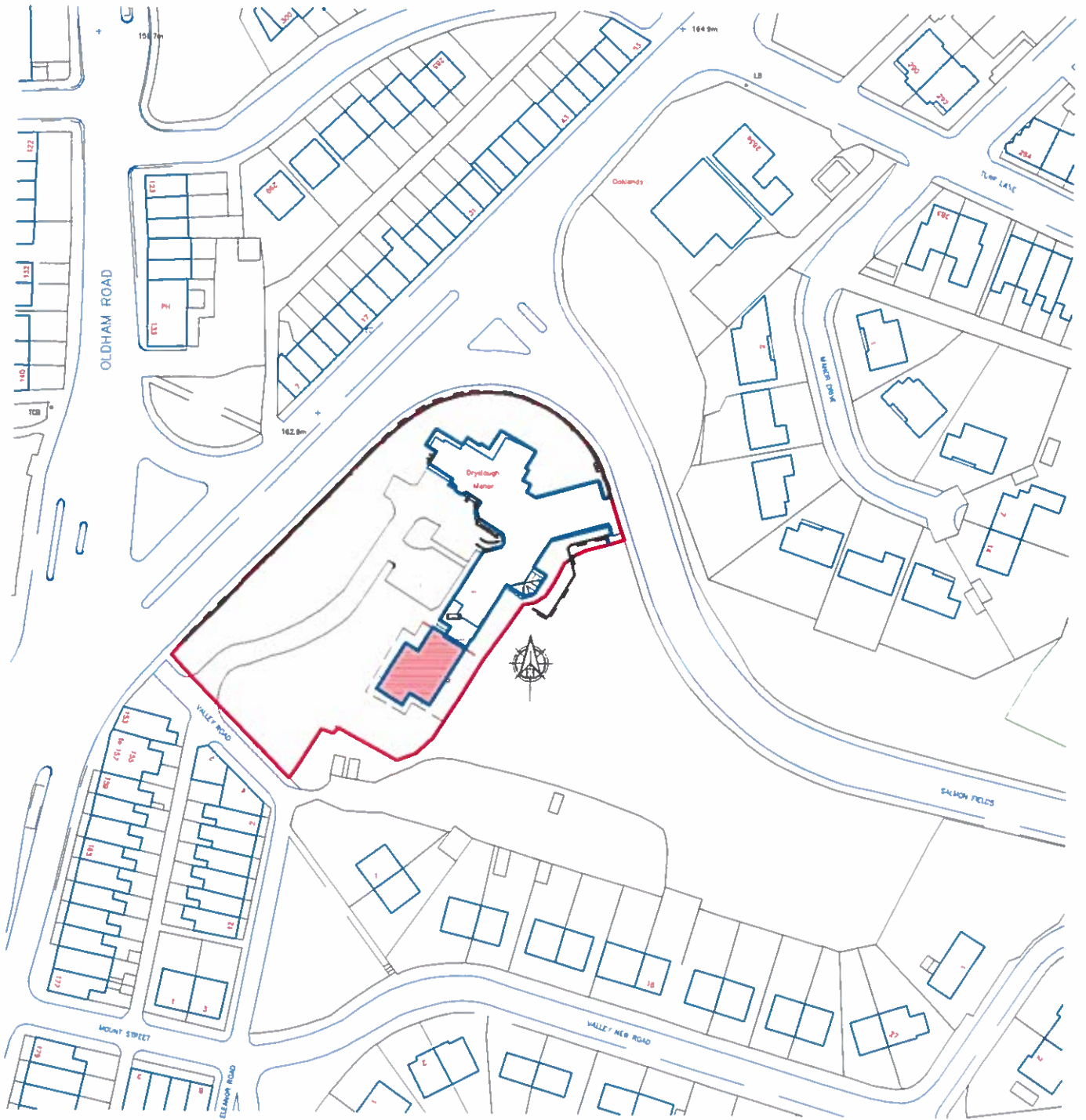
- a) The undertaking of a scheme of intrusive site investigations to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity;
- b) The submission of a report of findings arising from the intrusive site investigations;
- c) The submission of a scheme of remedial works for approval, should such works be found to be necessary.

Thereafter, the development shall be implemented in accordance with the approved remedial works.

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.

6. Prior to the commencement of development a full Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority which shall detail how trees within and adjacent to the site will be protected for full duration of the construction of the development. Thereafter, the development shall be implemented in accordance with the approved details.

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



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date	07/14
drawing	2269/loc/a

APPLICATION REPORT - PA/344381/20

Planning Committee, 13 May, 2020

Registration Date: 16/01/2020
Ward: Chadderton Central

Application Reference: PA/344381/20
Type of Application: Full Planning Permission

Proposal: Proposed development comprising of Class B1, B2 or B8 units, associated parking, landscaping and infrastructure.
Location: Land to the west of Greengate, Oldham, M24 1SE
Case Officer: Dean Clapworthy

Applicant Agent : Royal London Mutual Insurance Society Ltd
Hourigan Connolly

THE SITE

The proposal relates to a 3.3 hectare site bounded by the M60 motorway at the south, Greengate (B6393) to the east, Blackley Golf Club to the west and an area of open land containing trees and grassland, beyond which are a number of commercial and employment units to the north. The site access forms part of a traffic light controlled junction with Greengate (B6393) with pedestrian and cycle crossing provision. Greengate is a main vehicular arterial route linking the areas of Middleton and Chadderton with the motorway network and Manchester to the south.

There is currently access to the site via an underpass, accessed from an unnamed service road, however this is height restricted and is limited to use by small vehicles only.

Boundaries to the site are generally formed by a combination of palisade and weldmesh security fencing.

The site is within an area allocated as Business Employment Areas and was previously occupied by BAE Systems PLC and is presently used for car storage purposes.

The relatively flat site predominantly comprises hard surfacing associated with the car park areas and there are some areas of scrub, scattered trees and marshy grassland. An electricity pylon is enveloped by the site.

THE PROPOSAL

The proposal is for a development of employment units across the site comprising of unrestricted Class B1, B2 or B8 use units, associated parking, landscaping and infrastructure. The principal elements would comprise the following:

- 14 employment units of varying sizes (up to a maximum floor space of 2,958 sq.m and 13.7m height) and set out as 3 detached units and adjoining clusters of 3 and 8 smaller units, giving a total combined gross floor space of 13177 sq. m. These would be clad in various shades of grey/silver profiled and non-profiled metal sheeting with green reveals. Solar PV panels would be installed to roofs.
- 159 car parking spaces (including 15 for disabled persons), 5 motorcycle spaces, 50 cycle parking/storage spaces and 3 trailer spaces
- Reconfiguration of the existing traffic signal control junction into the site to allow right turn entry and exit and pedestrian crossing facility, and new service roads within the site
- Landscaping mainly around the site boundaries and framing the junction and hard

landscaping and new 2.4m high palisade and paladin fencing. Existing fencing to the boundaries would be retained

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

RELEVANT HISTORY OF THE SITE:

PA/343147/19: Erection of commercial units to be used for a purpose that falls within either Class B1 (Business), Class B2 (General industry), or B8 (Storage or distribution uses). Associated parking, landscaping and infrastructure. Approved July 2019.

NMA/342928/19: Non material amendment to PA/341476/18 for alterations to external elevations. Approved March 2019.

PA/341476/18: Proposed drive-through café/restaurant (Use Class A3), public house/restaurant (Use Class A4), 3 industrial units (Use Classes B1, B2 or B8), associated parking, landscaping & infrastructure. Approved September 2018.

PA/330635/11: Extension of time relating to PA/54397/07 Erection of 15 no. office units (class B1) totalling 8,562 square metres; fast-food restaurant 245 square metres; associated access, servicing and landscaping arrangement. Approved July 2011.

PA/054397/07: Erection of 15 no. office units (class B1) totalling 8,562 square metres; fast-food restaurant 245 square metres; associated access, servicing and landscaping arrangement. Approved September 2008.

PA/049156/05: Outline application, (including demolition of existing buildings) for mixed use development comprising business uses within Class B1, B2 and B8 (including trade counter), hotel (Class C1), public house (Class A4), 2 no. fast food restaurants (Class A3), car dealership, associated car parking and highway works. Siting, design (for units A, B and C only) and access to be considered, all other matters reserved. Approved March 2006.

RELEVANT PLANNING POLICIES & GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004, reiterated in NPPF Paragraph 2, requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

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 falls within the Greengate/Broadgate Business Employment Area (BEA 3) on the Proposals Map pertaining to the Local Plan. 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
Policy 21: Protecting Natural Environmental Assets
Policy 25: Developer Contributions

Policy D1.5: Protection of Trees on Development Sites

National Guidance

National Planning Policy Framework (NPPF)

CONSULTATIONS

Highway Engineer	No objection, subject to conditions relating to vehicle parking and access arrangements, the provision of secure cycle parking and the development of a travel plan.
Environmental Health	No objection, subject to conditions relating to electric vehicle charging points and ground conditions.
Coal Authority	No objection
Environment Agency	No objection
Lead Local Flood Authority (LLFA)	No objection.
Greater Manchester Ecology Unit (GMEU)	No objection, subject to biodiversity mitigation close to the site via a Section 106 contribution and conditions relating to the protection of nesting birds and the management of invasive plant species.
Greater Manchester Police	No objection, subject to a condition requiring implementation of the physical security specifications set out in the Crime Impact Statement
The Ramblers Association Tree Officer	No objection No objection, subject to conditions requiring implementation in accordance with the submitted tree protection measures and replacement tree planting.
Natural England	No objection
United Utilities	No objection, subject to conditions relating to drainage.
Highways England	No objection
Transport for Greater Manchester	No objection
G M Archaeological Advisory Service	No objection

REPRESENTATIONS

The proposal has been advertised by Press and Site Notices and direct neighbour notification. No representations have been received.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of development
- Access and highway safety
- Design and amenity
- Other matters (Contaminated land, landfill gas, and drainage)

Principle of development

DPD Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings and development on 'previously developed land' prior to the use of greenfield sites.

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

economy. Employment areas are spread across the borough. They provide land for existing firms to expand and for new firms to locate here, so providing for job opportunities.

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

Furthermore, the planning history, of which some permissions are extent, establishes such uses.

Access and highway safety

DPD Policy 5 states that the Council will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals. Policy 9 states that local environmental quality and amenity will be protected and/or improved by ensuring development minimises traffic levels and does not harm the safety of road users. 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.

Access to the proposed development would be taken from the existing traffic signal controlled junction at the access road with Greengate which also serves the premises to the east. A highway improvement would be carried out to the junction to facilitate movement into and out of the site for vehicles, cyclists and pedestrians.

The site is in a sustainable location with excellent links to public transport and opportunities for walking and cycling. Conditions are recommended to ensure that more sustainable modes of travel are promoted in the form of the provision of cycle storage facilities and a Travel Plan

A Transport Assessment was submitted with this application. It was found that the amount of traffic likely to be generated by the current proposal will be less than that of previously approved schemes. Traffic modelling of the existing traffic signal controlled junction was also undertaken, and after the addition and clarification of some information, Transport for Greater Manchester is satisfied that the junction will continue to operate within capacity, and that the traffic generated by the proposed development will have no significant or adverse impact on the local highway network.

The Council's Highway Officer has no objection.

Therefore, the proposed development is in compliance with the above policies and the NPPF.

Design and amenity

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in policies 9 and 20. Furthermore, Policy 9 seeks to ensure development does not result in unacceptable adverse impact on amenity.

There are no dwellings within close proximity to the application site, which is framed by the motorway, the robust landscaped boundary of the golf course and further employment sites. Therefore, the proposal will have no significant impact on amenity.

The proposed units are of a utilitarian form, design and materials which would be compatible with the prevailing character of the Business Employment Area. Landscaping around the site boundary and entrance would provide a more verdant character to the site, which is currently hard landscaped.

The proposal would therefore accord with the above Local Plan policies.

Other matters

Ground Conditions

The Environmental Health Officer has confirmed that it would be appropriate to reapply ground contamination and gas conditions previously applied to the most recent extant planning permission at the site.

Drainage

The Lead Local Flood Authority does not object to the proposal and United Utilities have recommended the attachment of conditions.

Ecology and trees

The Greater Manchester Ecology Unit has highlighted that there are some areas of scrub, scattered trees and marshy grassland of local nature conservation value and that the landscape proposals do not include for the creation of any new marsh or wet grassland. As the scheme would result in a net loss of local biodiversity, it is recommended that appropriate mitigation is made through the provision of a contribution for biodiversity net gain elsewhere. The applicant is agreeable to such being secured via a Section 106 legal agreement. They have also recommended conditions to protect birds and to prevent the spread of Japanese Knotweed.

The Council's Tree Officer recommends that retained trees are protected for the duration of the construction of the development and agrees to the proposed landscaping proposals.

Energy

The proposal is required to achieve the energy efficiency targets indicated in DPD Policy 18. The submitted Energy and Sustainability Statement confirms that a 15% saving can be achieved through the installation of roof mounted PV systems and a condition is recommended that would secure these energy savings, along with the introduction of electric vehicle charging points.

Conclusion

The proposed development would deliver a major employment scheme at a previously developed 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 of £9,800 for biodiversity mitigation and net gain.
 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.

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

Location Plan (Drawing No. 17022_PL201)
Proposed Site Plan (Drawing No. 17022_PL202 E)

Unit A - Proposed GA Floor Plans & Roof Plans (Drawing No. 17022_PL203 C)
Unit A - Proposed Elevations & Section (Drawing No. 17022_PL204 B)

Unit B - Proposed GA Floor Plans (Drawing No. 17022_PL205 C)
Unit B - Proposed GA Roof Plan (Drawing No. 17022_PL206 A)
Unit B - Proposed Elevations & Section (Drawing No. 17002_PL207 B)

Unit C - Proposed GA Floor & Roof Plans (Drawing No. 17022_PL208 C)
Unit C - Proposed Elevations & Section (Drawing No. 17002_PL209 B)

Unit D - Proposed GA Floor & Roof Plans (Drawing No. 17022_PL210 C)
Unit D - Proposed Elevations & Section (Drawing No. 17002_PL211 B)

Unit E - Proposed GA Floor & Roof Plans (Drawing No. 17022_PL212 C)
Unit E - Proposed Elevations & Sections (Drawing No. 17022_PL213 B)

Proposed Site Sections (Drawing No. 17022_PL214 B)

Levels and Drainage Plan (Drawing No. 17-066/300 P6)

Landscape Layout (Drawing No. 101 C)

Proposed Hard Landscaping Plan (Drawing No. 17022_PL215 C)

Planting Plan (Drawing No. 201 A)
Planting Plan - Sheet 1 of 3 (Drawing No. 201 B)
Planting Plan - Sheet 2 of 3 (Drawing No. 202 B)
Planting Plan - Sheet 3 of 3 (Drawing No. 203 B)

Tree Retention Removal (Drawing No. 102 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. 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 documentation.

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. The development hereby approved shall not be brought into use unless and until the access and car parking spaces have been provided in accordance with the approved plan (Drawing No. 17022_PL202 Rev E). 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 Policy 5 and 9 of the Oldham Local Plan.

5. The following full design and construction details of the required improvements to the Greengate Access Arrangements shall be submitted to and approved in writing by the Local Planning Authority and thereafter completed in full before any part of the development is occupied:
- How the scheme interfaces with the existing highway alignment and details of the carriageway markings and lane destinations
 - Full signing and lighting details
 - Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards)
 - An independent Stage Two Road Safety Audit (taking account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

Reason - To ensure that the means of access to the application site is acceptable to the Local Highway Authority in terms of highway safety and the continued efficient operation of the local highway network having regard to policies 5 and 9 of the Oldham Local Plan.

6. Secure cycle parking facilities shall be provided within the site prior to the first occupation of any part of the development hereby approved, 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 policies 5 and 9 of the Oldham Local Plan.

7. Within three months of the first occupation of any individual part of the development hereby approved, a travel plan for that part shall be submitted for the written approval of the local planning authority. The approved travel plans for each part shall be implemented within six months of occupation of that part of the development.

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

8. The recommendations within the site investigation and assessment in relation to the landfill gas risk (Phase I/II Geo-environmental Site Assessment by TRC Companies Limited and dated December 2019) shall be undertaken in accordance with the approved details. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

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

9. The recommendations within the site investigation and assessment to identify the extent of land contamination which has been carried out ((Phase I/II Geo-environmental Site Assessment by TRC Companies Limited and dated December 2019) shall be undertaken in accordance with the approved details. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

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

10. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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

11. Before the first occupation of any part of the development hereby approved, electric vehicle charging points for that part of the development shall be provided in accordance with a scheme and timetable 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.

12. All hard and soft landscape works, including fencing, shall be carried out in accordance with the approved plans (Landscape Layout (Drawing No. 101 C), Proposed Hard Landscaping Plan (Drawing No. 17022_PL215 C), Planting Plan (Drawing No. 201 A), Planting Plan - Sheet 1 of 3 (Drawing No. 201 B), Planting Plan - Sheet 2 of 3 (Drawing No. 202 B), Planting Plan - Sheet 3 of 3 (Drawing No. 203 B)).

Hard landscaping shall be implemented before any part of the development is occupied and soft landscaping within the first available planting season following 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 having regard to Policies 9, 20 and 21 of the Oldham Local Plan and Saved Unitary Development Plan Policy D1.5.

13. All existing trees that have a retention value of B or greater, shall be protected by protective fencing in accordance with BS5837:2012 and as detailed in the submitted Tree Survey and Constraints Report by TPM Landscape and 'Tree Constraints Plan' (Drawing No. TR-01 V1). The protection measures 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 - To protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

14. The identified invasive plant species at the site shall be treated in full accordance with the Japanese Knotweed Management Plan dated 25/03/20 (Job No. IPM 17 1107).

Reason - To prevent the spread of an invasive species having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.

15. No works to trees or vegetation clearance shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably qualified person 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.

16. As far as is practicable, the development shall be carried out in accordance with the recommendations contained within the Crime Impact Statement by Design for Security dated 12/02/2018 (Ref. URN: 2018/0545/CIS/01).

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.

17. A surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works.

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 50 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan and the NPPF.

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

Reason - To secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

19. 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.

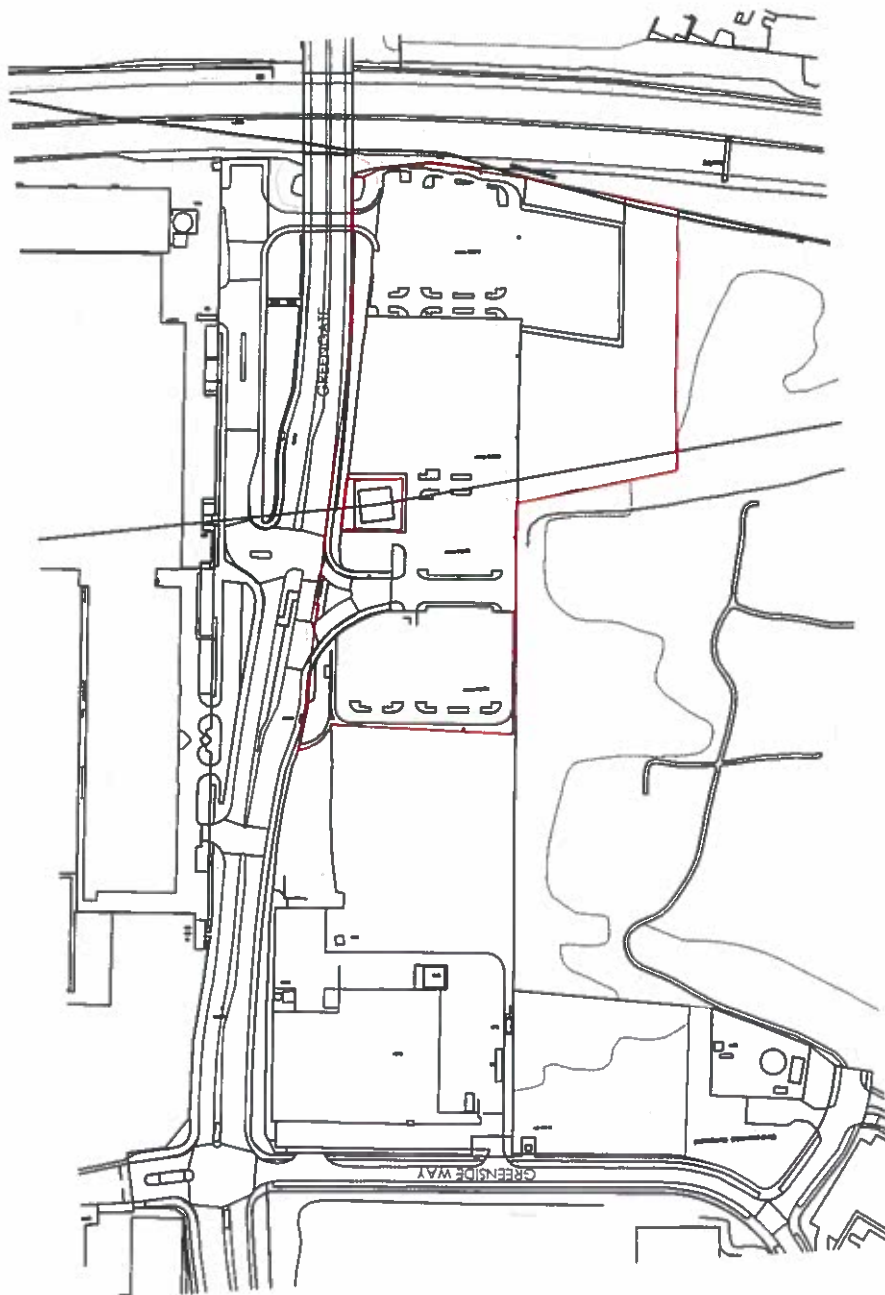
Reason - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

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General Notes

All site dimensions shall be verified by the Contractor on site prior to commencing any work.
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— Site Boundary
Site Area: 3.3Ha



Revision
Scale 1:200 @ A3
Status PLANNING
Drawn by AL
Check
Date 16.11.19

Client
Royal London
Mutual Insurance Society Ltd
Address
Greengate Chadderton

Drawing Description
Location Plan

Drawing No. 17022_PL201 Rev. 1

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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

13th May 2020

PLANNING APPEALS

WRITTEN REPRESENTATION

HEARINGS

HOUSE HOLDER

HH/344178/19	38 Sunfield Road, Oldham, OL1 2BS
HH/343809/19	13 Wiltshire Road, Chadderton, Oldham, OL9 7RY

ADVERTISEMENTS

APPEAL DECISIONS

AD/343473/19	B & M Bargains, Ellen Street, Oldham OL9 6QR
Original Decision	Del
Appeal Decision	Dismissed
PA/342829/19	160 Block Lane, Chadderton, Oldham, OL9 7SB
Original Decision	Del
Appeal Decision	Dismissed

RECOMMENDATION - That the report be noted.



Appeal Decision

Site visit made on 10 March 2020

by **M Madge Dip TP, MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/W4223/Z/20/3245615

B and M Bargains, Ellen Street, Oldham OL9 6QR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Chris Welbourne against the decision of Oldham Metropolitan Borough Council.
 - The application Ref AD/343473/19, dated 7 June 2019, was refused by notice dated 2 December 2019.
 - The advertisement proposed is 1no. 48 sheet freestanding digital advertising display unit.
-

Decision

1. The appeal is dismissed.

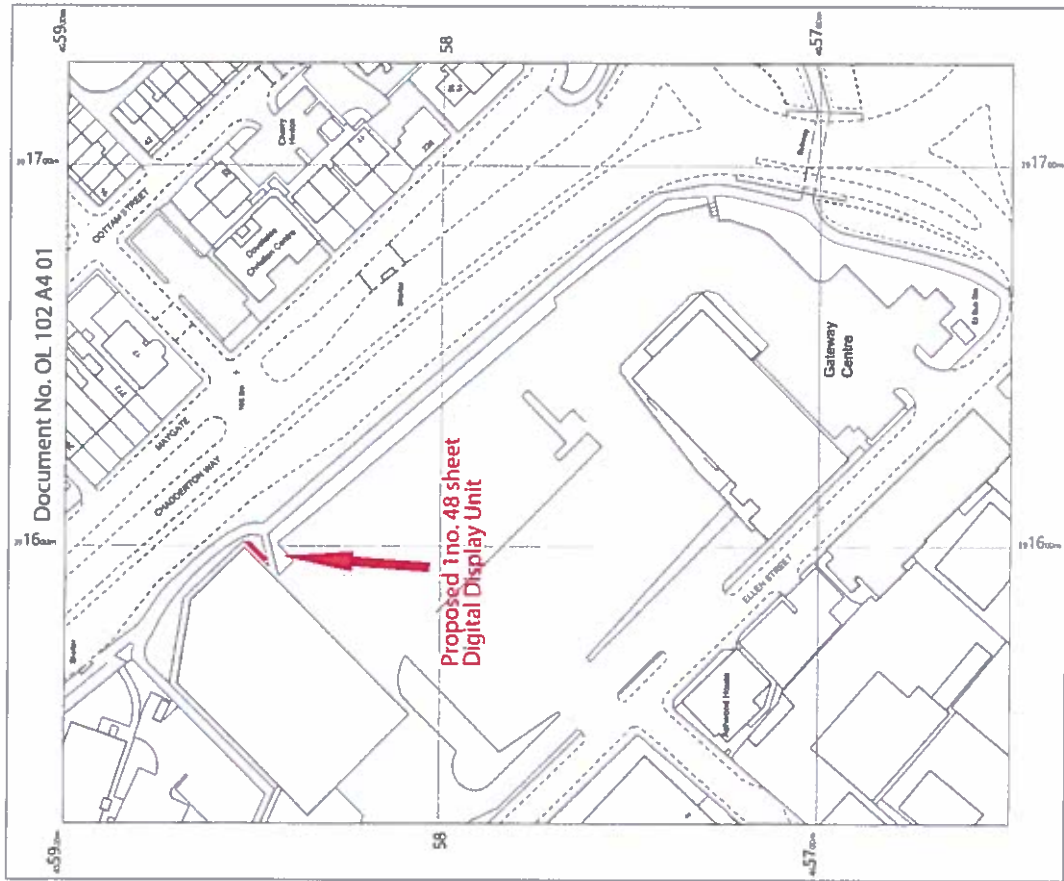
Main Issue

2. The main issue is the effect on public safety.

Reasons

3. Planning Practice Guidance suggests that there are less likely to be road safety problems if the advertisement is on a site within a commercial locality. Where drivers need to take more care however, advertisements can affect public safety.
4. The surrounding area is commercial in nature. The advertisement would be sited in front of an existing retail store and adjacent to the end of a slip road. Traffic on this slip road would be leaving Featherstall Road North and would be merging with traffic on Chadderton Way, a dual carriageway. I saw during my visit that the speed limit imposed here is 40 miles per hour.
5. Paragraph 67¹ of the Planning Practice Guide sets out examples of situations where drivers need to take more care. This includes "where local conditions present traffic hazards". Adjacent to the end of a slip road, where traffic is travelling at speed and vehicle lanes are merging, would represent such a situation.
6. While only static images would be displayed, the size and change of image every 10 seconds, would create a relatively unusual and arresting visual feature beside this junction. This would strongly compete for drivers' attention when they are trying to join the dual carriageway or for drivers on the dual

¹ ID 18b-067-20140306



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Appeal Decision

Site visit made on 17 March 2020

by **Thomas Hatfield BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th April 2020

Appeal Ref: APP/W4223/W/19/3241207

160 Block Lane, Chadderton, Oldham OL9 7SB

- 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 Michael Poole against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/342829/19, dated 24 January 2019, was refused by notice dated 16 September 2019.
 - The development proposed is described as "*front garden alterations; change the front garden to a space to park a car on and permission to drop the kerb*".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would prejudice highway safety.

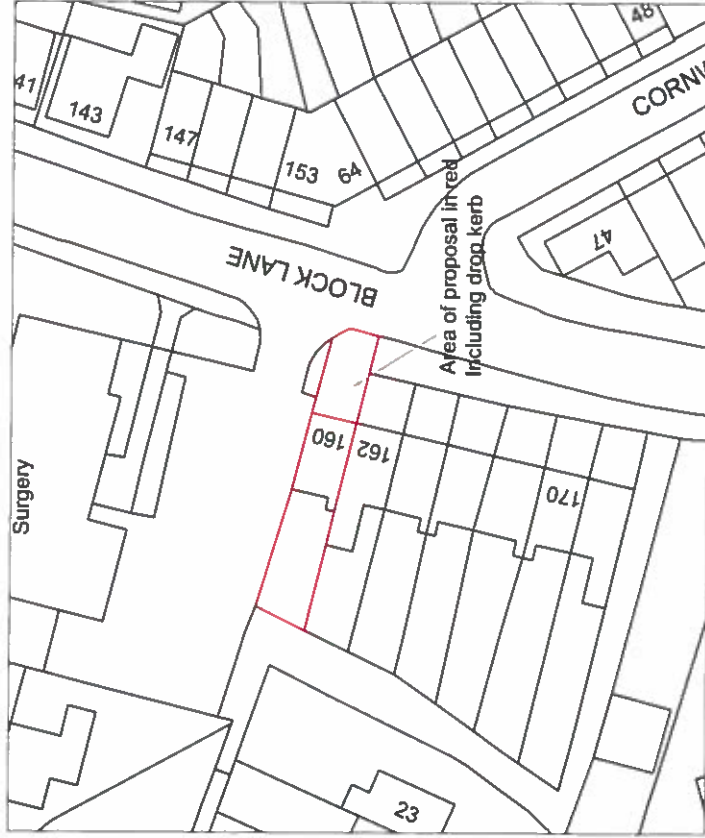
Reasons

3. The appeal relates to the front garden area of No 160 Block Lane, which is an end terrace property on the western side of the road. The proposal would replace the existing front garden area with a car parking space. This would be relatively small in size, and would not allow for a vehicle to enter, turn, and leave the site in a forward gear. It would therefore lead to reversing manoeuvres either from or onto Block Lane, which is a busy classified road. Drivers travelling along Block Lane would not be expecting a vehicle to reverse out from this position, and this could lead to vehicles braking sharply or slowing down unexpectedly. This would significantly increase the risk of collisions. I further note that visibility of oncoming traffic from the driveway would be restricted by the front hedge to No 162.
4. In addition, No 160 is positioned next to the vehicular entrance to a doctor's surgery, and opposite a convenient crossing point for pedestrians walking to the surgery. It is also in close proximity to the junction with Cornwall Street. In my view, the number of vehicle and pedestrian movements in this location, from a number of directions, would further add to the risk of collisions associated with reversing manoeuvres from the site.
5. At the time of my visit, 5 of the other properties in the terrace had already converted their front garden areas to parking spaces. However, those properties do not appear to benefit from dropped kerbs and it is unclear



Scale 1:250

Produced on 4 December 2018 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
 This map shows the area bounded by 350813, 404172, 390813, 404174, 380955, 404172, 390955, 404172.
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Scale 1:500

Metres



Applicant: Mr Poole

Address: 160 block lane
 Chadderton
 Oldham
 OL9 7SB

Project: Front garden alterations

Scale: As shown @ A3 Date: 05/12/2018

Revision date:

Revision:

Plan No:

PLA001

Title: Location and Site Plans



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