

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 9 December 2020

Time 6.00 pm

Venue Virtual 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 in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Kaidy McCann or email Constitutional.Services@oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 4 December 2020.
 4. 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, 9 December 2020. Full joining instructions will be provided.
 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, Davis (Vice-Chair), H. Gloster, Harkness, Hewitt, Hudson, Phythian, Garry, Ibrahim, Iqbal, Jacques, Malik, Surjan and Dean (Chair)

- 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 11th November 2020 are attached for Members' approval.
- 6 MMA/344478/20 - Land to the rear of the Dog and Partridge PH, Medlock Road, Failsworth, Oldham, M35 9NP (Pages 5 - 30)
Variation to Condition 2 of approved application PA/343302/19, including amendments to site layout, levels, house layouts and roof heights.
- 7 PA/344685/20 - Land behind the Dog and Partridge P H, Medlock Road, Failsworth, Oldham, M35 9NP (Pages 31 - 62)
Variation of conditions 1, 2, 3, 4, 5, 6, 8, 10 & 13 relating to app no. PA/343302/19
- 8 Appeals (Pages 63 - 68)



PLANNING COMMITTEE
11/11/2020 at 6.00 pm

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

Also in Attendance:

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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Akhtar 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 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee
meeting held on 14th October 2020 be approved as a correct
record.

6 **MMA/344478/20 - LAND TO THE REAR OF THE DOG AND
PARTRIDGE PH, MEDLOCK ROAD, FAILSWORTH,
OLDHAM, M35 9NP**

APPLICATION NUMBER: MMA/344478/20

APPLICANT: Mr Sheridan

PROPOSAL: Variation to Condition 2 of approved application
PA/343302/19, including amendments to site layout, levels, house
layouts and roof heights.

LOCATION: Land to the rear of the Dog and Partridge PH, Medlock Road, Failsworth, Oldham, M35 9NP



It was MOVED by Councillor Jacques and SECONDED by Councillor Garry that the application be DEFERRED as Committee members noted that the development had commenced and wished to see up-to-date photographs of the site, along with clarification on the approved drainage scheme and ecology matters.

On being put to the vote 8 VOTES were cast IN FAVOUR OF DEFERRAL and 3 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be DEFERRED.

7 **PA/344685/20 - LAND BEHIND THE DOG AND PARTRIDGE PH, MEDLOCK ROAD, FAILSWORTH, OLDHAM, M35 9NP**

APPLICATION NUMBER: PA/344685/20

APPLICANT: Sheridan Group Ltd.

PROPOSAL: Variation of conditions 1, 2, 3, 4, 5, 6, 8, 10 & 13 relating to app no. PA/343302/19.

LOCATION: Land behind the Dog and Partridge Public House, Medlock Road, Failsworth, Oldham, M359NP

It was MOVED by Councillor Dean and SECONDED by Councillor Davis that the application be DEFERRED for consideration alongside application MMA/344478/20 at item 6.

On being put to the vote 10 VOTES were cast IN FAVOUR OF DEFERRAL and 1 VOTE were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be DEFERRED to enable it to be considered together with MMA/3344478/20.

8 **PA/345119/20 - COPSTER HALL, 122-130 COPSTER HILL ROAD, OLDHAM, OL8 1QQ**

APPLICATION NUMBER: PA/345119/20

APPLICANT: Mr Abid Munir

PROPOSAL: Part use of bakery to form a catering and retail shop outlet selling the bakery products to the public as well as wholesale production.

LOCATION: Copster Hall, 122-130 Copster Hill Road, Oldham, OL8 1QQ

It was MOVED by Councillor Dean 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 subject to the conditions as outlined in the report.

9 **HH/345289/20 - 12 ASHFIELD CRESCENT, SPRINGHEAD, OL4 4NX**

APPLICATION NUMBER: HH/345289/20

APPLICANT: Miss Vita Price

PROPOSAL: Proposed front and rear dormers and alterations to rear elevation.

LOCATION: 12 Ashfield Crescent, Springhead, OL4 4NX

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

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

DECISION: That the application be GRANTED subject to the conditions as outlined in the report.

10 **APPEALS**

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

The meeting started at 6.00 pm and ended at 7.24 pm

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APPLICATION REPORT - MMA/344478/20

Committee Report, 9th December 2020

Registration Date: 31/01/2020
Ward: Failsworth East

Application Reference: MMA/344478/20
Type of Application: Minor Material Amendment

Proposal: Variation to Condition 2 of approved application PA/343302/19, including amendments to site layout, levels, house layouts and roof heights.

Location: Land to the rear of the Dog and Partridge PH, Medlock Road, Failsworth, Oldham, M35 9NP

Case Officer: Matthew Taylor

Applicant Agent : Mr Sheridan
Studio OL3 Ltd

This application was deferred from the 11 November 2020 Planning Committee meeting. Committee members noted that the development had commenced and wished to see up-to-date photographs of the site along with clarification of the height differences proposed. The height difference is confirmed in the updated committee report below. Whilst up-to-date photographs of the site are provided in the supporting power point presentation.

RECOMMENDATION

Approve subject to the conditions set out below

THE SITE

The application site is a roughly 'L' shaped 0.7ha plot of land that gently slopes down from north to south. It is bounded by the Brookdale Golf Course to the west and the Dog and Partridge public house bowling green/beer garden and a local park to the east. The area comprises cleared ground with self-seeded grass and shrubs covering the site, but also encompasses 111 Medlock Road.

The site is located within the Woodhouses Conservation Area.

Development work relating to the erection of 17no. dwellings has commenced on site (Ref: PA/3433302/19).

THE PROPOSAL

The proposed minor material amendments to the previously approved application PA/343302/19 relates to the following:

- Removal of a house type No.4 (this type has been switched out for house type 1 and a new house type 5 on the layout plan);

- House type No's. 5, 6 and 7 have also been added to allow for alternate design versions of house type 1, 2 and 3. As they allow for a better balance of masonry and glazing to retain the traditional feel of the overall street scene and development.
- The increase in ridge heights of house type No's. 1, 2 and 3, due to the construction requirements dictated by structure have required a lift in ridge height of between 0.5m and 0.8m; and
- Ground level alterations across the site due to the revised levels take from site which are more accurate than the previous levels provided, which indicates a 0.3m difference from the previously submitted levels.

RELEVANT HISTORY OF THE SITE:

PA/344685/20 - Variation of conditions 1, 2, 3, 4, 5, 6, 8, 10 & 13 relating to app no. PA/343302/19. Pending determination.

PA/343302/19 Erection of 17 houses with vehicular access from Medlock Road. Amended application relating to PA/341467/18. Granted 13/1/2020 subject to conditions and to a Section 106 Agreement for the submission of a payment of £160000 for the improvement of the play equipment on the adjacent park and the provision of off-site affordable housing.

PA/341467/18 - Erection of 17 houses with vehicular access from Medlock Road. Refused 15 February 2019.

RELEVANT PLANNING POLICY

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

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

Policy 1 - Climate change and sustainable development;
 Policy 3 - An address of choice;
 Policy 5 - Promoting Accessibility and Sustainable Transport Choices';
 Policy 9 - Local environment;
 Policy 11 - Housing;
 Policy 20 – Design
 Policy 21 - Protecting Natural Environmental Assets
 Policy 23 - Open space and sports
 Policy 24 - Historic Environment

Saved UDP - Phase 2 Housing allocation

CONSULTATIONS

Highway Engineer

Originally raised concerns about the proposed site layout changes (in terms of off-street parking) and the proposed estate entrance gates. However, amended plans have been provided removing the proposed gates and resolving the site layout concerns raised.

REPRESENTATIONS

This application was publicised by way of a site notice, neighbour notification letters and press notice. 3 individual letters of objection have been received, in which the concerns raised can be summarised as follows:

- It seems to be a trend that once building work starts on the site that a new application is made to significantly alter the original application that was passed.
- The houses' proposed new height will result in them towering over the properties in the area. They are not in keeping with the area and much taller than the ones on Medlock Road.
- The size of the glazing was previously objected to as not in keeping with the village
- The proposed gates will cause problems with traffic and parking.
- Drainage system within the locality is not sufficient for such an addition of dwellings; and information provided does not provide true picture of the developments impact.
- It is not clear how children/young adults etc, who now access the park from Stamford Drive only, can retrieve objects should they fall into the new development area.

PLANNING CONSIDERATIONS

The principle of the residential development of this site has previously been established and the assessment of the present application is therefore restricted to the amendments now sought.

DPD Policy 9 stipulates that the proposed development should not cause significant harm to the amenity of neighbouring occupants through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances. Furthermore, the development should not have a detrimental impact on the visual appearance of an area. Policy 20 'Design' further advocates that development must meet design principles relating to local character, good streets and well-designed buildings. DPD Policy 24 which seeks to protect, conserve and enhance the historic character and setting of a Conservation Area.

In terms of the general appearance of the proposed changes, it is considered the proposed layout, levels and house type alterations are of an acceptable and relatively minor deviation from the original approval. It is not considered that the proposed amendments would have any significant cumulative impact on the street scene and conservation area, over and above the previously approved permission.

In regards the impact on residential amenity, it is considered the proposed changes will have no adverse impact on residential amenity of the future occupiers and the surrounding existing dwellings.

Taking the above matters into consideration, the minor material amendment to the previously approved scheme complies with the relevant policies of the LDF Joint Development Plan Document and the NPPF.

RECOMMENDED CONDITIONS

That Committee resolves to approve the application subject to the following conditions:

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

570 - 003 Rev Q
570 - 004 Rev G
570 - 005 Rev K
570 – 006 Rev C
570 – 008 Rev C
570 - 007 Rev E
570 - 009 Rev A
570 - 101P3 - Medlock Road House Type 1
570 - 201P3 - Medlock Road House Type 2
570 - 301P3 - Medlock Road House Type 3
570 - 501P1 - Medlock Road House Type 5
570 - 601P1 - Medlock Road House Type 6
570 - 701P1 - Medlock Road House Type 7
STR.TS.14 Medlock Road Woodhouses - Topo Survey STR.TS.1

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

2. Development hereby approved shall be carried out in accordance with the approved Material Schedule (Ref no. 570) and T138-Driveway-permeable-base-v8. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

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

3. No dwelling shall be brought into use unless and until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plans/details:

- T138-Driveway-permeable-base-v8;
- 570 -003 Rev Q;
- EW01 Rev B;
- EW02 Rev D;
- EW03 Rev C;
- EW04 Rev E;
- EW06 Rev D;
- D001 Rev F; and
- D002 Rev K.

Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety.

4. Prior to occupation of the development, the sustainable drainage of the site, outlined in the following details shall be completed and a full survey of the

watercourse undertaken and submitted for the written approval of the Local Planning Authority.

- Drg no. 19500-D001- Rev F
- Drg no. 19500-D002 - Rev K
- Drg no. 19500-D003
- Drg no. 19500-D004
- Drg no. 19500-D005- Rev C
- Drg no. 19500-D006- Rev C
- Drg no. 19500-D007- Rev A
- Drg no. 19500 – D008 – Rev B
- Drg no. 19500 – D009 – Rev F
- Drg no. 19500 – D0010 - Rev A
- Hydrobrake product – CTL-SHE-0106-7400-2327-7400
- Calculations – labelled Medlock Attenuation – 26.08.20 Karl Hill
- Geo-environmental Site Investigation Report Phase II Site Investigation – H0388 JL (GS10833) October 2017

The subsequently completed drainage scheme shall be maintained and managed in accordance with all the approved details and the Flood Risk Assessment & Drainage Strategy prepared by Waterco.

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.

5. All measures outlined in the approved 'Phase 1 Ecological Survey & Appraisal & Amphibian Habitats Suitability Index Assessment (Update)', Produced by Sensible Ecological Survey Solutions, shall be implemented and maintained for the duration of the construction period of the development in accordance with the approved details.

Reason - To protect the watercourse and Brookdale Golf Course SBI.

6. The development shall only be carried out in full accordance with the approved remediation proposals outlined in the Phase II Geoenvironmental Site Investigation Report by GEOCON, dated October 2017. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority, and the approved measures shall be implemented in full.

Reason - To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.

7. All trees to be retained shall be protected in accordance with the submitted Tree Protection Plan Job (Ref: CW /904-P- TP) Thereafter no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence and tree during the construction period.

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

8. All hard and soft landscape works for the site shall be carried out in accordance with the approved details as follows:

Drawing Nos. 570 – 003 Rev Q;
Drawing Nos. 570 – 004 Rev G;
Material Schedule (Ref no. 570); and
T138-Driveway-permeable-base-v8.

The works shall be carried out prior to the occupation of any part of the development or in accordance the programme approved in writing by the Local Planning Authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

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

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

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981.

10. The development shall only be carried out in full accordance with the following approved Landfill Gas remediation details:

- 570-04-D-000 Rev B - External Wall to Floor Junction Details Plots 1 to 8 and Level Access Detail
- 570-04-D-012 Rev A - External Wall and Beam and Block Floor Junction Detail - Plots 9 to 17
- Vent form Data Sheet- Cordek Ventform

A verification report providing detail to demonstrate that the works set out in the above details are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted prior to occupation of the dwelling to which the measures relate.

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

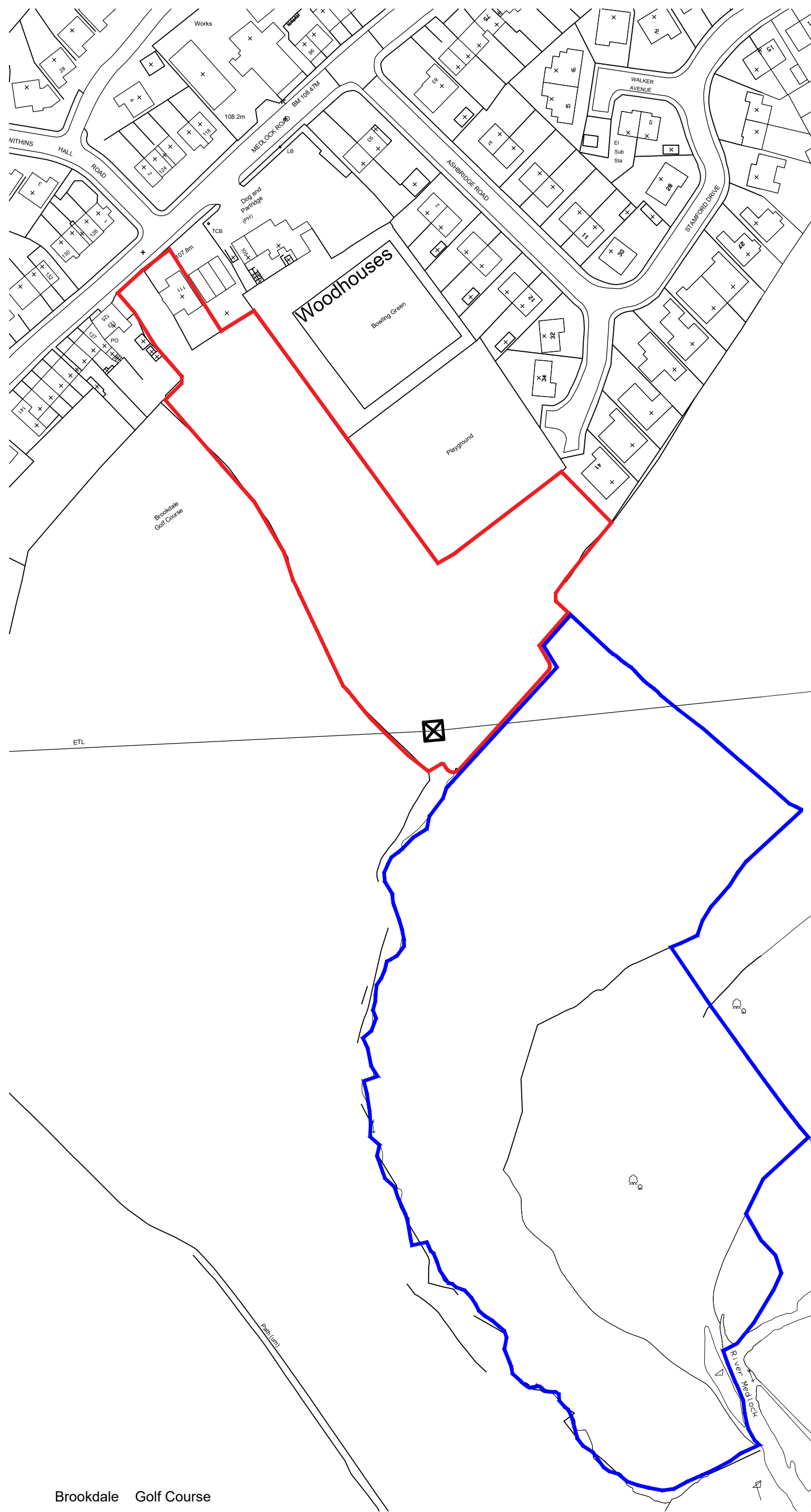
Reason - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

11. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy 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 by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

12. The boundary wall to the front of 111 Medlock Road shall remain re-sited in accordance with the detail shown on plan ref: 005 Rev k and J930/access/Fig 1 at all times. Thereafter the area between the fence line and the access shall be permanently kept clear of all obstructions.

Reason – To ensure satisfactory visibility in the interests of highway safety.



Note:
 Studio OL3 Ltd shall have no responsibility for any use made of this document other than for that which it was prepared and issued.
 This drawing should not be scaled. Work to figured dimensions only.
 All dimensions and levels to be checked on site.
 Land registry title and ownership boundaries are produced by Studio OL3 using all reasonable endeavours. We cannot be held responsible for scale discrepancy of plans supplied to us.
 Any discrepancies should be reported to Studio OL3 at the address below.
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DESIGN AND LEGISLATION:
 The following notes are intended to be used for planning and building regulations approval only. No works should take place until these approvals are in place in writing from the authorities. All works carried out prior to approval are at the owners risk and studio ol3 take no responsibilities for these works. All dimensions are to be checked by the main contractor prior to work commencing and during the progress of the works. Any discrepancies in dimensions or construction information are to be reported to the designer for resolution before any further work is carried out. No components to be ordered or fabricated without all relevant associated dimensions being checked and confirmed. Do not scale from drawings, work to figured dimensions only. This drawing to be read in conjunction with all other relevant consultants details and specifications.

GENERAL NOTE:
 Workmanship and materials to comply with:
 Building Regulations, N.H.B.C. requirements, British standards or codes of practice, other authoritative documents or technical approval certification including:
 Construction Products Directive (89/106/EEC).
 The International Standards Organisation (ISO).
 The European Committee for Standardisation (CEN).
 The British Board of Agreement.
 Current at the time of the Building Regulations application.

All materials shall be fixed, applied or mixed in accordance with manufacturers instructions and specifications. All materials shall be suitable for the purpose for which they are used.

The contractor shall take into account everything necessary for the proper execution of the works, to the satisfaction of the "inspector" whether or not indicated on the accompanying drawings or in the specification.

Note: subject to confirmation of the designer - similar "approved" materials of equal performance may be substituted where those specified are not available.

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No.	Date	Description	Issued by
A	18.04.19	Red line boundary amended.	DT

THE SHERIDAN GROUP LTD

LAND OFF MEDLOCK ROAD

Location Plan

Drawing Number	Project number	570
009	Date	07.02.18
Current Revision	Drawn by	DT
A	Checked by	OL3
	Scale @ A2	1:1250



Unit 23 Broadway Business Park Chadderton OL9 9XA
 Email - design@studio-ol3.co.uk - Web - www.studio-ol3.co.uk

Planning Committee Meeting 9th December 2020

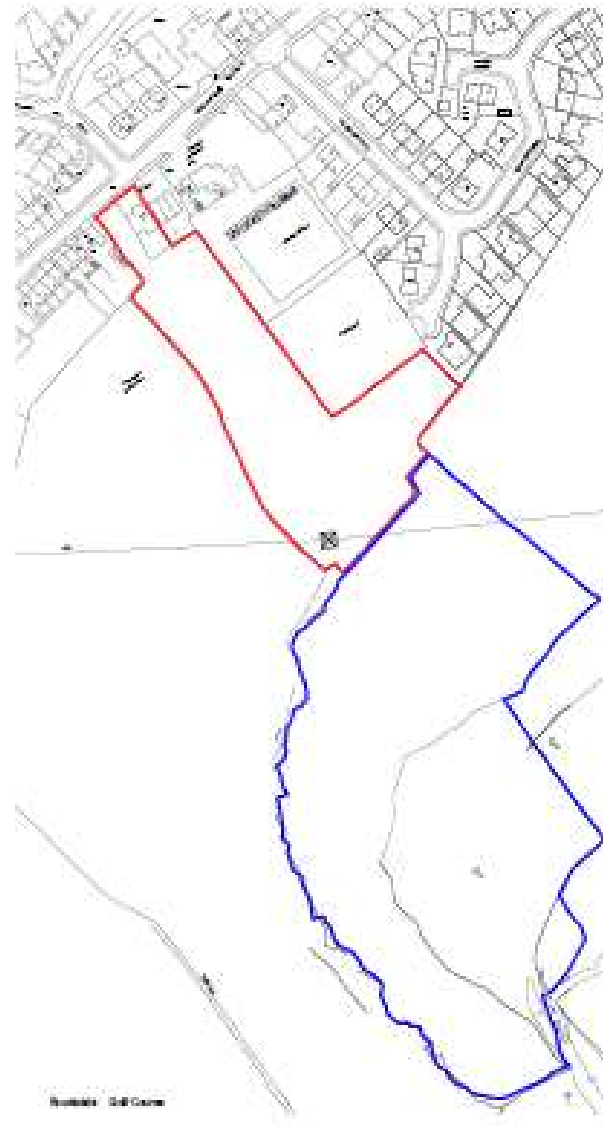
MMA/344478/20

Variation to Condition 2 of approved application PA/343302/19, including amendments to site layout, levels, house layouts and roof heights.

Land to the rear of the Dog and Partridge PH, Medlock Road, Failsworth, Oldham, M35 9NP



Location Plan



Aerial View



Proposed amendments are as follows:

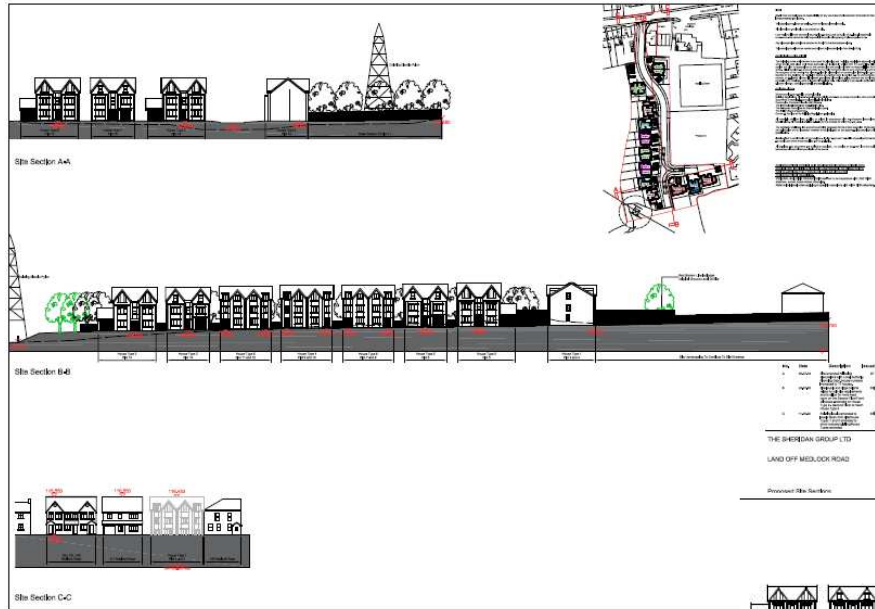
- Removal of a house type No.4 (this type has been switched out for house type 1 and a new house type 5 on the layout plan);
- House type No's. 5, 6 and 7 have also been added to allow for alternate design versions of house type 1, 2 and 3. As they allow for a better balance of masonry and glazing to retain the traditional feel of the overall street scene and development.
- The Increase in ridge heights of house type No's. 1, 2 and 3, due to the revised existing site levels taken from site, as more topographical survey has been undertaken and the construction requirements dictated by structure have required a lift in ridge height; and
- Ground level alterations across the site again due to the revised levels take from site which are more accurate than the previous levels provided.

Proposed layout



Original Approved layout

Proposed Section



Original Approved Section



Site Photos (25/11/2020) – taken from Medlock Road.

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Site Photos (25/11/2020) – taken from the site entrance.



Site Photos (25/11/2020) – taken from the rear/side of Dog and Partridge Public House



Site Photos (25/11/2020) – taken from Stamford Drive

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Streetscene comparison and Photomontage detail



VIEWS INTO SITE FROM MEDLOCK ROAD – IMPACT REVIEW



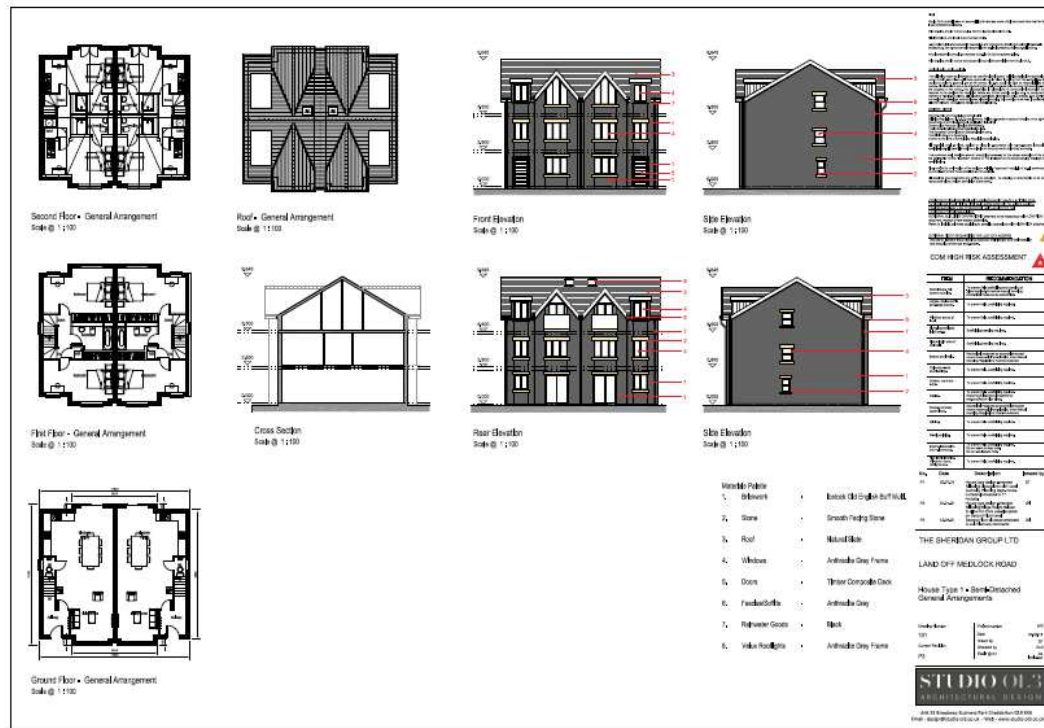
AMENDED VIEW FROM MEDLOCK ROAD



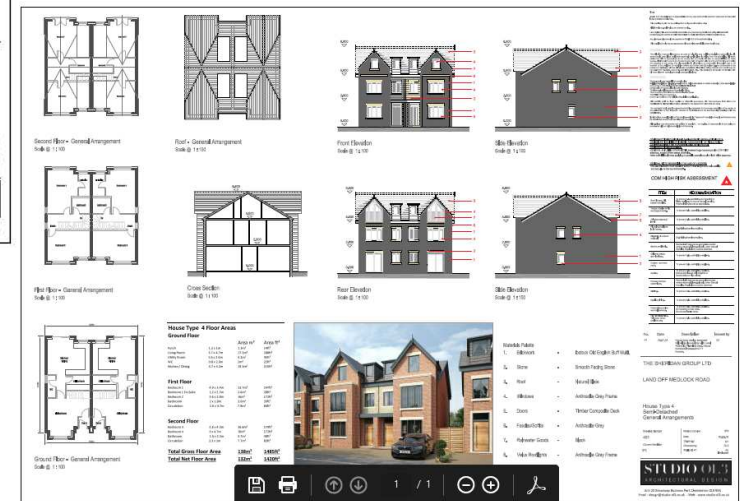
APPROVED VIEW FROM MEDLOCK ROAD



Proposed House Type 1



House Type 1 has been added to in part replace the removal of the original house type No. 4



Originally Approved House Type 4

House Type 2

Second Floor - General Arrangement
Scale @ 1:100

Roof - General Arrangement
Scale @ 1:100

Front Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

First Floor - General Arrangement
Scale @ 1:100

Cross Section
Scale @ 1:100

Rear Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

Ground Floor - General Arrangement
Scale @ 1:100

Materials Table

1. Masonry
2. Stone
3. Roof
4. Windows
5. Doors
6. Fencing/Cladding
7. Pathway/Gravel
8. Vehicle Parking

No.	Scale	Description	Revised by
01	1:100	Architectural Drawings	...
02	1:100
03	1:100
04	1:100
05	1:100
06	1:100
07	1:100
08	1:100
09	1:100
10	1:100
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48	1:100
49	1:100
50	1:100

Originally approved House Type 2

Second Floor - General Arrangement
Scale @ 1:100

Roof - General Arrangement
Scale @ 1:100

Front Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

First Floor - General Arrangement
Scale @ 1:100

Cross Section
Scale @ 1:100

Rear Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

Ground Floor - General Arrangement
Scale @ 1:100

House Type 2 Floor Areas

Floor	Room	Area m ²	Area ft ²
Ground Floor	Living Room	13.12	142
	Open Plan Kitchen	13.12	142
	Dining Room	13.12	142
	Breakfast Room	13.12	142
	Garage	13.12	142
First Floor	Bedroom	13.12	142
	Bedroom	13.12	142
	Bedroom	13.12	142
	Bathroom	13.12	142
	Ensuite	13.12	142
Second Floor	Bedroom	13.12	142
	Bedroom	13.12	142

Materials Table

1. Masonry
2. Stone
3. Roof
4. Windows
5. Doors
6. Fencing/Cladding
7. Pathway/Gravel
8. Vehicle Parking

THE SHEWAN GROUP LTD.
LAND OFF REDDOCK ROAD

House Type 2
Detailed
General Arrangement

3D Rendering of House Type 2

House Type 3

Second Floor - General Arrangement
Scale @ 1:100

Roof - General Arrangement
Scale @ 1:100

Front Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

First Floor - General Arrangement
Scale @ 1:100

Cross Section
Scale @ 1:100

Rear Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

Ground Floor - General Arrangement
Scale @ 1:100

Work & Materials

- 1. Windows - Brown Ole Engine Buff Brick
- 2. Stone - Smooth Facing Stone
- 3. Roof - Natural Slate
- 4. Windows - Anthracite Grey Frame
- 5. Doors - Silver Composite Deck
- 6. Handrails/Bars - Anthracite Grey
- 7. Railings/Steps - Black
- 8. Villa Handrails - Anthracite Grey Frame

THE SHERIDAN GROUP LTD
LAND OFF MEDLOCK ROAD

Originally approved House Type 3

Second Floor - General Arrangement
Scale @ 1:100

Roof - General Arrangement
Scale @ 1:100

Front Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

First Floor - General Arrangement
Scale @ 1:100

Cross Section
Scale @ 1:100

Rear Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

Ground Floor - General Arrangement
Scale @ 1:100

House Type 3 Floor Areas

Floor	Area m ²	Area ft ²
Ground Floor	454.34	4897
First Floor	414.14	4447
Second Floor	414.14	4447
Total Ground Floor Area	1322.62	14391
Total Net Floor Area	2150.90	23282

Work & Materials

- 1. Windows - Brown Ole Engine Buff Brick
- 2. Stone - Smooth Facing Stone
- 3. Roof - Natural Slate
- 4. Windows - Anthracite Grey Frame
- 5. Doors - Silver Composite Deck
- 6. Handrails/Bars - Anthracite Grey
- 7. Railings/Steps - Black
- 8. Villa Handrails - Anthracite Grey Frame

House Type 3
Detached with Attached Garage
General Arrangement

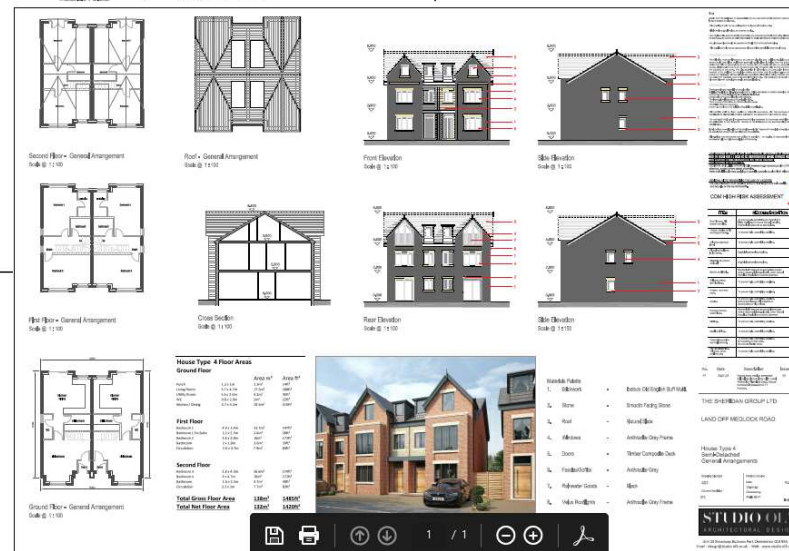
THE SHERIDAN GROUP LTD
LAND OFF MEDLOCK ROAD

STUDIO OF ARCHITECTURAL DESIGN

House Type 5



House Type 1 has been added to in part replace the removal of the original house type No. 4



Originally Approved House Type 4

House Type 6

Second Floor - General Arrangement
Scale @ 1:100

Roof - General Arrangement
Scale @ 1:100

Front Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

First Floor - General Arrangement
Scale @ 1:100

Cross Section
Scale @ 1:100

Rear Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

Ground Floor - General Arrangement
Scale @ 1:100

CDM HIGH RISK ASSESSMENT

NO	DESCRIPTION	RECOMMENDATION
1
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Second Floor - General Arrangement
Scale @ 1:100

Roof - General Arrangement
Scale @ 1:100

Front Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

First Floor - General Arrangement
Scale @ 1:100

Cross Section
Scale @ 1:100

Rear Elevation
Scale @ 1:100

Side Elevation
Scale @ 1:100

Ground Floor - General Arrangement
Scale @ 1:100

CDM HIGH RISK ASSESSMENT

NO	DESCRIPTION	RECOMMENDATION
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House Type 3 Floor Areas

Floor	Room	Area m ²	Area ft ²
Ground Floor	Living Room	23.2	250
	Kitchen	11.5	124
	Dining Room	11.5	124
	Breakfast Room	11.5	124
	Hallway	11.5	124
First Floor	Bedroom 1	11.5	124
	Bedroom 2	11.5	124
	Bedroom 3	11.5	124
	Bedroom 4	11.5	124
Second Floor	Bedroom 5	11.5	124
	Bedroom 6	11.5	124

Material Schedule

- 1.5k brick
- 2. Stone
- 3. Roof
- 4. Windows
- 5. Doors
- 6. Timberwork
- 7. Handover
- 8. Back
- 9. Back
- 10. Back
- 11. Back
- 12. Back
- 13. Back
- 14. Back
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THE SHERIDAN GROUP LTD
LAND OFF WELLOCK ROAD

House Type 3
Detached With Attached Garage
General Arrangement

Originally approved House Type 3

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APPLICATION REPORT - PA/344685/20

Committee Report, 9th December 2020

Registration Date: 19/03/2020
Ward: Failsworth East

Application Reference: PA/344685/20
Type of Application: Removal/Variation of Conditions

Proposal: Variation of conditions 1, 2, 3, 4, 5, 6, 8, 10 & 13 relating to app no. PA/343302/19
Location: Land behind the Dog and Partridge Public House, Medlock Road, Failsworth, Oldham, M359NP
Case Officer: Matthew Taylor
Applicant Agent : Sheridan Group Ltd. Studio OL3

This application was deferred from the 11 November 2020 Planning Committee meeting. Committee members noted that the development had commenced and wished to see up-to-date photographs of the site along with clarification on the approved drainage scheme and ecology matters. These have been addressed in the updated committee report below.

RECOMMENDATION

Approve subject to the amended conditions set out below.

THE SITE

The application site is a roughly 'L' shaped 0.7ha plot of land that gently slopes down from north to south. It is bounded by the Brookdale Golf Course to the west and the Dog and Partridge public house bowling green/beer garden and a local park to the east. The area comprises cleared ground with self-seeded grass and shrubs covering the site, but also encompasses 111 Medlock Road.

The site is located within the Woodhouses Conservation Area.

Development work relating to the erection of 17no. dwellings has commenced on site (Ref: PA/3433302/19).

THE PROPOSAL

This application seeks a variation to the wording of conditions various conditions relating to app no. PA/343302/19 for the erection of 17 houses with vehicular access from Medlock Road. This follows the submission of further details to address those conditions.

RELEVANT HISTORY OF THE SITE:

MMA/344478/20 – Variation to Condition 2 of approved application PA/343302/19, including amendments to site layout, levels, house layouts and roof heights. Pending Decision.

PA/3433302/19 Erection of 17 houses with vehicular access from Medlock Road. Amended application relating to PA/341467/18. Granted 13/1/2020 subject to conditions and to a Section 106 Agreement for the submission of a payment of £160000 for the improvement of the play equipment on the adjacent park and the provision of off-site affordable housing.

PA/341467/18 - Erection of 17 houses with vehicular access from Medlock Road. Refused 15 February 2019.

RELEVANT PLANNING POLICY

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is located within the Woodhouses Conservation Area on the Proposals Map associated with this document.

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

- Policy 1 - Climate change and sustainable development;
- Policy 3 - An address of choice;
- Policy 5 - Promoting Accessibility and Sustainable Transport Choices';
- Policy 9 - Local environment;
- Policy 11 - Housing;
- Policy 16 - Local Services and Facilities;
- Policy 20 – Design;
- Policy 23 - Open space and sports

CONSULTATIONS

Environmental Health

No objection subject to submission of a validation report.

Highway Engineer	Confirmed the proposed permeable resin driveway detail (T138-Driveway-permeable-base-v8) is acceptable. However, noted the scheme includes large expanses of hard surfacing on the driveways and private driveways which could lead to long lengths of dropped kerbs which is not acceptable. This could also lead to there being insufficient soft landscaping to catch water run-off.
Environment Agency	No objection.
LLFA	Confirmed the submitted details are sufficient to satisfy condition 5 provided that a full survey of the watercourse has been undertaken and supplied for the LLFA to review prior to occupation of the development.
Greater Manchester Ecology Unit	<p data-bbox="651 854 858 888"><u>Condition no.6:</u></p> <p data-bbox="651 915 1406 1163">Given the level of risk at this site, GMEU are satisfied that the information supplied demonstrates adequate measures will be in place and that staff have been informed of the risks to wildlife and the minor watercourse running in to the SBI. Therefore, they have no objection to the prior to commencement part of this condition being removed.</p> <p data-bbox="651 1190 874 1224"><u>Condition no.10:</u></p> <p data-bbox="651 1251 1406 1419">This is not a prior to commencement condition, birds can sometimes decide to nest in unlikely locations and if the condition does not prevent the development starting, as such they have recommended the condition is not removed.</p>
Greater Manchester Police Architectural Liaison Unit Street Lighting	<p data-bbox="651 1449 948 1482">No objection received.</p> <p data-bbox="651 1518 1406 1612">Provided comments about the adoptable standards of street lighting and noted the requirements of any other external lighting.</p>
United Utilities Trees Officer	<p data-bbox="651 1619 842 1652">No objections.</p> <p data-bbox="651 1659 1406 1719">Expressed concerns that tree protection measures were not put in place prior to work commencing.</p>
National Grid Company PLC	No objections

Electricity North West
Sport England

No objections
No objections.

REPRESENTATIONS

No representations have been received.

PLANNING CONSIDERATIONS

The principle of the development has previously been established and assessment of the present application is limited to the proposed changes to the wording of the relevant planning conditions.

Each condition is addressed in turn below:

Condition No.1 (Time limit):

Requires a start within three years. Development has commenced.

Condition No.2 (Approved Plans):

This condition lists the approved plans.

As such, this condition has been varied to take account of the amended details that have been submitted to vary/remove other conditions from the original decision.

Condition No. 3 (Materials):

This condition requires the submission and written approval of the materials to be used in the construction of the development's external surfaces, including all external doors, windows, and rainwater goods.

The application is supported by the submission of a 'Material Schedule (Ref no. 570)' and T138-Driveway-permeable-base-v8 document. The materials proposed are acceptable, as such it has been agreed the condition will be varied to take account of the details.

Condition No. 4 (Adequate off-street parking facilities and hardstanding construction):

This condition requires that the dwellings shall not be brought into use until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plan and details of construction, levels and drainage.

The applicant has provided the following details to address this condition:

- T138-Driveway-permeable-base-v8;
- 570 -003 Rev Q;
- EW01 Rev B;
- EW02 Rev D;
- EW03 Rev C;
- EW04 Rev E;
- EW06 Rev D;
- D001 Rev F; and
- D002 Rev K.

The Council's Highway Engineer has considered this submitted information and has confirmed the proposed permeable resin driveway detail (T138-Driveway-permeable-base-v8) is acceptable, as such it has been agreed the condition will be varied to take account of this detail.

Concerns were raised by the Highway Engineer that the scheme includes large expanses of hard surfacing on the driveways and private driveways. This could lead to long lengths of dropped kerbs which is not acceptable, or people parking indiscriminately and illegally on the areas of hard surfacing. This could also lead to there being insufficient soft landscaping to catch water run-off. Having considered the originally approved layout plan, it is clear the areas of hard standing have not significantly changed from the approval, and therefore the principle of the proposed parking arrangements has previously been accepted.

Therefore, this condition wording has been varied to require the scheme is not occupied unless and until the access to the site and car parking space for that dwelling has been provided in accordance with the submitted plans/details.

Condition No. 5 (Drainage):

Prior to occupation of the development this condition required the submission of a sustainable drainage management and maintenance plan for the lifetime of the development, which had regard to the principles as set out in the submitted Flood Risk Assessment & Drainage Strategy prepared by Waterco.

The following details have been submitted to address this condition:

- Drg no. 19500-D001- Rev F
- Drg no. 19500-D002 - Rev K
- Drg no. 19500-D003
- Drg no. 19500-D004
- Drg no. 19500-D005- Rev C

- Drg no. 19500-D006- Rev C
- Drg no. 19500-D007- Rev A
- Drg no. 19500 – D008 – Rev B
- Drg no. 19500 – D009
- Drg no. 19500 – D0010 - Rev A
- Hydrobrake product – CTL-SHE-0106-7400-2327-7400
- Calculations – labelled Medlock Attenuation – 26.08.20 Karl Hill
- Geo-environmental Site Investigation Report Phase II Site Investigation – H0388 JL (GS10833) October 2017

These details have been fully considered by the Lead Local Flood Authority, and it has been confirmed they are sufficient to satisfy the pre-commencement requirements of condition 5. This is subject to a full survey of the watercourse being undertaken and submitted prior to occupation of the development.

As a result, this condition has been varied to require the development is constructed in accordance with the above stated details/ plans, and a full survey of the watercourse has been undertaken and provided for the LLFA to review prior to occupation of the development.

Furthermore, it is noted that United Utilities were originally consulted on this application and have raised no objection to this application.

Condition No. 6 (To protect the watercourse and Brookdale Golf Course SBI):

To address the pre-commencement part of this condition the application is supported by the submission of a 'Phase 1 Ecological Survey & Appraisal & Amphibian Habitats Suitability Index Assessment (Update)'. This report has been fully considered by GMEU and they are satisfied that the information supplied demonstrates adequate measures will be in place and that staff have been informed of the risks to wildlife and the minor watercourse running in to the SBI.

Therefore, the condition has been varied to require the development is constructed in accordance with the above stated detail and has not be removed in its entirety.

Condition No. 8 (Trees/shrubs within the site):

To address the pre-commencement part of this condition the application is supported by the submission of a Tree Protection Plan Job (Ref: CW /904-P- TP).

The Council's Trees Officer comments are as follows:

'If the tree protection fencing had been implemented from the outset then this considerable amount of root and rooting environment damage would not have occurred. The tree protection, of what there is, is still not to standard and has clearly not offered sufficient protection.'

It is clear the submitted information and methodologies should have been considered prior to work starting on site. To address the possible damage caused, the landscaping plan has been amended to include additional and appropriate replacement tree planting.

As a result, this condition has been varied to include the submitted Tree Protection Plan (Ref: CW /904-P- TP).

Condition No. 9 (Landscaping scheme):

Following on from the comments by the Council's Trees Officer, the landscaping plan has been amended to include additional and appropriate replacement tree planting. As a result, this condition has been varied to supersede the originally listed plan with Drawing Ref: 570 – 003P.

Condition No. 10 (Protection of bird habitats):

GMEU note that given birds can sometimes decide to nest in unlikely locations, the condition is still required. To this end, this condition will not be removed or varied.

Condition No. 11 (Landfill Gas/Contaminated Land):

The Phase II Geoenvironmental Site Investigation Report by GEOCON, dated October 2017 has classified the whole site as CS3/Amber 1 with regards to ground gas. The following drawings and product detail outline the gas protection measures:

- 570-04-D-000 Rev B - External Wall to Floor Junction Details Plots 1 to 8 and Level Access Detail
- 570-04-D-012 Rev A - External Wall and Beam and Block Floor Junction Detail - Plots 9 to 17
- Vent form Data Sheet- Cordek Ventform

These details have been considered by the Council's Environmental Health Officer and it has been confirmed they address the pre-commencement part of Condition no. 11. However, a validation report will continue to be required for all plots to confirm the installation of the membranes prior to occupation.

Condition No.13 (Visibility in the interests of highway safety):

The boundary wall to the front of 111 Medlock Road has been re-sited in accordance with the detail shown on plan ref: 005 Rev H and J930/access/Fig 1. However, given that for highway safety reasons the area between the wall and the access shall be permanently kept clear of all obstructions, the wording of the condition will be varied accordingly.

RECOMMENDED CONDITIONS

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

- 570 - 003 Rev Q
- 570 - 004 Rev G
- 570 - 005 Rev K
- 570 – 006 Rev C
- 570 – 008 Rev C
- 570 - 007 Rev E
- 570 - 009 Rev A
- 570 - 101P3 - Medlock Road House Type 1
- 570 - 201P3 - Medlock Road House Type 2
- 570 - 301P3 - Medlock Road House Type 3
- 570 - 501P1 - Medlock Road House Type 5
- 570 - 601P1 - Medlock Road House Type 6
- 570 - 701P1 - Medlock Road House Type 7
- STR.TS.14 Medlock Road Woodhouses - Topo Survey STR.TS.1

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

- 2. Development hereby approved shall be carried out in accordance with the approved Material Schedule (Ref no. 570) and T138-Driveway-permeable-base-v8. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

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

- 3. No dwelling shall be brought into use unless and until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plans/details:

- T138-Driveway-permeable-base-v8;

- 570 -003 Rev Q;
- EW01 Rev B;
- EW02 Rev D;
- EW03 Rev C;
- EW04 Rev E;
- EW06 Rev D;
- D001 Rev F; and
- D002 Rev K.

Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety.

4. Prior to occupation of the development, the sustainable drainage of the site as outlined in the following details shall be completed and a full survey of the watercourse undertaken and submitted to and approved in writing by the Local Planning Authority.

- Drg no. 19500-D001- Rev F
- Drg no. 19500-D002 - Rev K
- Drg no. 19500-D003
- Drg no. 19500-D004
- Drg no. 19500-D005- Rev C
- Drg no. 19500-D006- Rev C
- Drg no. 19500-D007- Rev A
- Drg no. 19500 – D008 – Rev B
- Drg no. 19500 – D009
- Drg no. 19500 – D0010 - Rev A
- Hydrobrake product – CTL-SHE-0106-7400-2327-7400
- Calculations – labelled Medlock Attenuation – 26.08.20 Karl Hill
- Geo-environmental Site Investigation Report Phase II Site Investigation – H0388 JL (GS10833) October 2017

The subsequently completed drainage scheme shall be maintained and managed in accordance with all the approved details and the Flood Risk Assessment & Drainage Strategy prepared by Waterco.

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.

5. All measures outlined in the approved 'Phase 1 Ecological Survey & Appraisal & Amphibian Habitats Suitability Index Assessment (Update)', Produced by Sensible Ecological Survey Solutions, shall be implemented and maintained for the duration of the construction period of the development in accordance with the approved details.

Reason - To protect the watercourse and Brookdale Golf Course SBI.

6. The development shall only be carried out in full accordance with the approved remediation proposals outlined in the Phase II Geoenvironmental Site Investigation Report by GEOCON, dated October 2017. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority, and the approved measures shall be implemented in full.

Reason - To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.

7. All trees to be retained shall be protected in accordance with the submitted Tree Protection Plan Job (Ref: CW /904-P- TP) Thereafter no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence and tree during the construction period.

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

8. All hard and soft landscape works for the site shall be carried out in accordance with the approved details as follows:

Drawing Nos. 570 – 003 Rev Q;
Drawing Nos. 570 – 004 Rev G;
Material Schedule (Ref no. 570); and
T138-Driveway-permeable-base-v8.

The works shall be carried out prior to the occupation of any part of the development or in accordance the programme approved in writing by the Local Planning Authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

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

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

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981.

10. The development shall only be carried out in full accordance with the following approved Landfill Gas remediation details:

- 570-04-D-000 Rev B - External Wall to Floor Junction Details Plots 1 to 8 and Level Access Detail
- 570-04-D-012 Rev A - External Wall and Beam and Block Floor Junction Detail - Plots 9 to 17
- Vent form Data Sheet- Cordek Ventform

A verification report providing detail to demonstrate that the works set out in the above details are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted prior to occupation of the dwelling to which the measures relate.

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

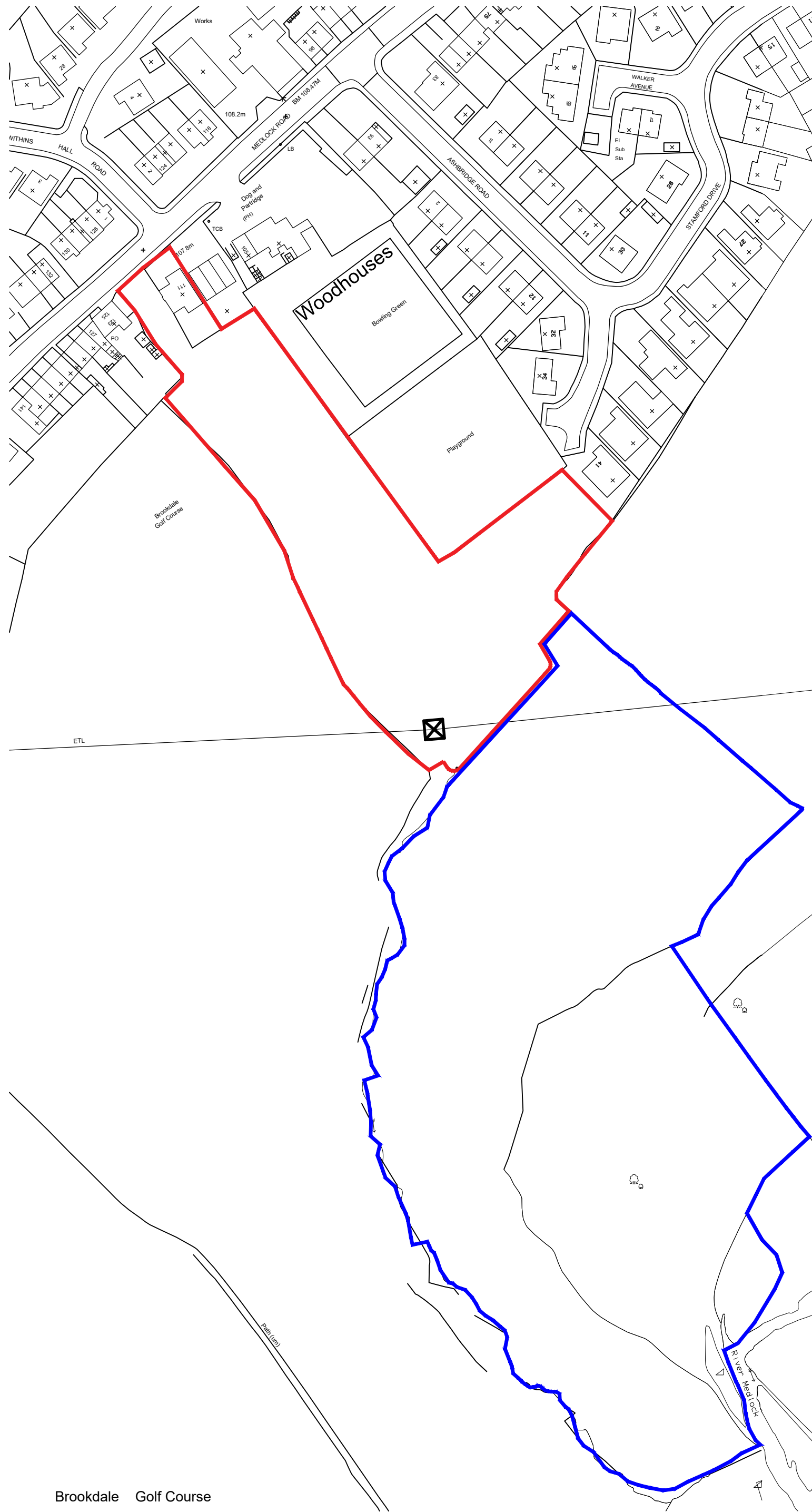
Reason - To ensure that the development does not contribute to, nor is put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

11. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy 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 by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

12. The boundary wall to the front of 111 Medlock Road shall remain re-sited in accordance with the detail shown on plan ref: 005 Rev k and J930/access/Fig 1 at all times. Thereafter the area between the fence line and the access shall be permanently kept clear of all obstructions.

Reason – To ensure satisfactory visibility in the interests of highway safety.



Note:
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 All dimensions and levels to be checked on site.
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GENERAL NOTE:
 Workmanship and materials to comply with:
 Building Regulations, N.H.B.C. requirements, British standards or codes of practice, other authoritative documents or technical approval certification including:
 Construction Products Directive (89/106/ee).
 The International Standards Organisation (iso).
 The European Committee for Standardisation (cen).
 The British Board of Agreement.
 Current at the time of the Building Regulations application.

All materials shall be fixed, applied or mixed in accordance with manufacturers instructions and specifications. All materials shall be suitable for the purpose for which they are used.

The contractor shall take into account everything necessary for the proper execution of the works, to the satisfaction of the "inspector" whether or not indicated on the accompanying drawings or in the specification.

Note: subject to confirmation of the designer - similar "approved" materials of equal performance may be substituted where those specified are not available.

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No.	Date	Description	Issued by
A	18.04.19	Red line boundary amended.	DT

THE SHERIDAN GROUP LTD

LAND OFF MEDLOCK ROAD

Location Plan

Drawing Number	Project number	570
009	Date	07.02.18
Current Revision	Drawn by	DT
A	Checked by	OL3
	Scale @ A2	1:1250



Unit 23 Broadway Business Park Chadderton OL9 9XA
 Email - design@studio-ol3.co.uk - Web - www.studio-ol3.co.uk

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 9th December 2020

PA/344685/20

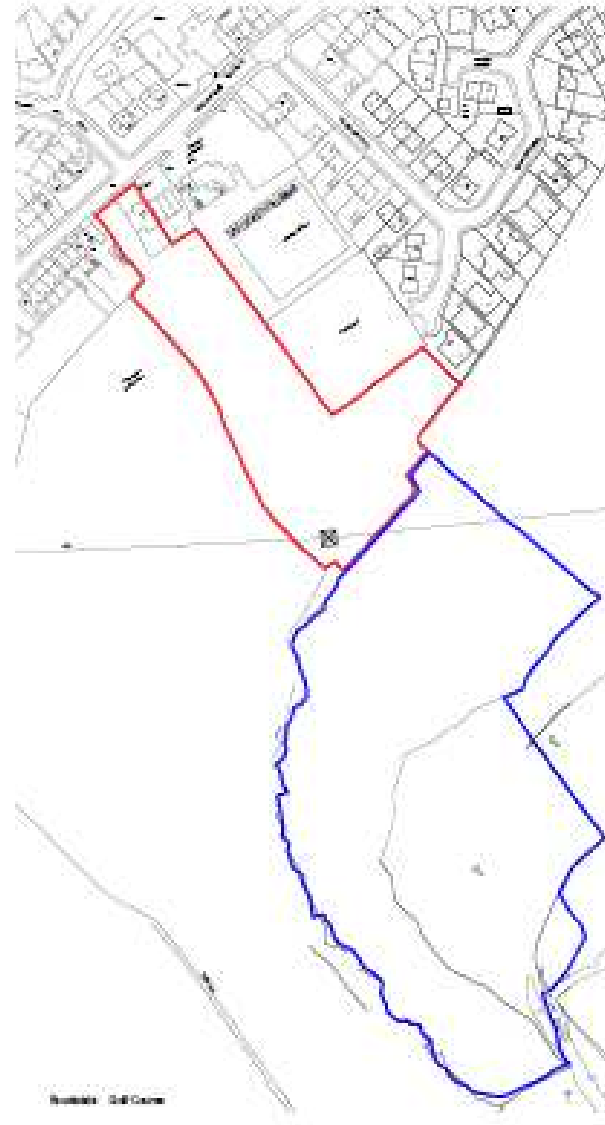
Variation of conditions 1, 2, 3, 4, 5, 6, 8, 10 & 13
relating to app no. PA/343302/19

Land to the rear of the Dog and Partridge PH, Medlock
Road, Failsworth, Oldham, M35 9NP



Oldham
Council

Location Plan



Aerial View



Site Photos (25/11/2020) – taken from the site entrance.



Site Photos (25/11/2020) – taken from Medlock Road.

Page 49



Site Photos (25/11/2020) – taken from the rear/side of Dog and Partridge Public House



Site Photos (25/11/2020) – taken from Stamford Drive

Page 51



Condition No.1 (Time limit):





Requires a start within three years of the 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. Therefore, it has been agreed this will not be removed or varied with the applicant's agent.

Condition No.2 (Approved Plans):

This condition lists the approved plans for the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

As such, this condition has been varied to take account of the approved details that have been submitted to vary/remove other conditions from the original decision.

Condition No. 3 (Materials):

FINISH	DESCRIPTION
	<u>Brickwork</u> Wienerberger – Kempley Antique
	<u>Stone Coursing / Stone Heads and Cills / Stone Surrounds / Parapet Copings</u> Scout Moor Gritstone - Petrological Description – Namurian Millstone Grit (from Marshalls – Fletch Bank Quarry – Ramsbottom)
	<u>Entrance Door</u> Rockdoor composite entrance door – Irish Oak finish
	<u>Windows and Rear Access Doors</u> Anthracite Grey uPVC



Bi-Fold Doors
Anthracite Grey uPVC



Roof Finish
Slatescape - Mocha Spanish Black



Rainwater Goods
Square profile Black uPVC with Anthracite
Grey uPVC Fascia boards and Soffits



Stone Paving
Indian Sandstone Paving – Buff Multi

	<u>Close Board Fencing</u> Applied as per planning drawing reference: 570 - 004K - Proposed Boundary Treatment Plan
	<u>Hit and Miss Fencing</u> Applied as per planning drawing reference: 570 - 004K - Proposed Boundary Treatment Plan
	<u>7 Metre High Golf Net Fencing</u> Applied as per planning drawing reference: 570 - 004K - Proposed Boundary Treatment Plan

Condition No. 4 (Adequate off-street parking facilities and hardstanding construction):



Specification SureSet[®]

Driveways - permeable base (SuDS Compliant)

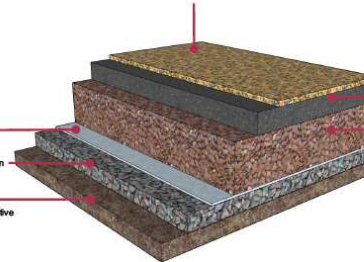
Fully permeable build up above membrane

SureSet
 An aggregate size of 3mm requires a standard depth of 16mm
 An aggregate size of 6mm requires a standard depth of 18mm
 An aggregate size of 10mm requires a standard depth of 30mm
 Fine grit is lightly cast onto an uncurved surface

Membrane
 An impermeable membrane to convey water to retention/detention/storage systems etc.
 OR
 A geo-textile separation membrane to allow infiltration directly into sub-grade and to prevent upward migration of fine soil particles may be required.

Capping/improvement layer, if required, in one or more layers. (please see notes on reverse)

Sub-grade
 Top soil stripped back until organic and vegetative material has been removed.



Asphalt Binder Course
 Laid by others in well compacted layers.
 A 70mm minimum depth of maximum size AC 10 open graded asphalt.
 Max 100/150 pen to BS EN13108-1:2006 (Bituminous Macadam) or (recommended BBA approved polymer modified binder).

Sub-base
 Laid by others in well compacted layers.
 A 175mm minimum depth of well compacted Type 3 granular sub-base to SHW clause 805 or 4440mm, 4.0/20mm graded crushed concrete aggregate to BS EN12620 or locally available secondary or recycled aggregates which comply with the above specification blended with 2.8.3mm graded crushed concrete aggregate to BS EN12620.

Also suitable for
 Courtyards, Town centres & Occasional maintenance vehicles

Please refer to specification guidance notes on reverse side.

SureSet UK Ltd © T138 V8

Condition No. 5 (Drainage):

- The submitted details have been considered by the Lead Local Flood Authority, and it has been confirmed they are sufficient to satisfy condition 5 of planning application. Provided that a full survey of the watercourse has been undertaken and provided for the LLFA to review prior to occupation of the development.
- As a result, this condition has been varied to require the development is constructed in accordance with the above stated details/ plans, and a full survey of the watercourse has been undertaken and provided for the LLFA to review prior to occupation of the development.

Condition No. 6 (To protect the watercourse and Brookdale Golf Course SBI):

- To address the pre-commencement part of this condition the application is supported by the submission of a 'Phase 1 Ecological Survey & Appraisal & Amphibian Habitats Suitability Index Assessment (Update)', produced by Sensible Ecological Survey Solutions. This report is considered acceptable GMEU.
- Therefore, the prior to commencement part of this condition has been varied to address this submission.

Condition No. 8 (Trees/shrubs within the site):

Cellweb® TRP Installation Guide



Step 1: Prepare Surface



Step 2: Lay out Treetex™



Step 3: Lay out Cellweb® TRP

AMERICAN TOTAL OFFICE SYSTEMS
10000 W. 10th Avenue, Suite 100, Denver, CO 80202
Tel: 303.751.1000 Fax: 303.751.1001
www.american-total.com

1. GENERAL NOTES
1.1. This plan is to be read in conjunction with the specifications and the contract documents.
1.2. The contractor shall be responsible for obtaining all necessary permits and approvals.
1.3. The contractor shall be responsible for protecting all existing utilities and structures.
1.4. The contractor shall be responsible for maintaining access to all areas at all times.
1.5. The contractor shall be responsible for maintaining the site in a safe and sound condition at all times.
1.6. The contractor shall be responsible for maintaining the site in a clean and orderly condition at all times.
1.7. The contractor shall be responsible for maintaining the site in a safe and sound condition at all times.
1.8. The contractor shall be responsible for maintaining the site in a clean and orderly condition at all times.
1.9. The contractor shall be responsible for maintaining the site in a safe and sound condition at all times.
1.10. The contractor shall be responsible for maintaining the site in a clean and orderly condition at all times.

2. MATERIALS
2.1. Treetex™
2.2. Cellweb® TRP

3. INSTALLATION
3.1. The contractor shall prepare the surface as shown on the plan.
3.2. The contractor shall lay out the Treetex™ fabric as shown on the plan.
3.3. The contractor shall lay out the Cellweb® TRP as shown on the plan.

4. TREE PROTECTION PLAN
4.1. The contractor shall protect all trees and shrubs within the site.
4.2. The contractor shall install tree protection barriers around all trees and shrubs.
4.3. The contractor shall install tree protection mats around all trees and shrubs.
4.4. The contractor shall install tree protection screens around all trees and shrubs.
4.5. The contractor shall install tree protection stakes around all trees and shrubs.

5. LEGEND
5.1. Tree Protection Barrier
5.2. Tree Protection Mat
5.3. Tree Protection Screen
5.4. Tree Protection Stake
5.5. Cellweb® TRP
5.6. Treetex™

6. TREE PROTECTION PLAN
6.1. The contractor shall protect all trees and shrubs within the site.
6.2. The contractor shall install tree protection barriers around all trees and shrubs.
6.3. The contractor shall install tree protection mats around all trees and shrubs.
6.4. The contractor shall install tree protection screens around all trees and shrubs.
6.5. The contractor shall install tree protection stakes around all trees and shrubs.

Condition No. 9 (Landscaping scheme):



Specification SureSet[®]

Driveways - permeable base (SuDS Compliant)

SureSet[®]
Permeable Paving
Bound with excellence since 1997

Fully permeable build up above membrane

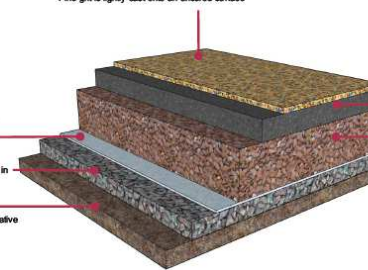
SureSet
An aggregate size of 3mm requires a standard depth of 46mm
An aggregate size of 6mm requires a standard depth of 48mm
An aggregate size of 10mm requires a standard depth of 30mm
Fine grit is lightly cast onto an uncured surface

Membrane
An impermeable membrane to convey water to retention/detention/storage systems etc.

OR
A geo-textile separation membrane to allow infiltration directly into sub-grade and to prevent upward migration of fine soil particles may be required.

Capping/Improvement layer, if required, in one or more layers. (Please see notes on reverse)

Sub-grade
Top soil stripped back until organic and vegetative material has been removed.



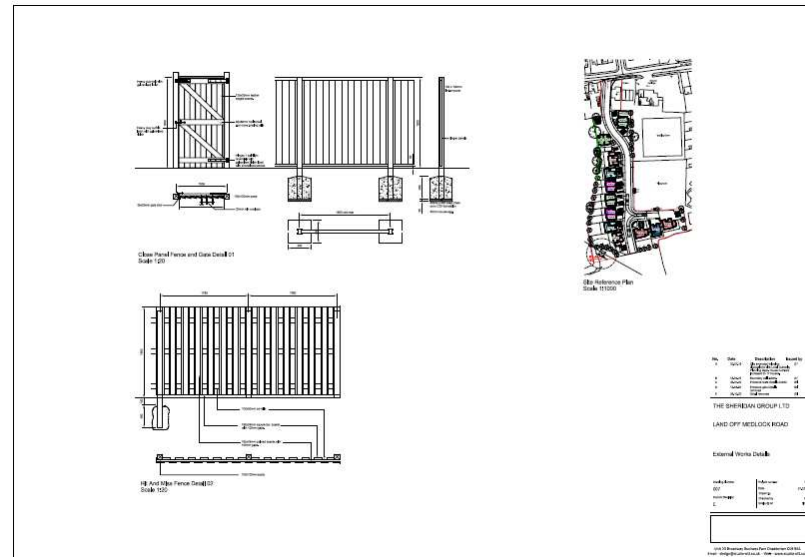
Asphalt Binder Course
Laid by others in well compacted layers.
A 70mm minimum depth of maximum size AC 10 open graded asphalt.
Max 1000150 pen to BS EN13108-1:2006 (Bituminous Macadam) or (recommended BBA approved polymer modified binder).

Sub-base
Laid by others in well compacted layers.
A 175mm minimum depth of well compacted Type 3 granular sub-base to SHW clause 505 or 440mm, 420mm graded crushed concrete aggregate to BS EN12620 or locally available secondary or recycled aggregates which comply with the above specification blined with 26.3mm graded crushed concrete aggregate to BS EN12620.

Also suitable for
Courtyards, Town centres & Occasional maintenance vehicles

Please refer to specification guidance notes on reverse side.

SureSet UK Ltd © T138 V8



Condition No. 10 (Protection of bird habitats):

GMEU noted that given this condition has no prior commencement requirement and given birds can sometimes decide to nest in unlikely locations, the condition is still therefore required and reasonable to attached.

Condition No. 11 (Landfill Gas/Contaminated Land):

The Phase II Geoenvironmental Site Investigation Report by GEOCON, dated October 2017 has classified the whole site as CS3/Amber 1 with regards to ground gas. The Councils Environmental Health Section considered the submitted details and confirmed they address the pre-commencement portion of Condition no. 11. However, a validation report will be required for all plots to confirm the installation of the membranes, is required proper to occupation.

Condition No.13 (Visibility in the interests of highway safety):

It is noted on site (19/3/2020) that the boundary wall to the front of 111 Medlock Road has been re-sited in accordance with the detail shown on plan ref: 005 Rev H and J930/access/Fig 1. To this end, this condition has been varied to require the boundary wall to the front of 111 Medlock Road remains re-sited, in accordance with the detail shown on plan ref: 005 Rev H and J930/access/Fig 1, at all times and the area between the fence line and the access shall be permanently kept clear of all obstructions.

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Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

December 2020

PLANNING APPEALS

WRITTEN REPRESENTATION

PA/344475/20 – 8-10 Rochdale Road, Royton, OL2 6QJ

PA/344826/20 - Land north side of access road to Laureates Place, Woodbrook Road, Springhead

HEARINGS

HOUSE HOLDER

HH/344930 – 131 Gainsborough Avenue, Oldham, OL8 1AJ

ADVERTISEMENTS

APPEAL DECISIONS

AD/344827/20 – B & M Bargains, Ellen Street, Oldham, OL9 6QR

Appeal Decision - Allowed

RECOMMENDATION - That the report be noted.

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

Files held in the Development Control Section



Appeal Decision

Site visit made on 17 November 2020

by **Darren Hendley BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th November 2020

Appeal Ref: APP/W4223/Z/20/3258586

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 Peter Kashem, CWRP Manchester Ltd against the decision of Oldham Metropolitan Borough Council.
 - The application Ref: AD/344827/20, dated 2 May 2020, was refused by notice dated 10 August 2020.
 - The advertisement proposed is the replacement of an existing internally illuminated sign with a gable mounted 1 x 48 sheet digital advertising display unit and a gable mounted 1 x 48 sheet internally illuminated sign.
-

Decision

1. The appeal is allowed and express consent is granted for the replacement of an existing internally illuminated sign with a gable mounted 1 x 48 sheet digital advertising display unit and a gable mounted 1 x 48 sheet internally illuminated sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the conditions in the attached schedule.

Procedural Matter

2. The description of development set out above in the banner heading and the decision paragraph is based on that stated on the application form and the Council's decision notice. It is plain from the appellant's submissions that one of the proposed advertisements would be a digital display showing images on rotation. The other proposed advertisement would display a fixed image that would relate to the occupier of the building where the signs would be mounted. There is not substantive evidence that demonstrates that both proposed advertisements would be digital displays showing images on rotation. Accordingly, I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed advertisements on public safety.

Reasons

4. The proposed advertisements would replace an existing single large illuminated sign on the building, which is in retail use. They would face towards traffic on the southbound carriageway on the A627 Chadderton Way. This is a dual carriageway which operates at 40 miles per hour. It is a busy thoroughfare

which links Oldham town centre to the A627 (M), amongst other destinations. Further to the south is a major roundabout where Chadderton Way meets the A6048. This also provides for local access.

5. The proposed digital advertisement raises particular concern for the Council. It would be illuminated and consist of intermittent images which are capable of changing every ten seconds. The changeover between the images would, though, be controlled and there would be no moving images. Such controls over the images are inherent in the proposed design of this advertisement.
6. Moreover, it would be located some distance from the entry into the roundabout for southbound traffic. Even though it would be in sight of the drivers approaching the roundabout in longer ranging views in this direction, there would still be sufficient time for drivers to familiarise themselves with the actions they would need to take at the speeds they would be travelling at, including lane changing manoeuvres, prior to entry into the roundabout. The separation between this proposed advertisement and the roundabout would not result in a level of distraction or interest that would inhibit safe traffic movements.
7. The Council has also referred to accidents along this stretch of Chadderton Way. The proposed digital advertisement would be located along part of this road which has a generally unimpeded, if rising, alignment and where good visibility of the traffic is afforded. This includes local access off and onto this road. As the proposed digital advertisement would be either well behind drivers approaching the roundabout on the southbound carriageway, or would not be readily visible from other directions entering or leaving the roundabout, it would also be unlikely to create conditions that would lead to further accidents.
8. Assessing public safety is a matter which requires the particular consideration of a proposal and the site circumstances, and so little can be inferred from other situations and decisions. The appeal decision¹ for a free standing digital display concerned a location at the end of a slip road onto Chadderton Way where local conditions were deemed to represent a traffic hazard by that Inspector. That does not apply in the case before me because the proposed digital advertisement would not be sited in such a location.
9. The proposed fixed image advertisement that relates to the retail use would not have a discernible impact on public safety, not least given the existing sign for the same retailer. Taking into account the above, the cumulative effects of the two proposed advertisements would also not be unacceptable.
10. I conclude that the proposed advertisements would not have an unacceptable effect on public safety. In coming to this conclusion, I have taken into account paragraph 132 of the National Planning Policy Framework (Framework) which states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
11. I have also considered Section 9 of the Framework and Policy 9 of the Council's Development Plan Document Joint Core Strategy and Development Management Policies (2011) as far as they seek to protect public safety and so

¹ Appeal Ref: APP/W4223/Z/20/3245615

are material in this case. Given that I have concluded that the proposed advertisements would not harm public safety, they would not be in conflict.

Conditions

12. In addition to the five standard conditions set out in the Regulations, I have imposed additional conditions in respect of the proposed digital advertisement to control luminance levels, the malfunction of the screen, to prevent moving images or similar and the transition between the digital images. These are in the interests of public safety.

Conclusion

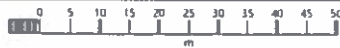
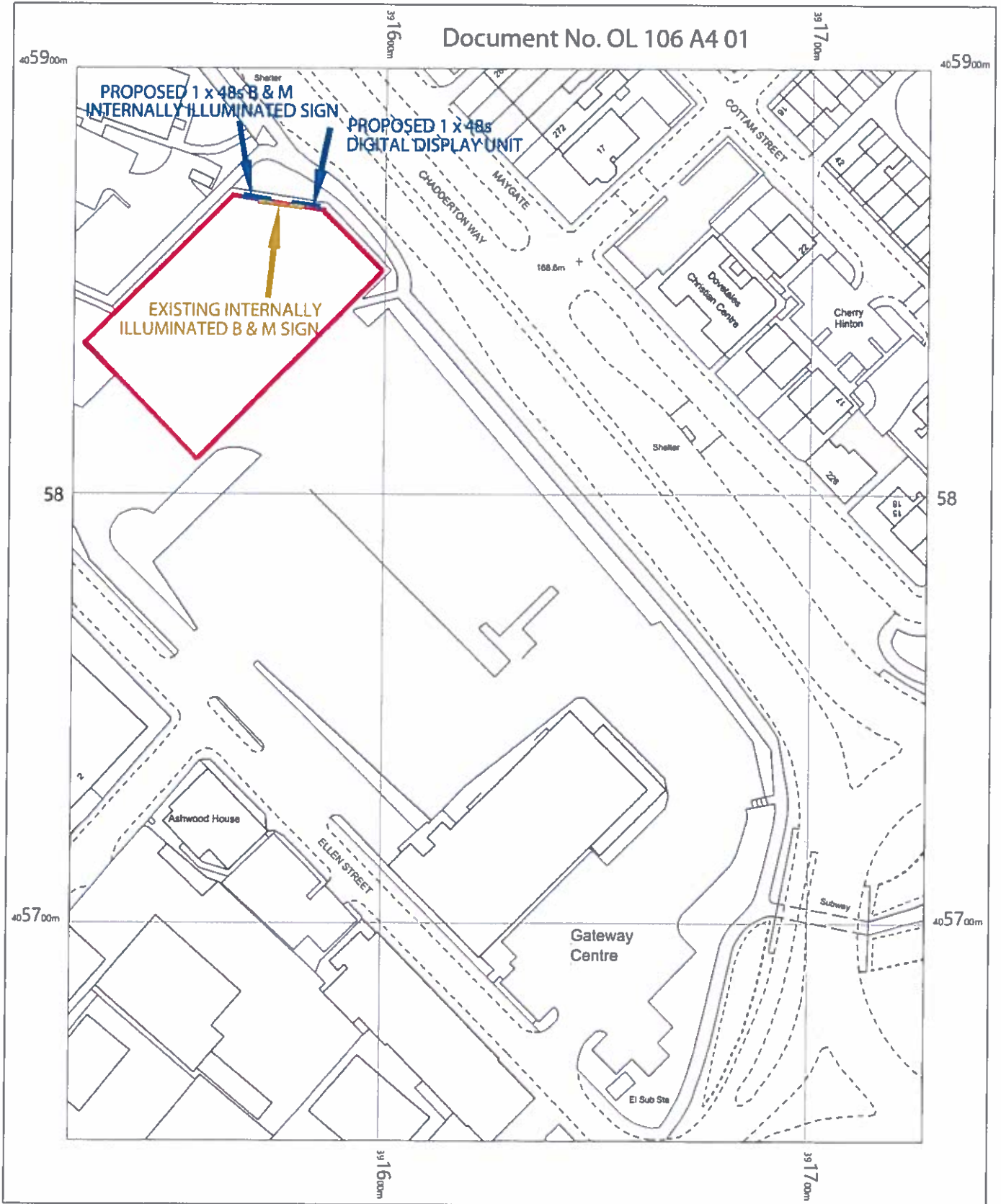
13. For the reasons set out above and having regard to all matters raised, the appeal is allowed.

Darren Hendley

INSPECTOR

Schedule of Conditions

- 1) The maximum levels of illumination of the approved digital advertising display unit shall be no more than 300 c/m² during hours of darkness (dusk until dawn), and 600 c/m² during the day, in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 2015 recommendations for maximum luminance (cd/m²) or its equivalent in a replacement Guide.
- 2) The luminance level of the approved digital advertising display unit shall be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level.
- 3) The approved digital advertising display unit shall contain at all times a feature that will turn off the screen (i.e. show a blank screen) in the event that the display experiences a malfunction or error.
- 4) No individual advertisement on the LED screen of the approved digital advertising display unit shall contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
- 5) There shall be a smooth uninterrupted transition from one image to another on the approved digital advertising display unit. Transitions shall be of not less than one second between static images, and no individual advertisement shall be displayed for a duration of less than 10 seconds.



OS MasterMap 1250/2500/10000 scale
 Friday, June 7, 2019, ID: BW1-00805252
 maps.blackwell.co.uk

1:1250 scale print at A4, Centre: 391627 E, 405774 N

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