

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 26 August 2020

Time 6.00 pm

Venue Virtual Meeting – click on the link below to access the 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 Constitutional Services in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Constitutional Services, email constitutional.services@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, 26 August 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 a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 21 August 2020.
 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. Disruptive and anti social behaviour will always be filmed.

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

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, Davis (Vice-Chair), H. Gloster, Harkness, Hewitt, Hudson, Phythian, Garry, Ibrahim, Iqbal, Jacques, Malik, Surjan 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 Meetings (Pages 1 - 4)
The Minutes of the meetings of the Planning Committee held on 8th July 2020 and 28th July 2020 are attached for Members' approval.
- 6 PA/344179/19 - Cowlshaw Abattoir, Cowlshaw, Shaw, OL2 7BX (Pages 5 - 44)
Outline planning application with all matters reserved except for the principal means of access from Cocker Mill Lane for a residential development following demolition of existing buildings
- 7 HH/344790/20 - 38 Tandlewood Park, Royton, Oldham OL2 5UZ (Pages 45 - 66)
Proposed single storey outbuilding, built into the existing split level sloping garden with access steps, re-modelled lower patio area and raised upper garden area
- 8 HH/345149/20 - 39 Lindale Avenue, Chadderton, Oldham OL9 9DW (Pages 67 - 78)
Single storey side extension



PLANNING COMMITTEE
08/07/2020 at 6.00 pm

Present: Councillor Dean (Chair)
Councillors Akhtar, Davis, H. Gloster, Harkness, Hewitt,
Phythian, Garry, Ibrahim, Iqbal, Jacques, Malik, Surjan and
Sheldon (Substitute)

Also in Attendance:

Simon Rowberry	Interim Head of Planning
Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer
Graham Dickman	Development Management Team Leader
Kaidy McCann	Constitutional Services
Dean Clapworthy	Planning Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Hudson.

2 **APPOINTMENT OF VICE CHAIR**

On a Motion moved by the Chair and seconded by Councillor
Garry, it was -

RESOLVED that Councillor Davis be appointed Vice Chair of
the Planning Committee for the Municipal Year 2020/21.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **MINUTES OF PREVIOUS MEETINGS**

RESOLVED that the minutes of the Planning Committee
meetings held on 21st May 2020, 27th May 2020 and 3rd June
2020 be approved as a correct record.

7 **PA/344182/19 - 4 THE GREEN, OLDHAM, OL8 2LT**

APPLICATION NUMBER: PA/344182/19

APPLICANT: Clements Court Properties Ltd.

PROPOSAL: Erection of a mixed use block comprising of
fourteen 1 bed flats (Class C3) and retail (Class A1) together
with access and landscaping on the site of the former Fytton
Arms Inn.

LOCATION: - 4 The Green, Oldham, OL8 2LT

It was **MOVED** by Councillor Akhtar and **SECONDED** by Councillor Garry that the application be **DEFERRED**.

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

DECISION: That the application be **DEFERRED** to allow residents the opportunity to submit their comments and/or objections.

NOTES:

1. A Ward Councillor attended the meeting and addressed the Committee on this application.

8

APPEALS

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

The meeting started at 6.00 pm and ended at 6.55 pm

PLANNING COMMITTEE
28/07/2020 at 6.00 pm



Present: Councillor Dean (Chair)
Councillors Akhtar, Davis, H. Gloster, Hewitt, Phythian, Garry,
Al-Hamdani (Substitute), Ibrahim, Iqbal, Jacques, Malik, Surjan
and Sheldon (Substitute)

Also in Attendance:

Simon Rowberry	Interim Head of Planning
Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer
Graham Dickman	Development Management Team Leader
Kaidy McCann	Constitutional Services
Sian Walter-Browne	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Harkness
and Councillor Hudson.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **PA/344621/20 - ROYAL OLDHAM HOSPITAL, ROCHDALE
ROAD, OLDHAM, OL1 2JH**

APPLICATION NUMBER: PA/344621/20

APPLICANT: The Pennine Acute Hospitals NHS Trust

PROPOSAL: Four storey extension to the main building to
provide two 24-bed
wards along with ancillary space and storage facilities following
the demolition of K-Block and the Anti-Coagulation Clinic.
Landscaping and associated works, including reconfigured fire
escape to J-Block.

LOCATION: - Royal Oldham Hospital, Rochdale Road, Oldham,
OL1 2JH

It was **MOVED** by Councillor Davis and **SECONDED** by
Councillor Surjan 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**.

The meeting started at 6.00 pm and was adjourned at 6.15 pm. The meeting reconvened at 7.00pm and ended at 7.30 pm.



APPLICATION REPORT - PA/344179/19

Planning Committee, 26 August, 2020

Registration Date: 18/11/2019
Ward: Crompton

Application Reference: PA/344179/19
Type of Application: Outline Planning Permission

Proposal: Outline planning application with all matters reserved except for the principal means of access from Cocker Mill Lane for a residential development following demolition of existing buildings

Location: Cowlshaw Abattoir, Cowlshaw, Shaw, OL2 7BX

Case Officer: Jill Nixon

Applicant Mr/Mrs Fitton
Agent : Avison Young

RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the conditions below, and to the applicant entering into a Section 106 agreement to cover a financial contribution towards any additional education provision related to the development.
2. To authorise the Director of Economy to issue the decision notice upon satisfactory completion of the legal agreement.

THE SITE

The application relates to the Cowlshaw Abattoir, a 10.2 hectare site including abattoir buildings and adjacent open fields. The current developed extent is approximately 1.69 hectares which includes some large abattoir buildings. Natural England's Agricultural Classification mapping considers the land to be poor quality.

The site abuts residential properties including those on Cowlshaw, Longfield Park, Higham Close, Springvale Way, Hey Hill Close, Broadbent Close, Cocker Mill Lane and Greencroft Meadow in Shaw. The main access to the site is from Cocker Mill Lane. To the west of the site is the Crompton and Royton Golf Club. The land slopes upwards from the A663 Shaw Road, but is somewhat screened by existing residential properties from this major route into Oldham.

THE PROPOSAL

All existing buildings on the site will be demolished.

The application is submitted in outline form and seeks approval for the principle of residential development along with the means of vehicular access from Cocker Mill Lane. Detailed matters of appearance, layout, landscaping, and scale are reserved for subsequent approval.

The applicants are the abattoir landowners seeking only outline permission.

The application includes a 'Land Use and Maximum building height parameter plan' which indicates the areas of the site intended for residential use with a maximum build height of

2.5 storeys, with a green fringe around the edge to protect and enhance existing hedgerows and trees. A 2.44 hectare area of public open space area will be provided around the Site of Biodiversity Importance at the northern end of the application site. A public footpath (OH/CROMP/88) will be diverted to the proposed planting/green edge abutting the western boundary rather than retaining the existing route through the housing area.

The application includes a voluntary Environmental Statement which includes assessment of alternatives and a Landscape Impact Assessment.

Other supporting documents include:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Heritage Assessment
- Noise Impact Assessment
- Preliminary Arboriculture Assessment
- Transport Assessment
- Ecological Assessment
- Air Quality Assessment
- Geo Environmental report

RELEVANT HISTORY OF THE SITE:

PA/337616/15 - Outline application for residential development (125 dwellings and associated works). Demolition of abattoir and other associated buildings. Access to be considered. All other matters reserved. Withdrawn 05.09.16

RELEVANT PLANNING POLICIES

The 'development plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. Local Plan Policy 22 (Protecting Open Land) defines the site within an area of Other Protected Open Land (OPOL). Land further to the west and north-west is Green Belt.

The site was part of a draft allocation in the Greater Manchester Spatial Framework, known as 'Policy GM Allocation 16 - Cowlshaw'. The proposed draft allocation identified the potential for around 460 homes to be delivered in total. This allocation included additional land to the north of the application site with associated open space, recreation and mitigation measures.

The following Local Plan 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 6 - Green Infrastructure;
- Policy 9 - Local environment;
- Policy 10 - Affordable housing;
- Policy 14 - Supporting Oldham's Economy
- Policy 18 - Energy;
- Policy 19 - Water and Flooding;
- Policy 20 - Design;
- Policy 21 - Protecting Natural Environmental Assets;
- Policy 22 - Protecting Open Land;
- Policy 23 - Open Spaces and Sports;
- Policy 24 - Historic Environments;
- Policy 25 - Developer Contributions.

National Casework Unit	Notified due to submission of an Environmental Statement. No representation received.
Highway Engineer	No objections subject to a condition restricting the number of properties to be accessed from Cocker Mill Lane, highway improvements to the Cocker Mill Lane junction, and submission of a Green Travel Plan.
Transport for Greater Manchester	No objection
Environmental Health	No objection subject to conditions for a contamination assessment and Construction Environmental Management Plan.
Coal Authority	The site is located within a Development Low Risk area where standing advice applies.
Drainage/LLFA	No objection subject to conditions requiring a detailed drainage scheme.
United Utilities	Note that a water main crosses the site. No objection subject to conditions.
Environment Agency	No objection subject to appropriate conditions.
Natural England	No objection
Trees Officer	No objection subject to an Arboricultural Impact Assessment and method Statement, including boundary planting enhancements and tree protection measures.
G M Ecology Unit	No objections subject to conditions in relation to biodiversity enhancement and protection of species.
G M Archaeological Advisory Service	There is some potential for archaeology to exist and therefore an appropriate condition is required.
Oldham NHS	No comment received.
National Grid	No objection, noting gas pipes and equipment in the vicinity.
Ramblers	Object on the grounds of loss of breathing space between Royton and Crompton, footpaths being diverted along estate roads, harm to biodiversity and natural springs, and sufficient brownfield land.

REPRESENTATIONS

Councillor Murphy has requested that the application be determined by Planning Committee in view of the public interest and as the development involves building on OPOL land.

82 letters of objection were received summarised as follows:

- Loss of Green Space
- Contrary to OPOL Policy
- Coalescence of the two neighbouring communities of Shaw and Royton
- Development should take place on brownfield land first and empty homes should be occupied first
- Development should be more equally spread around the district.
- Loss of good agricultural Land/ should be directed to areas of lower environmental value.
- Council shouldn't approve just because meeting 5-year supply or boosting council revenue.
- Question whether a 5-year housing supply deficit exists
- Premature to allocate site in Greater Manchester Spatial Framework.
- Indicative scheme lacks open space/is overly dense, should be reduced in number
- Prefer low density sheltered housing for the elderly
- Oldham Highways objected to the previous application that was withdrawn
- Doubt on reliability of Transport Assessment.
- Increased traffic congestion and safety concerns to an already overwhelmed network
- Poor access (from Cocker Mill Lane onto Shaw Road)
- If the junction is signalised, two sets of lights nearby will lead to congestion
- Highway safety concerns of both pedestrians and drivers
- Insufficient parking at point of access on Shaw Road should be addressed

- Emergency services require alternative access with concerns over impact on unadopted road
- Harm to existing footpath network. Public Right of Way from Spring Vale Road appears to have no exit.
- Urbanising harm to the Crompton circuit, an 11 mile circular route of footpaths largely through open countryside.
- Metrolink car park is inadequate to cope with additional burden
- The impact on existing schools, doctors, services already under pressure
- Harm to biodiversity and wildlife
- Concerns about building housing on contaminated land
- Development will result in unacceptable levels of noise and air pollution
- Flood and drainage concerns including impact on a natural spring within the site
- Employment loss of the abattoir and loss of agriculture. Job creation will be temporary only.
- Increased crime and anti-social behaviour
- Crompton and Royton Golf Club objected regarding the site impacting on land within its ownership. The applicant has addressed this, revising the boundary and no further comment has been received.

Crompton and Shaw Parish Council object on the grounds that there was insufficient detailed (technical) information in relation to the access and the surrounding infrastructure (in particular traffic flow) as the Parish Council did not believe that there would be zero impact on the current traffic congestion along Manchester Road.

PLANNING CONSIDERATIONS

Principle of development and the 5-year Land Supply

NPPF paragraph 67 requires local authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) to understand the land suitable, available and economically viable for housing in their area to meet local needs. The National Planning Practice Guidance section 'Housing and economic needs assessment' sets out the methodology for preparing a SHLAA.

Oldham's most recent SHLAA (as at 1st April 2019) was published in January 2020 and sets out a baseline assessment of potential housing land within Oldham, and indicates when it may come forward for development, in line with NPPF requirements.

The findings of the SHLAA are that in the short (0-5 years), medium (6-10 years) and long term (11+ years) there is suitable, available and achievable land identified that has the potential to accommodate 10,357 dwellings, taking into consideration clearance and small sites allowances. 71% of all dwellings identified within the housing land supply are on brownfield land.

In terms of meeting local housing need, the adopted Local Plan set out a housing requirement of 289 dwellings to be delivered per year. Since 2018/19 the housing requirement has been superseded by the standard methodology as introduced by the Government for calculating local housing need. Oldham's current local housing need based on this standard methodology is 692 new homes per year.

At present the 10,357 dwellings identified within the SHLAA, is not sufficient to accommodate Oldham's local housing need as set by the Government's standard methodology over the long term as is required by NPPF, or over the remaining plan period up to 2026. The Annual Monitoring Report (2018/19) sets out the level of housing provision required over the remaining plan period (up to 2025/26 based on the Local Plan).

Based on the Housing Delivery Test (HDT) measurement, introduced by the government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need, Oldham has achieved delivery of only 64% of the housing required over the past three years. The significant step change in the annual housing requirement, from 289 to 692 new homes per year, means that whilst the previous levels of housing

completions have been able to meet the housing requirement, going forward in order to meet this increased housing need, a significant increase in the number of housing completions is required.

Therefore, according to the evidence Oldham cannot meet its requirement over the remaining plan period and there is insufficient brownfield land to meet the Council's need.

As the Council cannot currently demonstrate a five-year supply of deliverable housing land, paragraph 11d) of the National Planning Policy Framework requires 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.

Whether Local Plan Policies 1 and 22 (in relation to 'Other Protected Open Land') are strictly policies relating to the provision of housing does not remove this requirement. The Supreme Court has clarified that where there is a 5 year housing land supply shortfall, *"it matters not whether the failure is because of the inadequacies of the policies specifically concerned with housing provision, or because of the over-restrictive nature of other non-housing policies, this shortfall is enough to trigger the tilted balance"*.

Nevertheless, in implementing the 'tilted balance', consideration still needs to be given to adopted policies, and the weight given to policies is a matter for the decision maker. However, in reaching an assessment of weight to be applied, consideration should also be given to the policy's compatibility to the wider aims of the NPPF, particularly as the Local Plan was adopted prior to the NPPF.

Policy 22 Other Areas of Protected Open Land

The aims of OPOL are to protect the openness, local distinctiveness or visual amenity of an area. OPOL is effectively a blanket 'no development policy' (except for the limited exceptions).

Therefore, OPOL plays an important part in the process of determining housing applications. The OPOL policy when considered as part of a suite of housing policies is considered to impact on the performance of the Council in housing delivery. Given the Council's poor performance in delivering housing, the OPOL policy is considered contrary to Section 5 of the NPPF. This situation does not apply to Green Belt land, which is listed in the footnote to NPPF paragraph 11d)i) as an exemption.

Policy 22 aims to protect green space and the countryside, a sustainable aim of Section 8 of the NPPF (Promoting Healthy and Safe communities), and Section 15 (Conserving and enhancing the natural environment). NPPF paragraph 96 stresses the importance of a network of high quality open spaces and the importance to the health and well-being. Public access to the application site is limited to footpaths which pass through or skirt the site. Therefore the main value is the use of the site in relation to the public footpaths. This is acknowledged and addressed in the proposals.

Section 15 of the NPPF refers to the areas of higher status (Areas of Outstanding Natural Beauty or Green Belt for example). This site is not of such status. Therefore, the degree of compatibility is limited with both Sections 8 and 15.

However, in considering OPOL and determining the application, any harm to openness should be considered. This includes:

- The loss of open views to residents/houses immediately abutting the site;
- The loss of views slightly further from the site looking across from Shaw towards Royton (east-west) or from residents away to the north looking downwards

- towards Shaw Road;
- Views from Cocker Mill Lane looking upwards to the access area;
- The loss of views for walkers using the site's public footpath network.

In considering the loss of views across the site from adjacent residents, it is acknowledged that some loss of openness is inevitable with all developments. However, there are no rights to a view across third party land. Due to the positioning of existing abattoir buildings, the outlook from properties in the vicinity of Cowlshaw is already restricted. Those properties in the cul-de-sacs served off Crocus Drive which adjoin the site are orientated gable-on with limited direct views from principal windows. Only those properties on Greencroft Meadow face across the site and will lose immediate views. Clearly other properties more distant could see the site, but with distance the impact reduces.

Concerns have been expressed that any loss of openness by implication could result in the production of a sense of coalescence, in this instance between the communities of Shaw and Royton. However, given the presence of the Golf Course and the Green Belt status of adjacent land, a significant green space separating the two communities remains. Coalescence is therefore avoided in this instance.

The loss of openness as seen by passing traffic on Shaw Road where views are largely screened by existing housing, is unlikely to be sensed significantly. Therefore, the harm in terms of loss of openness, whilst impacting on some residents to the south, is not considered by itself a demonstrable reason on which to refuse the development.

In conclusion, in the context of all the above, there is only limited accord between OPOL with the wider aims of the NPPF.

Landscape Impact

The submitted Environmental Statement (ES) includes considerations of the Landscape Impact. The adopted Local Plan used the evidence base which included the Oldham Landscape Character Assessment (2009) which considered the site to be within the Oldham Urban Area, i.e. an area where no description of landscape characteristics was considered necessary. The site abuts the Type 3a Rolling Pasture Land, a sub section of the Chadderton Rolling Hills area. The applicant's Landscape Impact Assessment following appropriate guidance from the Landscape Institute.

The applicant considers the following baseline status that *"The site is considered to be in Ordinary Condition. This conclusion is reached on the basis that the site comprises agricultural grassland with a distinguishable landscape structure, and features worthy of conservation, including mature yet often 'gappy hedgerows' along the site boundaries, areas of woodland to the east of the site, and Site of Biological Interest located to the northern area of the site. The site also exhibits some detracting features, including the existing abattoir facility located to the eastern area of the site, and also exhibits potential to improve management of vegetation within the site and along its boundaries"*.

Therefore, *"Upon completion of the development, once the mitigation planting has established and matured, the change in the appearance of the site will result in predominantly Negligible adverse to Moderate adverse effects on the landscape and visual receptors which are Not Significant. However, some Moderate / Major adverse effects are anticipated on the OPOL designation and footpath positions in the site (a small element of the overall assessment in the immediate term)"*.

As regards landscape mitigation, embedded mitigation for the proposed development includes:

- *Retention and enhancement of vegetation within the site and along its boundaries;*
- *Implementation of a soft landscaping scheme;*
- *Provision of an appropriate range & mix of housing types, in keeping with local vernacular;*
- *Maximum building heights across the scheme will be restricted to 2.5 storeys;*
- *Public open space to the northern site boundary will protect the existing SBI; and*

- *Public open space to the southern and western boundaries will reduce the visual impact on residents, footpath users, road users and retained OPOL.*

It is considered that the Landscape Impact Assessment has followed a logical and recommended process, and reasonably identifies the relevant national, regional and local character studies.

Whilst it is acknowledged that the application is in outline form; the green infrastructure and the rural character of the main public right of way is considered to require safeguarding. Therefore, parameters requiring minimum depth of green corridors, management, conditions requiring the inclusion for tree-lined avenues and the minimum width of the green fringe, and details of how the public rights of way will not become estate footpaths will be safeguarded. The degree of public open space accords with policy requirements, the majority being the SBI and the green fringes.

Overall, although the loss of the protected open space will result in some adverse impact, the site contains no specific features or designations which would carry sufficient weight to outweigh the presumption in favour of sustainable development and the provision of much needed additional housing land.

Highways

The main access to the site will be taken from Cocker Mill Lane. This will be from the junction with A663 Shaw Road. The site is in an established residential area with links to public transport and opportunities for walking and cycling.

A Transport Assessment was submitted in support of the proposed development. The assessment was based on the access serving a maximum of 250 dwellings. It was shown that there is expected to be an additional 156 two way trips during the morning peak period and 143 during the evening peak period. It is not considered that the amount of traffic generated will have any significant or detrimental impact on the local or strategic highway network.

A robust assessment of the proposed access arrangements and its impact on the highway network has been carried out by both the Local Highway Authority and Transport for Greater Manchester who have proactively worked with the applicants to agree amendments.

The Highway Engineer is satisfied that a highway scheme which will highlight the presence of the junction and enable the continued safe use can be designed and implemented . it is anticipated that the works will include a localised highway improvement with improvements to kerbing, surfacing, road markings and traffic signs and a timetable for implementation . A condition securing the submission of the scheme at reserved matters stage is proposed.

Loss of employment land

The application site includes the loss of the abattoir, which represents an existing employment site. Local Plan Policy 14 states that in such circumstances it must be demonstrated that it is no longer appropriate or viable to continue the site's existing use.

The application was supported by a socio-economic report which outlines the potential economic impact of the development. The applicants acknowledge the loss of the 22.5 jobs, but submit that the numbers employed in the abattoir has declined in recent years and it is anticipated this decline is likely to continue. The proposed development would create 32 Full Time Equivalent jobs during the 5 year housing construction period and the spending associated with the new households would amount to £2.76m per year locally, which equates to the creation of 22 local jobs. The loss of jobs will be offset by the creation of new jobs within the economy. Furthermore, the existing contracts associated with the Abattoir's operation are likely to be serviced by another facility, 11 of which are available in the Greater Manchester area.

On balance it is considered that the proposed economic benefits associated with the

development would outweigh the loss of the business use, and that the proposal would therefore accord with Policy 14

Ecology

The application is accompanied by an Ecological Appraisal. A Site of Biological Importance (SBI), comprising two ponds and a marsh is located towards the north of the site, with the southernmost pond within the application site boundary.

Greater Manchester Ecology Unit (GMEU) had requested additional information leading to submission of an updated report, and on the basis of this information GMEU is satisfied that ecological issues can be addressed by means of condition.

In respect of impact on the SBI, the outline proposals have demonstrated that the proposed quantum of development can be implemented on the site, whilst ensuring the retention and protection of the SBI. Nevertheless, any future layout for development should maintain a minimum 20 metre stand-off from the SBI boundary from all built, hard infrastructure and earth moving; it should demonstrate how the hydrological functioning of the pond will be maintained post construction, and address the features of value within the SBI within the Landscape Ecological Management Plan.

The design and layout of the development will be required to achieve 10% biodiversity net gain (BNG) within the site boundary and should include individual species enhancement measures. In the longer term, a condition will require any future submission to provide the management details and appropriate resourcing to implement 25 years land management of the built landscape, the retained SBI, on-site and off-site BNG.

As a bat roost may be present in the abattoir buildings, a Natural England licence will be required before demolition of relevant buildings. Suitable conditions required at reserved matters stage.

Regard has been given to the Derogation Test under the Habitats Regulations that there are no feasible alternative solutions to the plan or project which are less damaging, there are "imperative reasons of overriding public interest" (IROPI) for the plan or project to proceed, and that compensatory measures will be secured to ensure that the overall coherence of the network of European sites is maintained

A Reserved Matters/Full application should be supported by an updated bat survey of the building complex, details of proposed mitigation measures and any necessary timing works or other demolition methods which would be sufficient to allow for the ultimate grant of a Licence. This will be required by condition. No other protected species have been identified which would be adversely affected by the development.

In conclusion, there are no features of ecological value for which adequate mitigation cannot be achieved, and which would justify refusal of the application.

Flood Risk

The site is within Flood Risk Zone 1, an area at lowest risk of flooding and appropriate for residential development and as such the proposal passes the sequential test required by the NPPF.

The FRA includes indicative Foul and Surface Water Drainage schemes. In terms of surface water the scheme would use a network of pipes across the site to attenuate water at times of flooding into a detention basin and release flows at a greenfield run-off rate into the nearby watercourse. This form of approach for sites of such ground conditions is usually acceptable to the drainage authorities.

However as no specific housing layout has yet been submitted the detailed drainage scheme would need to be submitted and reserved by planning condition. Any proposed detention area would need to consider amenity issues for any nearby neighbours, and

therefore the positioning as shown on the indicative layout may not be considered acceptable. Nevertheless, concerns of existing residents regarding existing groundwater flooding, are likely to be captured and improved by a drainage system that attenuates and releases at greenfield rates only.

Subject to relevant conditions, the Environment Agency, United Utilities, and the Lead Local Flood Authority have no objection. The proposal is therefore considered acceptable subject to conditions.

Developer Contributions

The developer will be required to have regard to ensuring compliance with relevant policies which seek to ensure the development contributes where necessary towards local infrastructure and services, and ensuring provision of housing to meet the needs of a range of potential occupiers. This will be secured by a mix of legal agreement and planning conditions.

Education

The applicant will be required to provide a policy compliant education contribution having regard to the availability of school places at the time of payment in respect of the reserved matters. This has been calculated by the Education Department. Contributions can only be used by the Council towards the provision of school places to meet the need generated from the development and for no other purpose.

Open Space

The applicant proposes to provide the public open space on site in accordance with Policy 23 requirements and this will be designed as an integral part of the proposed development. It is therefore proposed that a condition securing the scheme at reserved matters stage should be imposed. The condition will include timescale triggers for implementation.

Affordable Housing

The applicant agrees the provision of affordable housing in accordance with the Council's Local Plan Policy.

Conclusion

The status of the site as Other Protected Open Land (OPOL) was designated within the Oldham Local Development Framework Development Plan Document - Joint Core Strategy and Development Management Policies in 2011. In doing so the Council recognised the contribution of the area to preserving the distinctiveness of the area.

The development would result in harm comprising some loss of openness and landscape harm, specifically in relation to users of the public footpaths. Nevertheless, it has been demonstrated that the value of the site in landscape terms is limited, and the scheme is capable of incorporating measures to secure enhancement of the natural environment to mitigate for any loss, including biodiversity enhancement.

There are clear environmental and social benefits in considering whether the site comprises sustainable development in the context of Part 2 of the NPPF. Part 2 also points to the social and economic benefits of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations in a sustainable location.

In weighing up these considerations, the aforementioned lack of a 5 year housing land supply in the borough tilts the balance of those considerations. In particular, to outweigh the inherent benefits of providing much needed new housing, it is necessary to conclude that any adverse harms **significantly and demonstrably** outweigh the benefits. In this regard it is concluded that such a demonstration cannot be achieved.

It therefore recommended that the proposal is considered to represent sustainable development and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, planning permission should be granted.

Recommended Conditions

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

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

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

UG198_LAN_PL_DRW_01 rev P06 (Location Plan),
2437-F01 (Principal means of access - Cocker Mill Lane),
UG198_LAN_PL_DRW_02 Rev P04 (Demolition Plan)
UG198_LAN_PP_03 (Land Use and maximum building heights parameters 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. The vehicular access from Cocker Mill Lane hereby approved shall serve no more than 250 residential units.

Reason – In the interest of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

4. Any application for the approval of reserved matters in respect of layout shall include details of an emergency access to be constructed to serve the site

The access shall be constructed and made available for use prior to first occupation of any dwelling hereby approved and the emergency access shall be used for emergency purposes only at all times thereafter.

Reason - To ensure that adequate facilities are available in cases of emergency having regard to Policies 5 and 9 of the Oldham Local Plan.

5. Any application for the approval of reserved matters in respect of layout shall include a detailed highway improvement scheme in the vicinity of the Cocker Mill Lane / Shaw Road junction, including the provision of all appropriate signs, markings and construction on the approach to the site along Shaw Road. The scheme shall also include a timetable for implementation.

The improvement works shall be implemented and retained in full accordance with the approved scheme and implementation timetable.

Reason - To facilitate the safe movement of pedestrians, cyclists and other highway users in the vicinity of the development having regard to Policies 5 and 9 of the Oldham Local Plan.

6. Any application for the approval of reserved matters in respect of landscaping or layout shall include details of the measures for the protection or diversion of the

routes of public footpaths 83CROMP, 84CROMP and 88CROMP, including the construction form, width, and landscaping of any alternative or retained routes.

Reason - To ensure the retention of footpaths of an appropriate character and convenience having regard to Policies 5 and 23 of the Oldham Local Plan.

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

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

8. Any application for the approval of reserved matters in respect of landscaping, layout or scale shall be accompanied by a scheme detailing levels. The scheme shall include;

- a) Existing and proposed ground levels;
- b) All finished floor levels of the proposed buildings relative to a datum or datum points, the location of which has previously been approved in writing by the Local Planning Authority;
- c) Gradients for gardens, parking areas, footpaths and cycleways;
- d) Cross sections within and beyond the site, the location of which have previously been approved in writing by the Local Planning Authority.

Reason - In order to ensure adequate information is submitted to fully assess the impact of the development having regard to Policy 9 of the Oldham Local Plan.

9. Any application for the approval of reserved matters in respect of landscaping or layout shall include an Arboricultural Impact Assessment and an Arboricultural Method Statement with an accurate tree survey, and any measures to protect trees identified as worthy of protection. The survey details shall be at a scale of not less than 1:500, indicating species, position, height, girth, crown spread, health, condition, structural defects, life expectancy and desirability for retention of all existing trees, shrubs and hedgerows within the site and on land adjacent to the development which may be affected by it. On the plan shall be marked the positions of spot heights, changes of levels, all proposed buildings, hard landscaping, roads, service trenches and footpaths. The plan shall indicate all trees, shrubs and hedgerows it is proposed to prune or remove, to BS3998.

Reason - To ensure that the development site is landscaped to an acceptable standard and in the interests of nature conservation having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

10. Any application for the approval of reserved matters in respect of layout, scale, or appearance, shall include an Energy Statement which details an average completed energy performance for each dwelling of 15% improvement on Part L of the Building Regulations. All dwellings shall be constructed in accordance with the approved energy statement and retained as operational thereafter.

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

11. Any application for the approval of reserved matters in respect of landscaping or

layout shall include a scheme for the provision of public open space within the overall development site.

The scheme shall include;

- a) Details of the areas to be allocated;
- b) Proposed soft planting and hard landscaping details;
- c) Details of proposed levels and gradients;
- d) Context within the proposed development;
- e) Timescale triggers for implementation;
- f) Proposed future management details.

Reason - To ensure delivery of public open space having regard to Policy 23 of the Oldham Local Plan.

12. Any application for the approval of reserved matters in respect of landscaping or layout shall be accompanied by the following up to date ecology surveys and schemes.

- a) Breeding Bird Survey;
- b) Construction Environmental Management Plan (CEMP);
- c) Biodiversity Net Gain Proposals;
- d) Landscape Ecological Management Plan, including details of measures proposed to retain and protect the SBI;
- e) Badger survey.

Any protection or mitigation measures or other recommendations of the reports shall be undertaken in accordance with a timetable to be approved in writing by the local planning authority.

Reason - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and the Wildlife and Countryside Act 1981.

13. Any application for the approval of reserved matters in respect of layout or scale shall be accompanied by a scheme for the provision of affordable housing. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- a) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of total units;
- b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing] (if no RSL involved);
- d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure the residential development provides appropriate affordable housing having regard to Policies 10 and 11 of the Oldham Local Plan.

14. Any application for the approval of reserved matters in respect of landscaping or layout shall include details of a sustainable surface water, and foul water, drainage scheme.

The scheme shall be designed in accordance with the principles set out in the submitted Flood Risk Assessment (Ref No. JAG/AD/JF/42915-RP001, Dated October 2019) prepared by Alan Wood & Partners, and include proposed site levels and landscape design along with :

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water having regard to potential elevated concentrations of contamination;
- (ii) A restricted rate of discharge of surface water where infiltration is discounted by the investigations;
- (iii) A timetable for its implementation.

The approved scheme shall be restricted to a 8.4 litre per second forward flow rate of discharge (unless otherwise agreed) and shall also be in accordance with the other requirements of the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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.

15. Prior to first occupation of any dwelling hereby approved, 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;
 - 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 having regard to Policies 9 and 19 of the Oldham Local Plan.

16. No part of the development hereby approved, including any works of excavation or demolition, shall commence until a Demolition/ Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include:
 - Provision for demolition and construction vehicles to access the site from the primary access road on Cocher Mill Lane, unless otherwise agreed as part of the approved Statement;

- The times of demolition and construction activities on site which, unless agreed otherwise as part of the approved Statement, shall be limited to between 07:30am - 6pm Monday to Friday and 8am - 2pm Saturday only (no working on Sundays or Bank Holidays). Quieter activities which are carried out inside buildings such as electrical works, plumbing and plastering may take place outside of agreed working times so long as they do not result in significant disturbance to neighbouring occupiers;
- The spaces for and management of the parking of site operatives' and visitors' vehicles;
- The storage and management of plant and materials (including loading and unloading activities);
- The erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- Wheel wash measures to prevent the deposition of dirt on the public highway during demolition and construction;
- Measures to control the emission of dust and dirt during demolition and construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works;
- Measures to minimise disturbance to any neighbouring occupiers from noise and vibration during demolition and construction;
- Measures to prevent the pollution of watercourses.

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.

17. No demolition of the abattoir buildings shall take place (other than building 'H') until a report concerning the use of the site (including trees) by bats, prepared by a suitably qualified person, has been submitted to and approved in writing by the local planning authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be undertaken in accordance with a timetable to be approved in writing by the local planning authority.

Reason - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and the Wildlife and Countryside Act 1981.

18. No commencement of any part of the development (except for demolition and enabling works) shall take place until a site investigation and assessment to identify the extent of land contamination and 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 verification report, to discharge the condition. Any proposed remediation measures must take account of any levels and gradients approved as part of the reserved matters applications.

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, and because the site is within 250m of a former landfill site, having regard to Policy 9 of the Oldham Local Plan.

19. No part of the development hereby approved shall commence until a programme of archaeological works in the form of a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The implementation of any of the approved development works including demolition shall

be in full accordance with the approved WSI

The WSI shall cover the following:

- (i) A phased programme and methodology of investigation and recording to include:
 - historic building survey (Historic England level 2);
 - archaeological evaluation;
 - targeted open area excavation and recording.
- (ii) A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds;
 - production of a final report on the significance of the archaeological and historical interest represented.
- (iii) Dissemination of the results in a manner commensurate with their significance.
- (iv) Provision for archive deposition of the report and records of the site investigation.
- (v) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - The undertaking of archaeological investigations, prior to the commencement of development, is considered necessary to ensure that adequate information pertaining to archaeological resources are appropriately identified and mitigation measures are implemented having regard to Policy 24 of the Oldham Local Plan.

20. No piling or any other foundation designs using penetrative methods shall be undertaken unless the prior written approval of the Local Planning Authority has been obtained, 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 - In the interest of the protection of the water environment having regard to Policy 9 of the Oldham Local Plan.

21. Prior to first occupation of any dwelling, a travel plan shall be issued to all new occupants in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The plan shall include but shall not be limited to:
- Identifying travel choices for occupants prioritising sustainable travel means such as walking, cycling, public transport or car share schemes;
 - Details of the budget and resources for the implementation and day-to-day management of Plan measures;
 - A timeframe for the delivery of Plan mechanisms;
 - Targets and monitoring arrangements;
 - Measures which address specific barriers or take advantage of the opportunities presented by the site; and
 - Details of the specific incentives being offered to encourage sustainable travel to/from the site.

The approved Plan shall be implemented and reviewed in accordance with the timetable embodied therein.

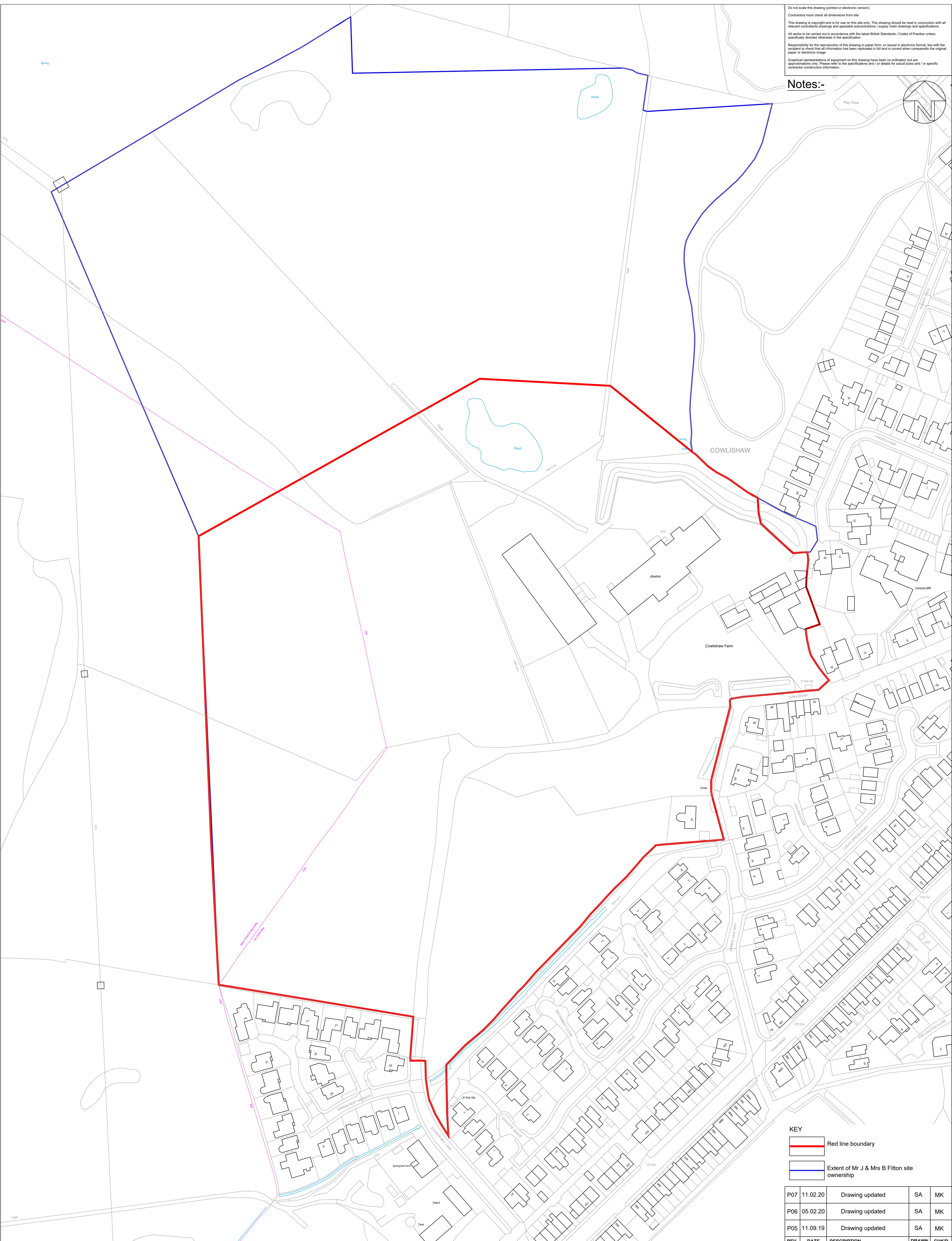
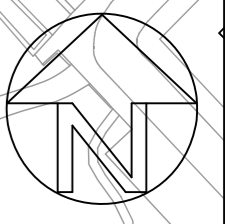
Reason - To encourage use of sustainable modes of transport having regard to Policy 5 of the Oldham Local Plan.

22. Prior to first occupation of any dwelling a detailed scheme of street lighting shall be implemented in accordance with a scheme which has previously been submitted to and approved in writing by Local Planning Authority. The scheme shall comply with the requirements of BS5489 (Road Lighting) and have due regard to Bat Conservation Lighting Guidelines. **Page 19**

Reason - In the interests of highway safety and biodiversity having regard to Policies 5, 9 and 21 of the Oldham Local Plan.

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Notes:-



KEY

	Red line boundary
	Extent of Mr J & Mrs B Fitton site ownership

P07	11.02.20	Drawing updated	SA	MK
P06	05.02.20	Drawing updated	SA	MK
P05	11.09.19	Drawing updated	SA	MK
REV.	DATE	DESCRIPTION	DRAWN	CHK'D

Client: MR J & MRS B FITTON	Project: COWLISHAW ABATTOIR, OLDHAM	Drawn: SA	Checked: ME	Approved: MT	Date: 31/07/19
Issue: PLANNING	Title: RED LINE PLAN	Dwg No: UG198_LAN_PL_DRW_01		Scale @ A1: 1:1000	Revision: P06



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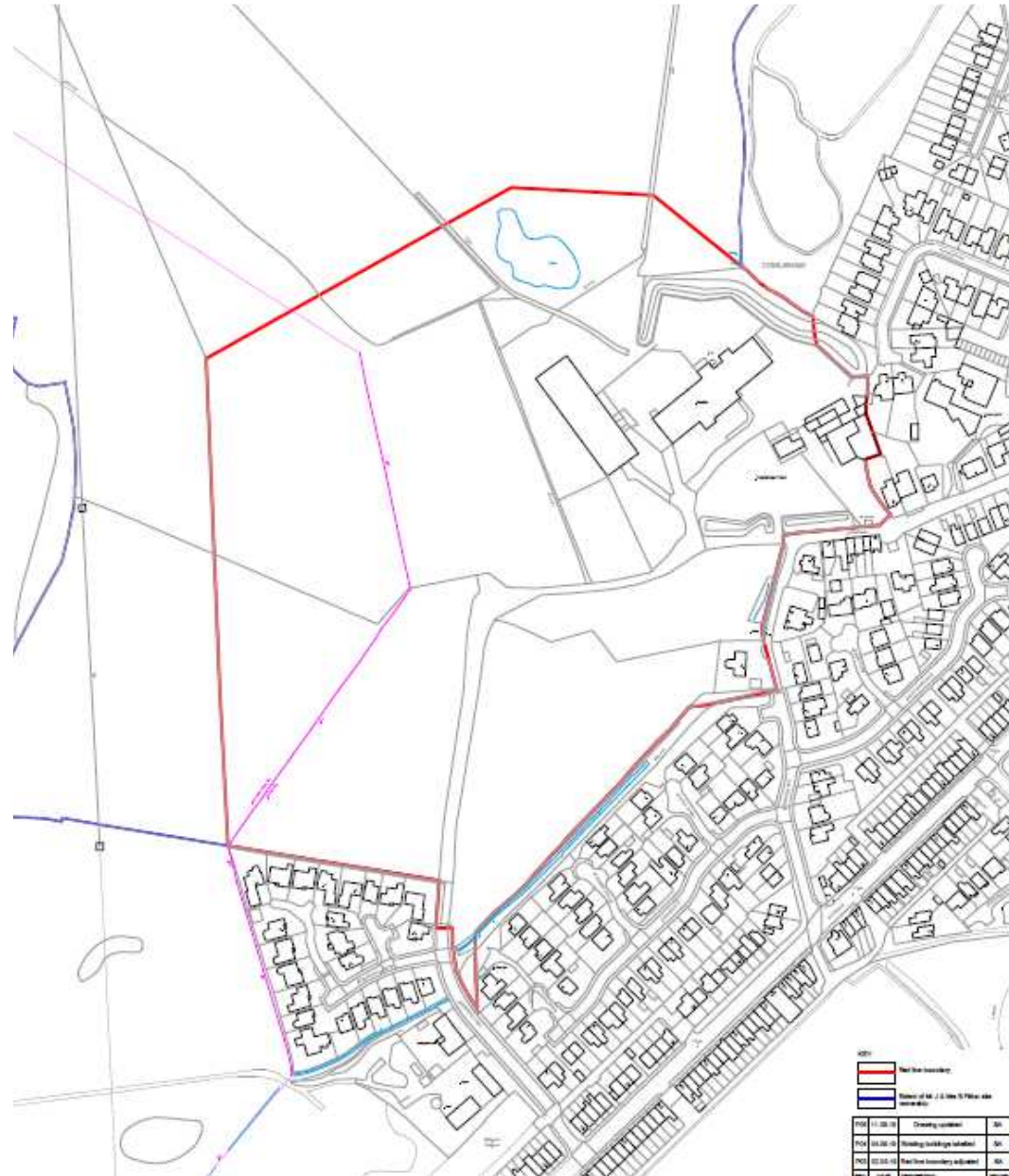
Planning Committee Meeting Date 26th August 2020

Outline planning application with all matters reserved except for the principal means of access from Cocker Mill Lane for a residential development following demolition of existing buildings

Cowlshaw Abattoir, Cowlshaw, Shaw OL2 7BX

Application No. PA/344179/19

Site plan



GMSF allocation



Parameters plan

KEY

- Site boundary
- GMSF 2019 site boundary
- Residential uses (Use class C3) up to 2.5 storeys in height - Area including access, landscaping, and associated infrastructure
- Retained vegetation - Including access, landscaping, and associated infrastructure
- Retained hedgerow
- Water bodies/SUDs / Drainage
- Site of Biological Importance (SBI)
- Public Open Space and Green Infrastructure - Including access, landscaping, and associated infrastructure



LAND USE & MAXIMUM BUILDING HEIGHTS PARAMETERS PLAN



View of Cocker Mill Lane/ Shaw Road junction looking south



Close view of Cocker Mill Lane access

Page 28



View along Cocker Mill Lane towards Shaw Road

Page 29



Cocker Mill Lane beyond Greencroft Meadow junction



Southern site boundary seen from Cocker Mill Lane



View across site towards adjacent housing



View to adjacent housing



View towards site boundary

Page 34



View across site towards abattoir



View of abattoir adjacent to fields



Footpath east from Cocker Mill Lane



Footpath along southern boundary



Footpath along southern boundary



View along Cowlishaw towards site



Footpath link Cowlishaw to Cocker Mill Lane



Footpath link from Cowlishaw



View towards abattoir



View of abattoir site



APPLICATION REPORT - HH/344790/20

Planning Committee, 26 August, 2020

Registration Date: 27/04/2020
Ward: Royton North

Application Reference: HH/344790/20
Type of Application: Full Planning Permission

Proposal: Proposed single storey outbuilding, built into the existing split level sloping garden with access steps, re-modelled lower patio area and raised upper garden area.

Location: 38 Tandlewood Park, Royton, OL2 5UZ

Case Officer: Abiola Labisi

Applicant: Mr & Mrs Reynolds
Agent : Edifice Building Consultants Ltd

This application is being reported to Planning Committee in accordance with the Scheme of Delegation at the request of Councillor Roberts.

RECOMMENDATION

Approve, subject to conditions:

THE SITE

38 Tandlewood Park is a detached house on the western side of the street within a residential area of predominantly detached dwellings. Land levels vary significantly within the site, with the rear garden stepping down towards a stream which flows past the rear boundary of the site. Beyond the stream is undulating open land within the Green Belt.

THE PROPOSAL

The proposal relates to the erection of a single storey outbuilding, built into the existing split level sloping garden with access steps, a re-modelled lower patio area and raised upper garden area. The outbuilding would have a grassed flat roof with two rooflights and it is stated that the outbuilding would be used as a domestic gymnasium. The outbuilding will be set in from the adjacent garden boundaries on either side.

The building would be sunk into the slope leading to the upper garden level, with the roof top matching the height of the upper patio area. A 1m high glass balustrade would be erected along the front edge of the building's roof, with screen fencing to either side of the perimeter of the roof.

The plans indicate that the land adjacent the building and the neighbouring property on each side would be graded along the existing boundary to avoid underpinning works.

RELEVANT HISTORY OF THE SITE:

HH/341772/18 - Proposed front corner two storey extension, proposed first floor side extension, demolition of existing conservatory and erection of two storey rear extension, first floor balcony to the rear, new pitched roof with mixture of slate and cladding, new wall facing materials with mixture of cladding, render and brickwork. Approved 31/08/2018.

CONSULTATIONS

REPRESENTATIONS

Two representations were received during the period of public consultation. Whilst one of these was an objection to the scheme, the other sought assurances that certain measures would be in place to prevent issues such as overlooking and noise disturbance. The planning issues raised in the objection include:

- Impact on the character and appearance of the property and surrounding area;
- Impact on residential amenity of neighbours;
- Impact on drainage;
- Impact on biodiversity interests at the site;
- Potential noise disturbance;
- Inaccurate ownership certificate.

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 not allocated within the Proposals Map associated with the Joint Development Plan Document. Therefore, the relevant policies are:

Policy 9 – Local Environment
Policy 20 – Design

National Planning Policy Framework

Section 12 - Achieving well-designed places

PLANNING CONSIDERATIONS

The main planning issues to consider are:

- Design and impact on the character of the area;
- Impact on the amenity of the occupiers of neighbouring properties;
- Drainage;
- Ecology.

Design and Impact on the character of the area

Para 127 of the National Planning Policy Framework as well as Policies 9 and 20 of the Oldham Local Development Framework 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.

The rear gardens of the applicant's property, and those of the adjacent houses on this side of Tandlewood Park, decline in level from the rear of the houses towards a watercourse which runs along the rear boundary. In terms of existing character, it is noted that significant urbanisation of gardens has taken place in the area with garden development/landscaping works extending down to the watercourse, including immediately to the north.

The proposed outbuilding would occupy part of the lower section of the rear garden, at which level the new floor will be formed, with the roof reflecting the upper level of the existing garden. It would have a grass roof which would enhance its assimilation into the garden. As such, it is considered that the proposal has been designed in a manner that is sympathetic to the landscape, would be in keeping with the general pattern of development in the area, and would therefore not lead to a significant adverse impact on the character of

the immediate area.

Whilst there are views of the site from the public footpath at the rear, it is however only the rear elevation of the building that would be visible from across the stream. Given the undulating topography, and the level of the building, other views would be restricted.

The proposal would therefore be sympathetic to the character of the area and the host dwelling, in accordance with relevant provisions of Oldham Local Plan Policy 20.

Impact on the amenity of occupiers of neighbouring properties

Para 127 of the NPPF requires that new development should also ensure a high standard of amenity for existing and future users. Policy 9 of the Local Development Framework 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.

As noted above, the applicant's existing rear garden occupies two levels, the higher section leading to the ground floor of the house. The proposed outbuilding would be sunk into the lower section of the garden and its roof height would reflect that of the existing higher garden section. Consequently, in terms of the relationship with neighbouring properties, there will be no adverse impact in terms of physical presence or effect on daylight/sunlight to the outlook from the similarly elevated sections of neighbouring gardens or from the properties themselves. Any view of the building from neighbouring dwellings on both sides would be restricted to the roof which would blend with the rest of the garden.

In the section of garden to be occupied by the outbuilding, in effect the applicant's garden level will be raised for a distance of 4.5 metres. At this point it will therefore result in an increased presence in relation to the adjacent gardens, and in particular any persons walking on the roof of the outbuilding would be elevated above the existing boundary screen treatment. The applicant initially proposed to increase the boundary fencing. However, this would result in noticeable increased overshadowing of the lower sections of the neighbouring gardens.

The proposal now incorporates screens to either side of the outbuilding's roof.

In respect of the property to the south, this would ensure privacy whilst avoiding any impact on daylight/sunlight reaching the lower garden.

In respect of the property to the north, from where an objection has been received, there will be some additional impact when utilising the lower patio level. However, such impact needs to be considered in the context of the overall site. This will affect a small section of the garden only, and for only a period in the morning. There will also be a gap of 1 metre from the boundary to the elevated screen fence, further reducing any immediate impact.

With regard to noise and disturbance, whilst there would be some level of noise during the construction phase, this would be temporary and expected during any construction works. Where such noise becomes a statutory nuisance, this is covered under environmental protection legislation. As the proposal is for domestic use, it is not considered that there would be any significant noise disturbance following the erection of the building beyond that which could reasonably occur from activity within the applicant's domestic garden. Commercial use can be controlled by condition.

Drainage

With regard to drainage, the applicant has submitted details of their proposed foul and surface water drainage scheme. Surface water will continue to discharge by gravity to the watercourse. Any foul water will need to be pumped to the public sewer on Tandlewood Park, and will require installation of a pump. This will be set below ground level, and details of noise emissions will require the Council's approval. Given that the pump will have a

limited capacity suitable for domestic use only, it is not anticipated that an acceptable solution is available.

Ecology

The development would take place on a domestic garden which is not known to be of any significant biodiversity value and not subject of any formal ecological designation. As such, having regard to its location and scale, the proposal would not lead to any significant adverse impact on biodiversity. It is also considered important to point out that an outbuilding similar in scale as that proposed can be erected on the site under householder permitted development rights without any ecological consideration.

Other matters.

The applicant has clarified that none of the proposed works would be outside the land owned by them and therefore there is no need to serve notice of the development on any other person/party. Adjacent owners have nevertheless been notified as part of the application process.

CONCLUSION

Having regard to the scale and design of the proposed development, as well as the nature of the proposed use, it is considered that the proposal would not lead to any significant adverse impact on the character of the area neither or to any significant adverse impact on the amenity of the occupiers of neighbouring properties. The proposal would therefore be in accordance with relevant provisions of Oldham Local Plan as well as relevant provisions of Section 12 of the National Planning Policy Framework.

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. Notwithstanding the other conditions of this permission, the development hereby approved shall be fully implemented in accordance with the approved plans and specifications which are referenced as:

Drawing No. 533-1.03 Rev C (Proposed Site Plan)
Drawing No. 533-3.01 Rev C (Proposed Ground Floor Plan)
Drawing No. 533-3.02 Rev C (Proposed Lower Ground Floor Plan)
Drawing No. 533-4.01 Rev B (Proposed Elevations)
Drawing No. 533-4.02 Rev B (Proposed Rear Elevation)
Drawing No. 533-4.03 Rev B (Proposed Side Elevation)
Drawing No. 533-4.04 Rev B (Proposed Side Elevation)
Drawing No. 533-5.01 Rev B (Proposed Section A-A)
Drawing No. 533-5.01 Rev B (Proposed Section A-A Upper Part)
Drawing No. SD-TF01 (Close Board Timber Fence Standard Detail)

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

3. Prior to the commencement of the development hereby approved, full details of the proposed measures for disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. Uncontaminated surface water shall be discharged to the watercourse. The submitted details shall include a full specification of any sewerage pump and details of acoustic emissions generated there from. The development shall be implemented in full accordance with the approved details.

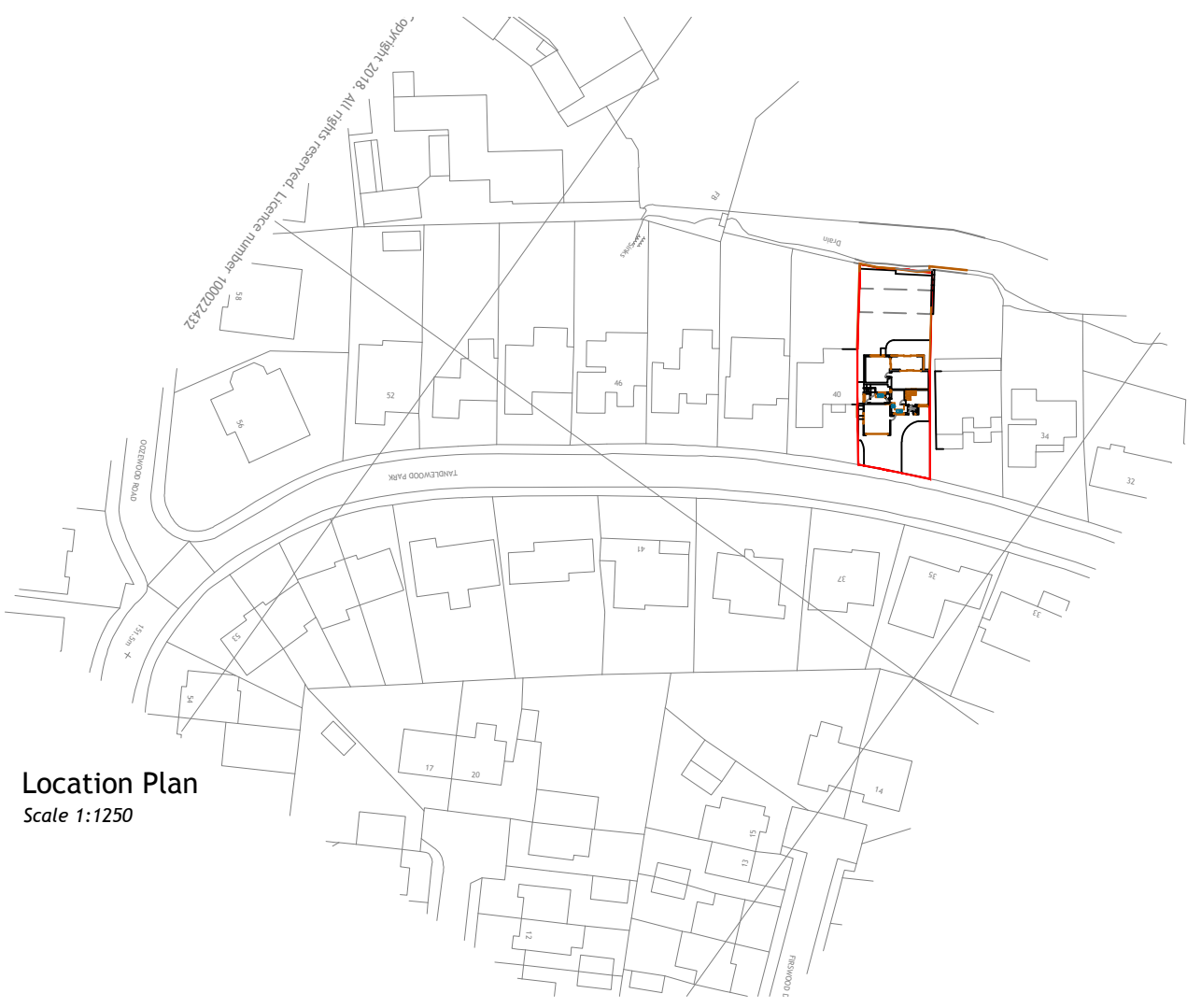
Reason - To ensure that an adequate drainage facility is provided for the development having regard to Policy 19 of the Oldham Local Plan.

4. Prior to the commencement of the use of the roof section of the outbuilding, the side boundary screens indicated on the approved plans shall be installed. The screens shall be retained at all times thereafter.

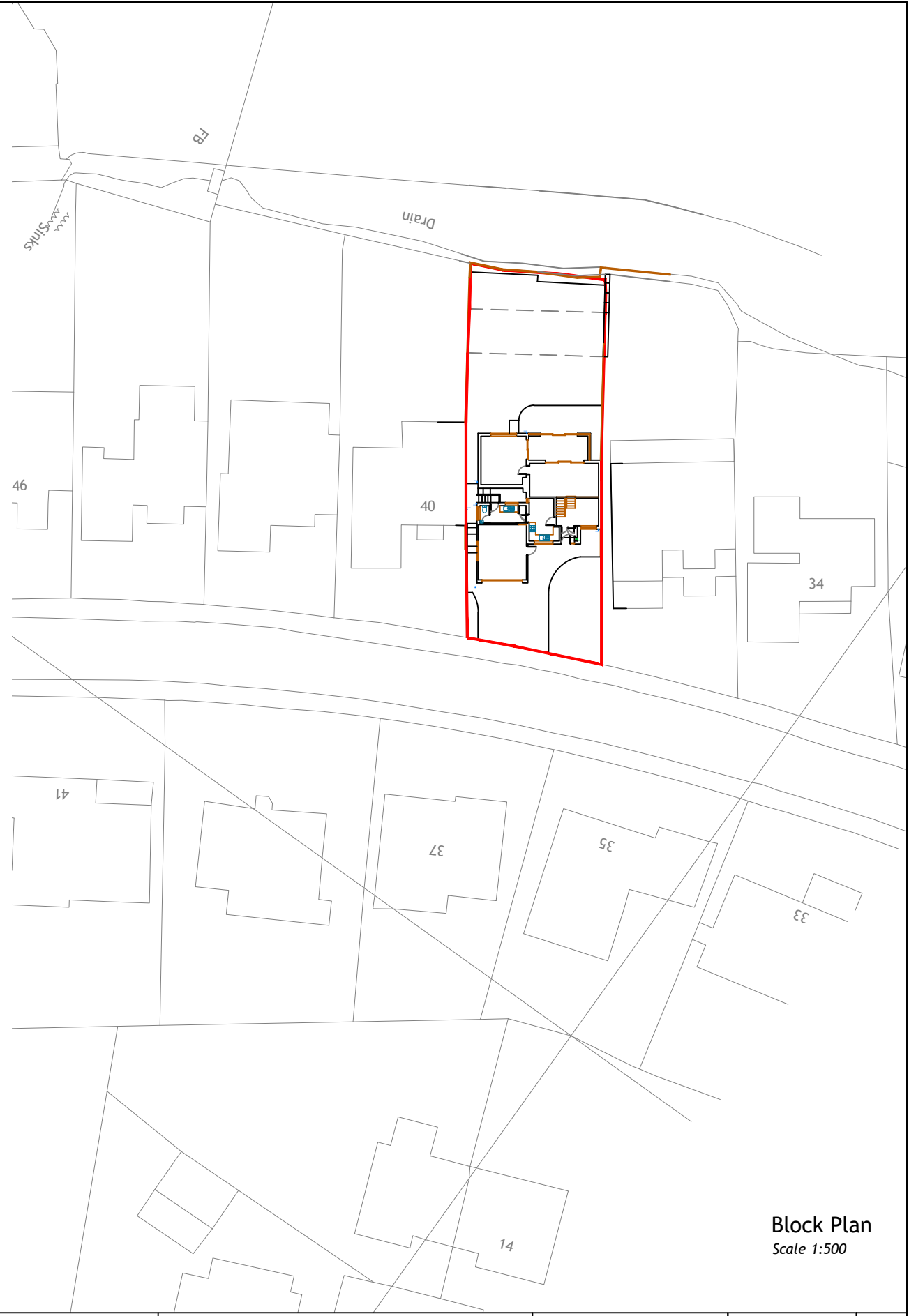
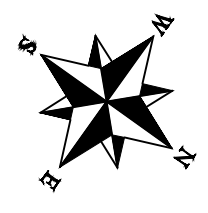
Reason - In order to protect the amenity of the occupiers of neighbouring properties in accordance with Oldham Local Development Framework Policy 9.

5. The development hereby approved shall only be used for domestic purposes ancillary to the existing dwelling house and shall not be used on a commercial basis.

Reason - In order to protect the character of the area and the residential amenity of the occupiers of neighbouring properties in accordance with Policy 9 of the Oldham Local Plan.



Location Plan
Scale 1:1250



Block Plan
Scale 1:500



EDIFICE Building Consultants Limited email: nick@edificebc.co.uk mobile: 07917125231 Architecture Project Management Consultancy <small>All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to Edifice BC Ltd. All information hereon in is the copyright of Edifice BC Ltd. Copying in full or in part is forbidden without the written permission from Edifice BC Ltd.</small>	PROJECT Proposed Rear Development at: 38 Tandle Wood Park Royton Oldham	DRAWING TITLE Existing Location and Block Plans	CLIENT Mr and Mrs Reynolds	DATE May '19	DRAWING No	REV
				DRAWN BY NH	533-1.01	
				SCALE 1:1250/500@A3		

Planning Committee Meeting

Date 26th August 2020

Proposed single storey outbuilding, built into the existing split level sloping garden with access steps, re-modelling lower patio area and raised upper garden area.

38 Tandlewood Park, Royton OL2 5UZ

Application No. PA/344790/20

Aerial view



View from public footpath to rear



View from Oozewood Road



View from public footpath from the north



View towards 36 Tandlewood

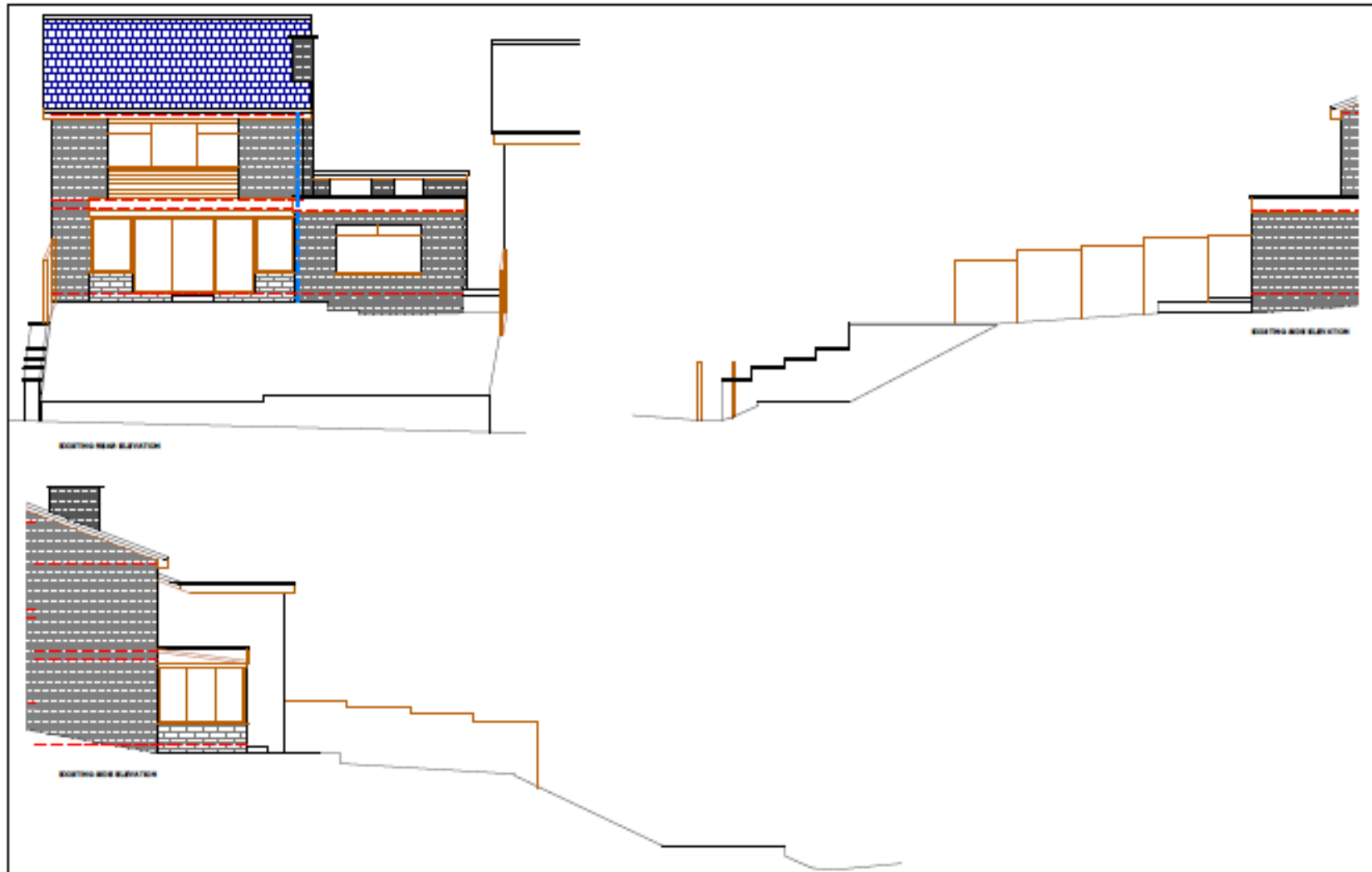


View towards 40 Tandlewood



Existing garden levels

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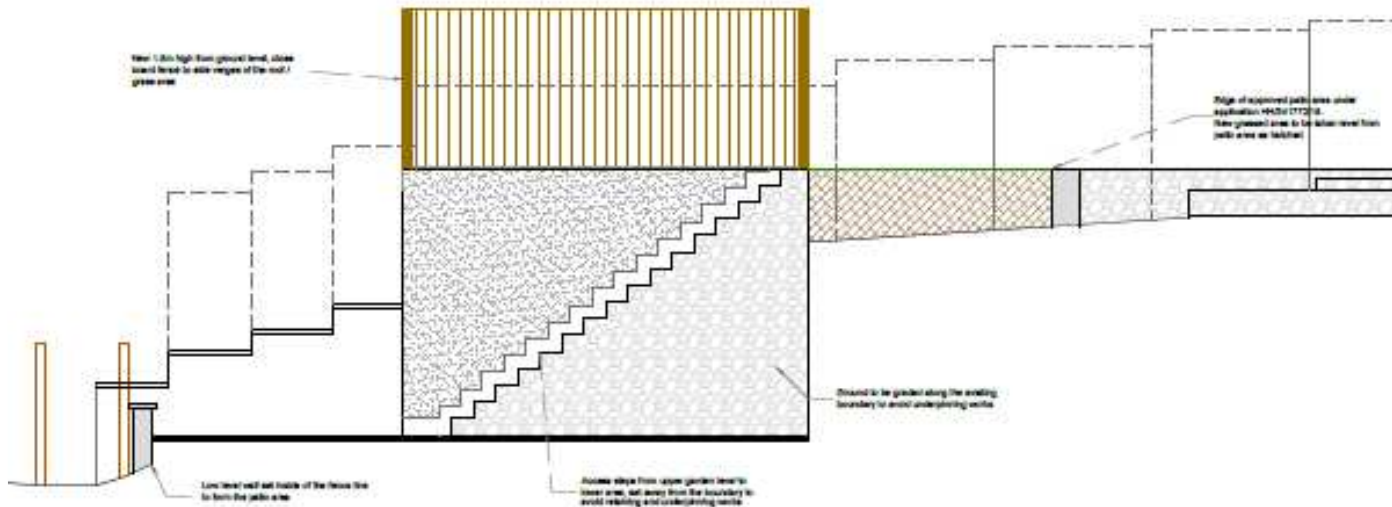


Proposed garden levels

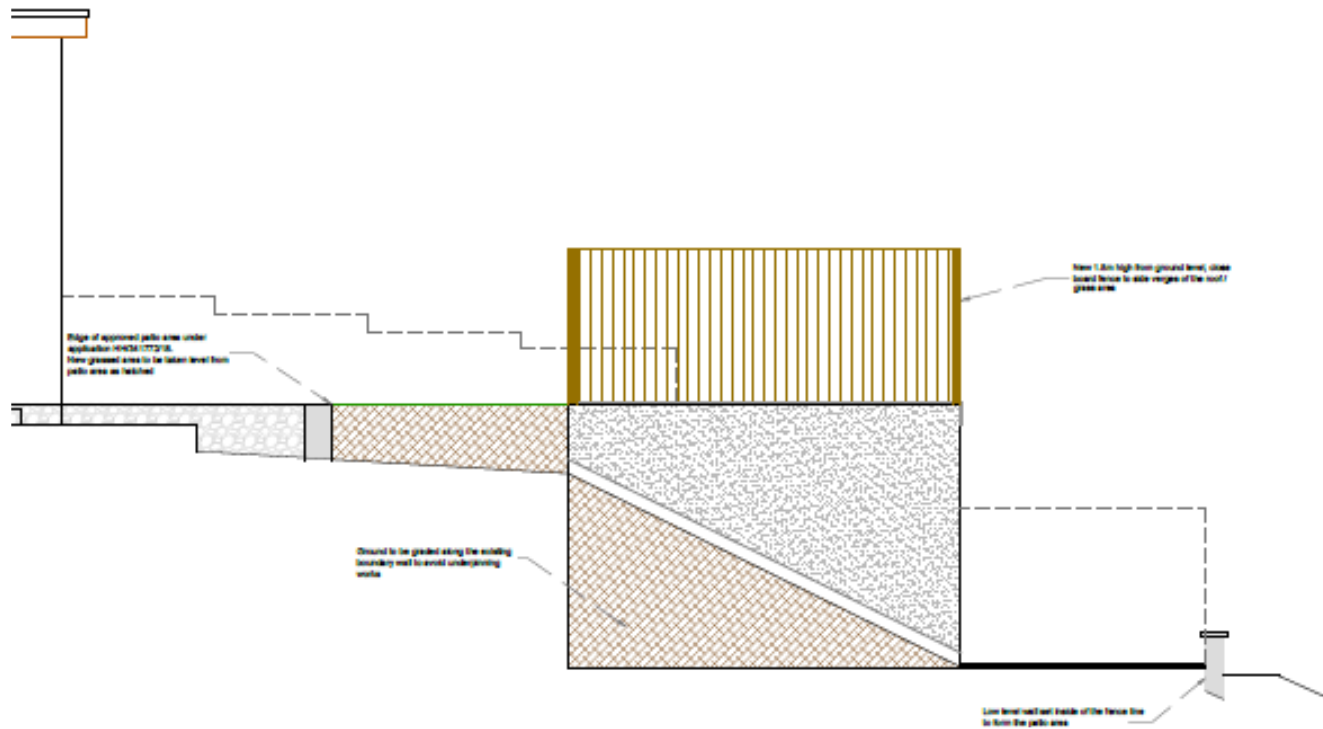
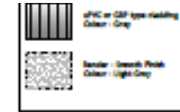
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Proposed garden levels (south side)

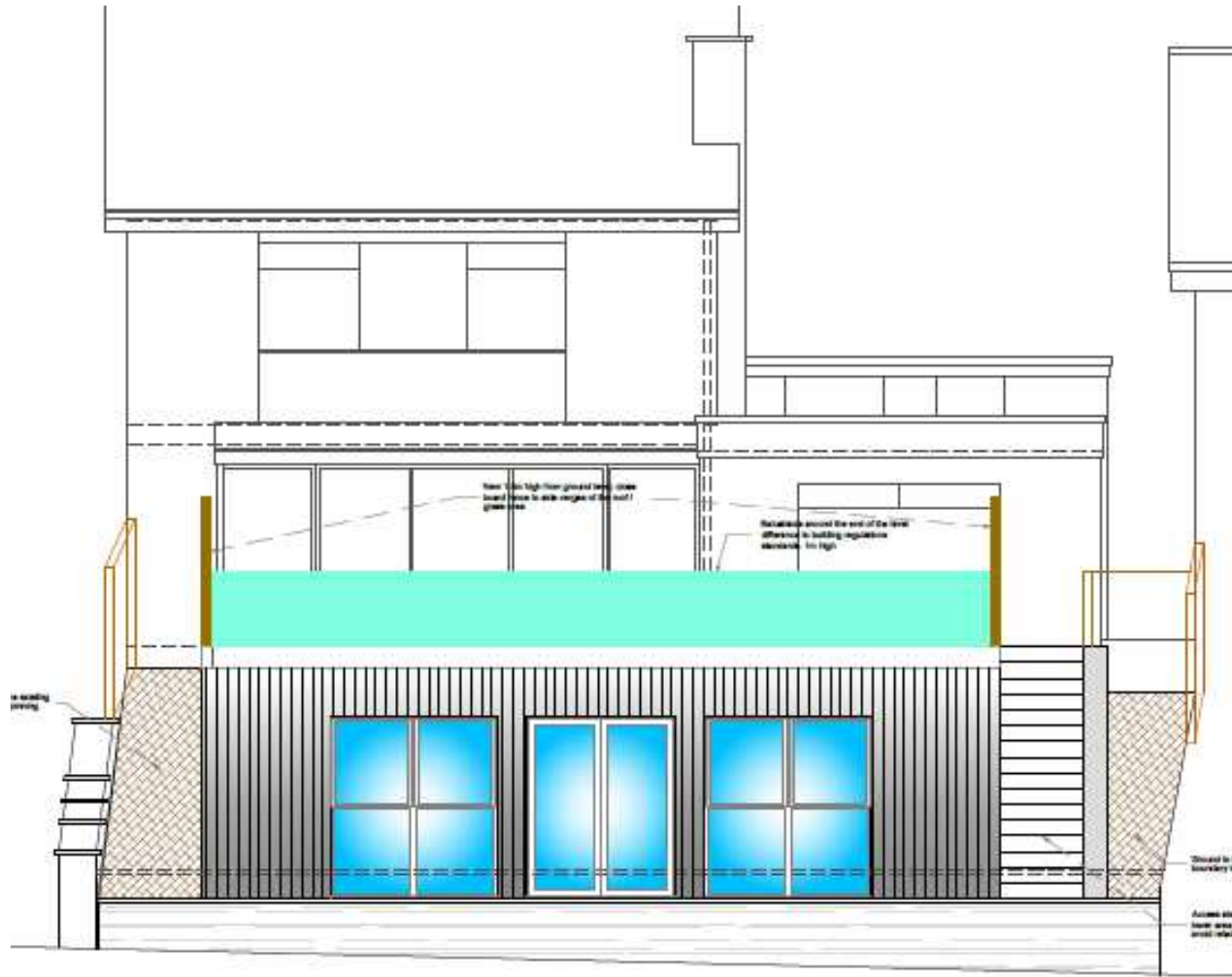


Proposed garden levels (north side)



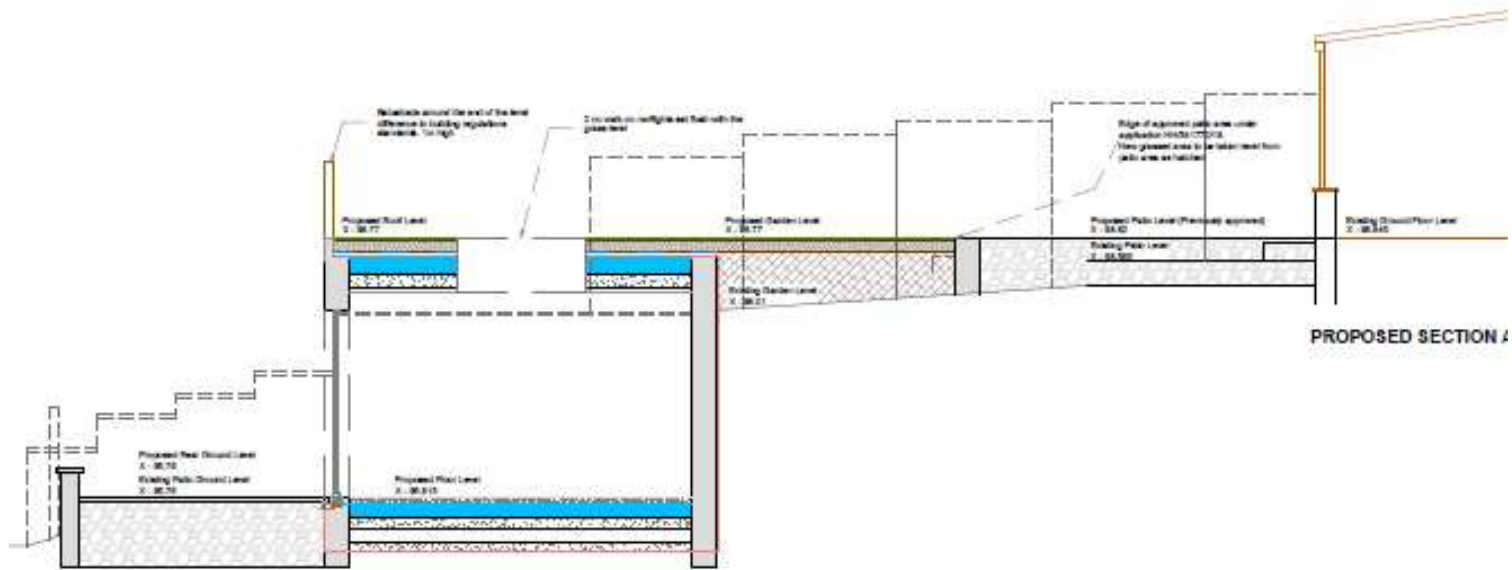
Proposed rear elevation

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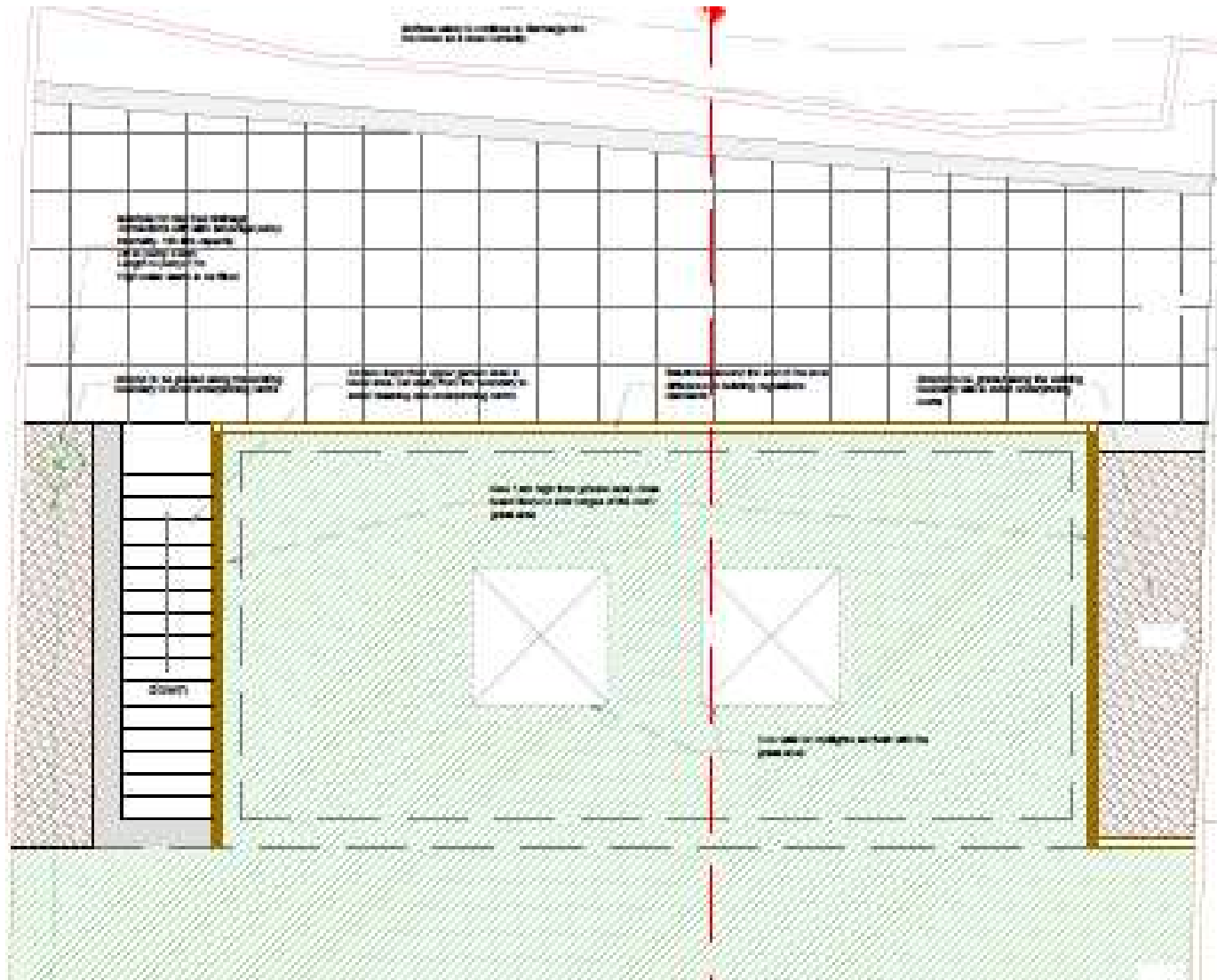


PROPOSED REAR ELEVATION

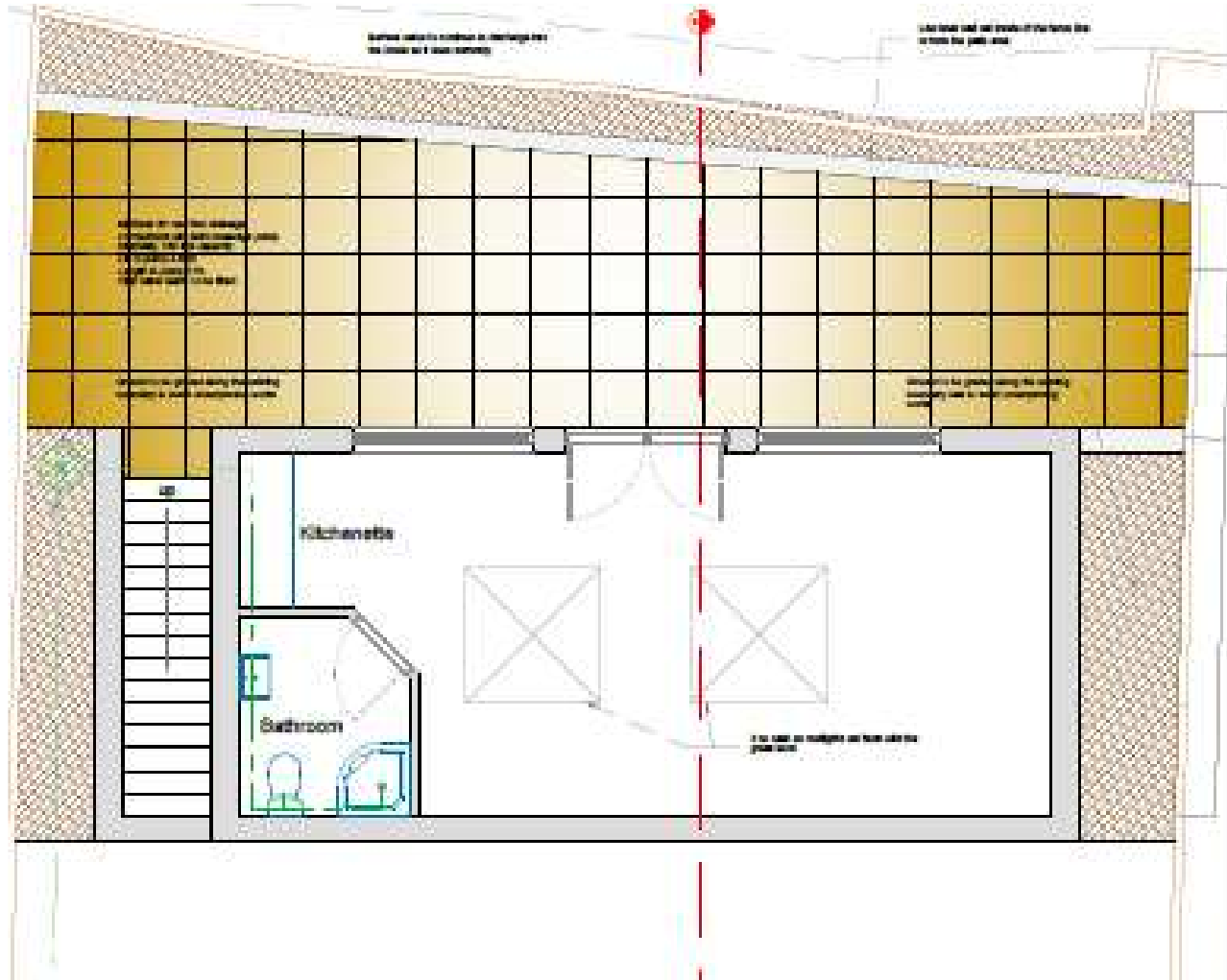
Proposed section



Proposed roof arrangement



Proposed floor/lower level plan



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APPLICATION REPORT - HH/345149/20

Planning Committee, 26 August, 2020

Registration Date: 16/07/2020
Ward: Chadderton Central

Application Reference: HH/345149/20
Type of Application: Full Planning Permission

Proposal: Single storey side extension
Location: 39 Lindale Avenue, Chadderton, OL9 9DW
Case Officer: Sophie Leech

Applicant Entwistle
Agent : Clearview Home Improvements

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the application has been submitted by a Senior Council Officer.

RECOMMENDATION

Approve, subject to the following conditions:

THE SITE

The site relates to a semi-detached property located on the southern side of Lindale Avenue. The area is predominantly residential and there is a mix of two storey dwellings and bungalows surrounding the site. The property sits on a corner plot with Lindale Avenue and Arnside Avenue and has off road parking to the front. There is an attached single storey garage and to the rear there is a private garden.

THE PROPOSAL

The application proposes a single storey side extension which will adjoin the rear of the existing garage. The extension will measure 3.53m in depth, 2.3m in width, approximately 3.23m in height and 2.15m in eaves height.

RELEVANT HISTORY OF THE SITE

None

RELEVANT POLICIES & GUIDANCE

Policy 9 – Local Environment
Policy 20 – Design
NPPF

REPRESENTATIONS

The appropriate neighbouring properties were notified of the application by neighbour notification letter. No representations have been received to date. The consultation period expires on the 19th August 2020, therefore if any comments are received they will be reported on the late list.

Policy 9 of the DPD sets out that the Council will protect and improve local environmental quality and amenity by: ensuring development does not cause significant harm to the amenity of the occupants and future occupants; by ensuring there is no significant harm on neighbouring privacy and outlook, and lastly by ensuring there is no significant loss of light. In addition, Policy 20 states that the Council will promote high quality design in developments in order that they reflect the character and distinctiveness of the area.

Design & Appearance

The proposal is small scale and will not appear overbearing when viewed from the street scene. The roof design will consist of a monopitch roof which will match the existing roof structure seen on the garage, whilst the external materials will match the main property which is acceptable and therefore will not harm the visual amenity of the street scene or existing property. As a result, the proposal accords with Policy 20.

Residential Amenity

Due to the siting of the extension, there will be no adverse impacts on neighbouring residential amenity with regards to loss of light or outlook. As a result, the proposal accords with Policy 9.

CONCLUSION

The application is considered to accord with relevant development plan policies and guidance contained within the NPPF and is therefore recommended for approval.

Recommended conditions

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

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

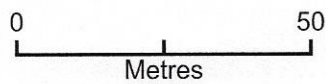
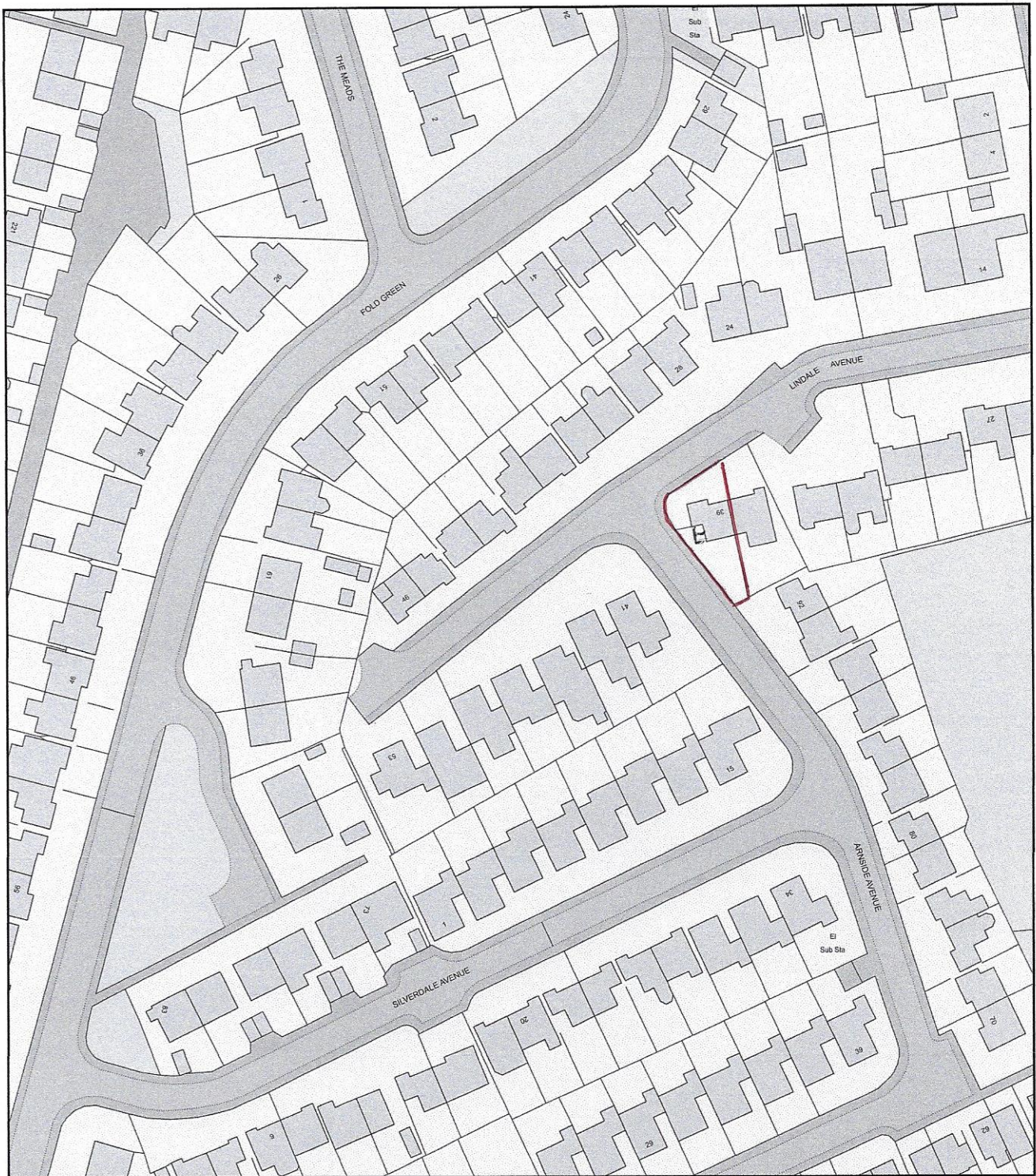
2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications which are referenced as follows:

Location Plan
Block Plan
39200620 - 15/07/2020

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

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

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



Plan Produced for: entwistle 392200620
Date Produced: 06 Jul 2020
Plan Reference Number: TQRQM20188160550926
Scale: 1:1250 @ A4

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 Committee Meeting

Date 26th August 2020

Proposed single storey side extension

39 Lindale Avenue, Chadderton, OL9 9DW

Application No. HH/345149/20



Oldham
Council

Aerial view



View from public footpath to side and rear



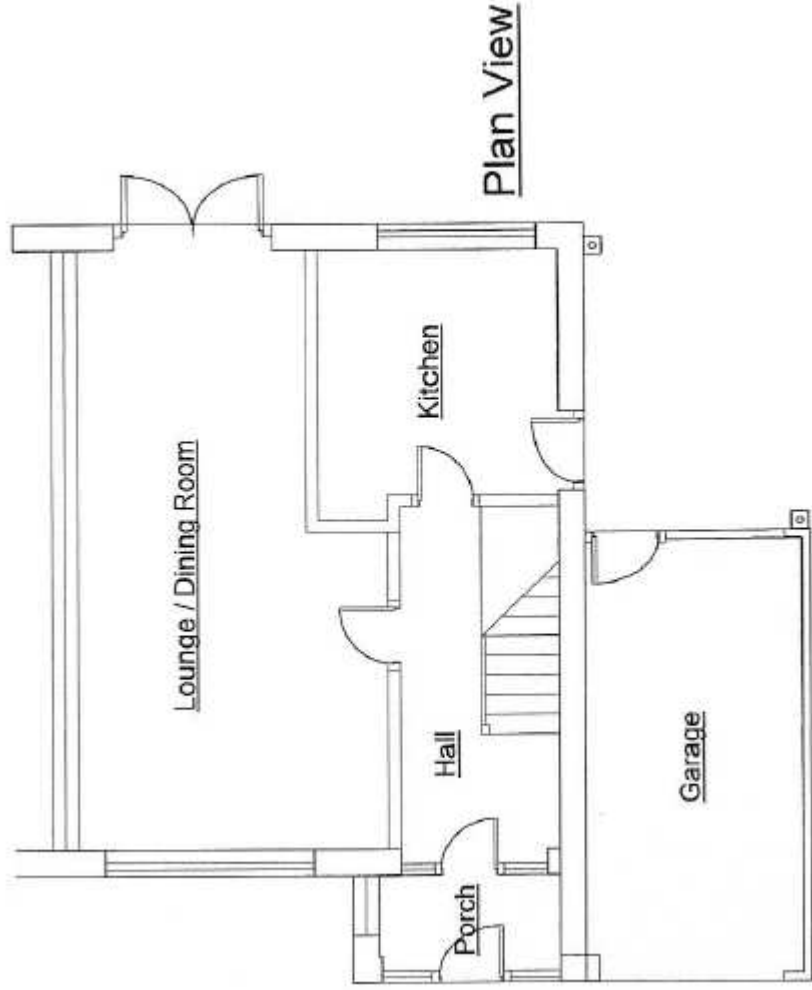
View from rear garden



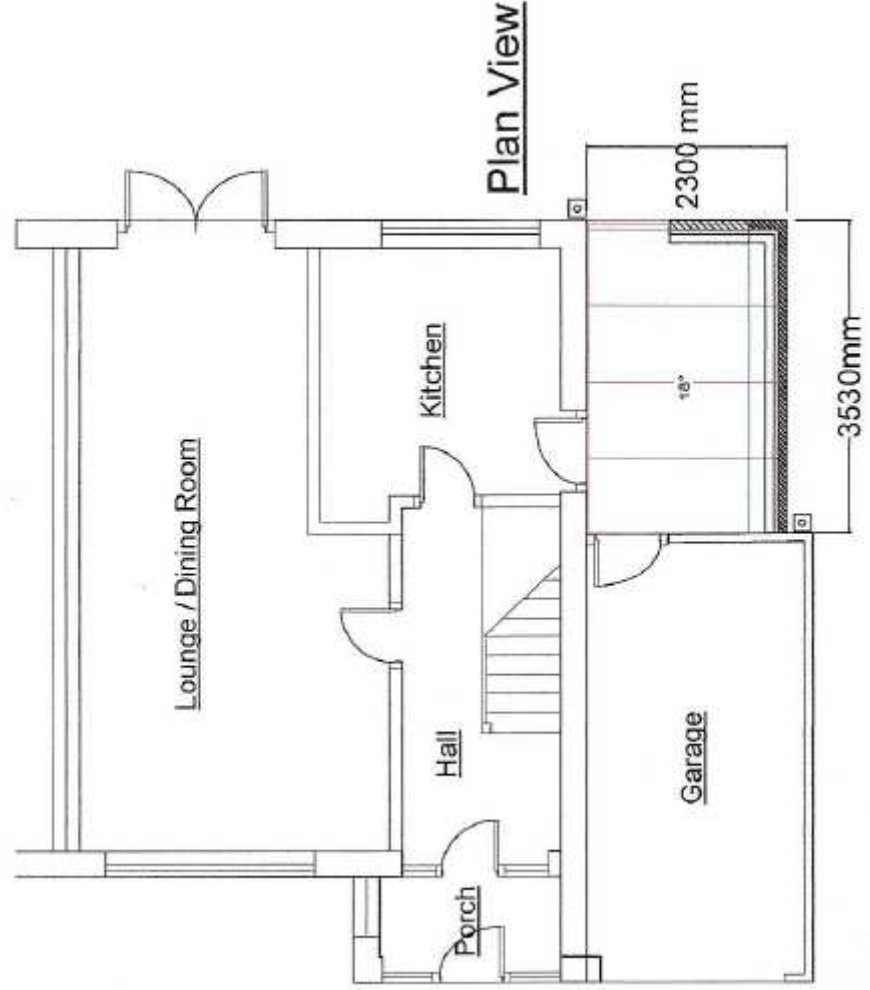
Site plan



Existing plans



Proposed plans



Proposed elevations

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