

PLANNING COMMITTEE

Agenda

Date Wednesday 27 May 2020

Time 6.00 pm

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

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

2. CONTACT OFFICER for this Agenda is Sian Walter-Browne email sian.walter-browne@oldham.gov.uk

3. PUBLIC SPEAKING – Any applicant or objector wishing to speak at this meeting must register to do so by email to constitutional.services@oldham.gov.uk by no later than 12.00 Noon on Wednesday 27 May 2020. Full joining instructions will be provided.

4. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if the question is submitted by email to constitutional.services@oldham.gov.uk by 12 Noon on Friday, 22 May 2020. The question will be read out by the Chair and a response will be provided at the virtual meeting.

5. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed. Disruptive and anti social behaviour will always be filmed.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:

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

Item No

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 4)
The Minutes of the meeting of the Planning Committee held on 13th May 2020 are attached for Members' approval.
- 6 PA/344246/19 - Land adjoining the existing Kingfisher School, Foxdenton Lane, Chadderton, OL9 9QR (Pages 5 - 20)
Erection of a two storey Special Educational Needs & Disability (SEND) primary school (Use Class D1), including multi-use games area, access, landscaping and other associated works.
- 7 PA/344254/19 - Dryclough Manor, Shaw Road, Royton, OL2 6DA (Pages 21 - 36)
Three storey extension to provide 13no additional bedrooms and additional lounge at ground floor.
- 8 PA/344572/20 - P AND D NORTHERN STEELS LTD, Mosshey Street, Shaw, OL2 8QL (Pages 37 - 60)
Full application for the erection of 65 no. dwellings and associated works.



PLANNING COMMITTEE
13/05/2020 at 6.00 pm

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

Also in Attendance:

Simon Rowberry	Interim Head of Planning
Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer
Graham Dickman	Development Management Team Leader
Lori Hughes	Constitutional Services
Matthew Taylor	Senior Planning 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 12th February 2020 be agreed as a correct record with the amendment that Councillor Harkness' apologies be recorded.

6 **PA/344149/19 - FORMER ABATTOIR, EDGE LANE STREET, ROYTON, OL2 6DS**

APPLICATION NUMBER: PA/344149/19

APPLICANT: Wiggett Construction Limited

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

LOCATION: Former abattoir, Edge Lane Street, Royton, OL2 6DS

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

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

DECISION: That the application be GRANTED, subject to the condition as outlined in the report and the additional condition as set out in the Late List.



NOTES:

1. That a Ward Councillor attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.
3. The meeting was adjourned between 18.26 and 18.33 due to problems with the live transmission of the meeting.

7 **PA/344187/19 - 148 MIDDLETON ROAD, ROYTON, OL2 5LL**

APPLICATION NUMBER: PA/344187/19

APPLICANT: Samrum Investments Ltd.

PROPOSAL: Residential Development to form 14 no. Residential Apartments (Use Class C3) following demolition of existing public house.

LOCATION: 148 Middleton Road, Oldham, OL2 5LL

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

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

DECISION: That –

1. The application be GRANTED subject to the conditions as set out in the report and to a Section 106 obligation being secured to provide a financial contribution of £37,169.31 for the improvement and maintenance of off-site open space and affordable housing.
2. The Director of Economy be authorised to issue the decision notice upon satisfactory completion of the planning obligation.

NOTES:

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

8 **PA/344254/10 - DRYCLOUGH MANOR, SHAW ROAD, ROYTON, OL2 6DA** Page 2

Councillor Brownridge, Vice Chair in the Chair, due to the unavailability of the Chair, Councillor Dean.



APPLICATION NUMBER: PA/344254/19

APPLICANT: Carewise Homes Ltd.

PROPOSAL: Three storey extension to provide 13 no. additional bedrooms and additional lounge at ground floor.

LOCATION: Dryclough Manor, Shaw Road, Royton, OL2 6DA

It was MOVED by Councillor Harkness and SECONDED by Councillor H. Gloster that the application be DEFERRED to determine the third-party owner of access land.

On being put to the vote 2 VOTES were cast IN FAVOUR OF DEFERRAL and 8 VOTES were cast AGAINST with 0 ABSTENTIONS.

It was MOVED by Councillor Malik and SECONDED by Councillor Davis that the application be APPROVED subject to an additional condition that the developer to provide additional parking on the site.

On being put to the vote 8 VOTES were cast IN FAVOUR OF APPROVAL and 2 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as set out in the report and the subject to the additional condition that the developer provided additional parking on site.

NOTES:

1. That an Objector and a Ward Councillor attended the meeting and addressed the Committee on this application.
2. Councillors Dean and Hulme did not take part in the consideration of this item as they lost connection to the virtual meeting during the item.

9

PA/344381/20 - LAND TO THE WEST OF GREENGATE, OLDHAM, M24 1SE

APPLICATION NUMBER: PA/344381/20

APPLICANT: Royal London Mutual Insurance Society Ltd.

PROPOSAL: Proposed development comprising of Class B1, B2 or B8 units, associated parking, landscaping and infrastructure.

LOCATION: Land to the west of Greengate, Oldham, M24 1SE

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

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

DECISION: That –

1. The application be **GRANTED** subject to the conditions as set out in the report, the amendment to the conditions as set out in the Late List and to a Section 106 obligation being secured to provide a contribution of £9,800 for biodiversity mitigation and net gain.
2. The Director of Economy be authorised to issue the decision notice upon satisfactory completion of the planning obligation.

NOTES:

1. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.

10

APPEALS

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

11

LATE LIST

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

The meeting started at 6.00 pm and ended at 7.45 pm

APPLICATION REPORT - PA/344246/19

Planning Committee, 27 May, 2020

Registration Date: 02/12/2019
Ward: Chadderton Central

Application Reference: PA/344246/19
Type of Application: Full Planning Permission

Proposal: Erection of a two storey Special Educational Needs & Disability (SEND) primary school (Use Class D1), including multi-use games area, access, landscaping and other associated works.
Location: Land adjoining the existing Kingfisher School, Foxdenton Lane, Chadderton, OL9 9QR
Case Officer: Abiola Labisi
Applicant: Interserve Construction Ltd on behalf of the Secretary of State for Education
Agent :

THE SITE

This presently vacant site is accessed via Jardine Way off the A663 (Broadway) and adjoins the existing Kingfisher School on Foxdenton Lane to the east.

To the north is a water treatment plant. To the west are industrial sites, with a supermarket to the south. The site is partly screened by trees along the western, southern and northern boundaries.

THE PROPOSAL

The proposal relates to the erection of a new two storey Special Educational Needs and Disability (SEND) primary school and associated development including the provision of a multi-use games area, landscaping and access off Jardine Way. It is stated that the development would provide 152 school places for pupils across the ages of 4 to 11 including some early years places.

The proposed building would be centrally located on site with the Multi -Use Games Area being to the east. The car parking area would be located within the western section of the site, adjacent to Jardine Way. Some extensive landscaping would be provided around the north, north-eastern and southern boundaries of the site.

The school building would be L-shaped with a total internal floor area of approx 3231 square metres and be finished in a mix of dark grey brick, light grey micro rib panels and metal cladding to the roof.

The Multi-Use Games Area for use of the school will be provided, along with 87 car parking spaces and cycle storage areas.

RELEVANT HISTORY OF THE SITE:

There is no relevant planning history on the site.

CONSULTATIONS

Highway Engineer

Page 5
Final comments from both consultees are awaited.

Transport for Greater Manchester Environmental Health	No objection subject to conditions relating to landfill gas/land contamination surveys.
Coal Authority	The site is within a Development Low Risk Area. As such, there is no requirement for a risk assessment.
Environment Agency	No objection.
Natural England	No objection
Greater Manchester Ecology Unit	No objection subject to conditions
Greater Manchester Police Architectural Liaison Unit	No objection subject to implementation in accordance with the security measures in the Crime Impact Statement.
Ramblers	No objection
Sport England	No objection
United Utilities	No objection subject to conditions relating to surface and foul water disposal
LLFA/Drainage	No comment received

REPRESENTATIONS

No representation received in relation to the application.

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 Plan. Therefore, the relevant policies are as listed below:

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

National Planning Policy Framework

Section 8 - Promoting Healthy and Safe Communities
 Section 9 - Promoting sustainable transport
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change
 Section 15 - Conserving and enhancing the natural environment

PLANNING CONSIDERATIONS

Principle of the development

The National Planning Policy Framework states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and that '*local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education*'.

DPD Policy 2 (Communities) provides that the council will support proposals for new and improved community facilities that meet an identified need. In relation to the need for the facility, the Oldham Education and Skills Commission (OESC) Report published on 15th January 2016 specifically recognises the capacity issues within the special school sector and the lack of provision for children with moderate/severe learning difficulties in Oldham.

The proposal would boost school places in the area, particularly for children with special education needs thus enhancing the sustainability of the local community. The proposal

would therefore contribute towards improving the level of education and skill sets of the borough's population and be in accordance with relevant provisions of DPD Policy 2 as well as those of Section 8 of the NPPF and is thus considered to be acceptable in principle.

An energy strategy report has been submitted with the application which demonstrates that the proposal has been designed to comply with the requirements of Policy 18 (Energy) of the Oldham Local development Framework.

Highway Issues

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

The proposal includes the provision of adequate parking and cycle storage facilities on site.

However, having regard to its nature and scale, and the likely volume of traffic the development would generate, a traffic survey and management plan has been requested by Transport for Greater Manchester in order to determine the impact on the local highway network. This has been submitted recently and reviewed by TfGM who have advised that whilst they would have no objection in principle, some additional information related to the length of the right turn lane into Jardine Way and evidence that it is long enough to ensure that vehicles waiting to turn right do not have to queue beyond the length of the lane would be required. Subject to this issue being satisfactorily addressed, it is considered that the proposal would not lead to any severe detrimental highway issue.

The additional information has been provided to TfGM, and further comments will be reported to Committee when received.

Impact on the character of the area

The site is largely surrounded by commercial uses of various types and this is reflected in the types of buildings in the immediate vicinity. The proposed school building would be in keeping with the pattern of development in the area having regard to its scale and design. In this regard therefore, it is considered that the proposal would not lead to any significant adverse impact on the character of the area.

The scheme includes a landscaping proposal which shows planting of trees to replace the ones that would be removed. With regard to removal of trees and the impact of this on the character of the area, the Council's Tree Officer has advised that the proposed level of replanting is sufficient to mitigate the required level of tree loss on site and will overall, improve the diversity of planting. As such, it is considered that the proposal would not lead to an unacceptable impact on the character of the area in this regard.

Ecology

An Ecological Impact Assessment of the proposal has been undertaken which considered the impact of the proposal on amphibians, badgers, bats, birds, invertebrates, hazel dormouse, reptiles, hedgehogs, and other protected, rare or notable species as well as invasive plants.

The report concludes that the development can proceed with minimal impact to habitats and protected / notable species assuming the mitigation measures outlined within the report are implemented and that there is also the opportunity to enhance the development for local wildlife in the long-term by implementing the enhancement measures.

The Greater Manchester Ecology Unit has raised no objection to the scheme, subject to the development being implemented in accordance with the recommended conditions. It is therefore considered that the scheme would not lead to any significant adverse impact on

ecology/biodiversity.

Flooding

The site is identified as falling within Flood Risk Zone 1 which is an area of lowest probability of flooding and where all developments are acceptable in principle. With regard to a sustainable drainage system, a Flood Risk Assessment and Drainage Strategy has been submitted with the application which sets out how surface water would be disposed of in a sustainable manner, following the SUDS strategy.

The FRA and Drainage Strategy report shows that discharge to soakaways, which is usually the preferred option, would not be feasible in this instance. The proposal is therefore to discharge into a nearby culverted watercourse on Jardine Way, at a discharge rate equivalent to the greenfield runoff rate.

The Environment Agency raised no objection to the scheme. Also, United Utilities has raised no objection to the scheme subject to conditions relating to the submission of full details of a surface water drainage proposal based on sustainable drainage techniques.

Impact on Amenity

Having regard to the nature of the adjoining uses, it is considered that the proposal would not lead to any unacceptable impact on the amenity of the occupiers of adjoining properties. The separation distance between the site and the neighbouring residential properties would minimise any potential impact on residential amenities.

CONCLUSION

Having regard to the scale, design and materials of the proposed development, the general pattern of development in the area and nature of surrounding uses, it is considered that the proposal would not lead to any significant adverse impact on the character of the area or impact adversely on the amenities of the occupiers of neighbouring properties. The proposal would help to address an identified need for this type of community facility in the borough thus enhancing the area's sustainability. The proposal would therefore be in accordance with relevant provisions of the Oldham Local Plan and the National Planning Policy Framework.

RECOMMENDATION

Approve, subject to relevant conditions relating to highway issues and external lighting to be imposed following receipt of additional information, as well as the following conditions:

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

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

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

- i. Drawing No. 00-0001 Rev. P06 (Proposed Ground Floor Plan) received 11/12/2019
- ii. Drawing No. 00-0001 Rev. P06 (Proposed First Floor Plan) received 11/12/2019
- iii. Drawing No. 00-2001 Rev. P10 (Proposed Elevations) received 03/03/2020
- iv. Drawing No. 00-0001 Rev. P05 (Proposed Roof Plan) received 11/12/2019
- v. Drawing No. 01 Rev. F (Proposed Landscaping Plan) received 11/12/2019
- vi. Drawing No. 02 Rev. E (Proposed Site Security Strategy) received 11/12/2019
- vii. Drawing No. 03 Rev. E (Proposed Access Strategy) received 11/12/2019
- viii. Drawing No. 03 Rev. F (Proposed Site Plan) received 11/12/2019

ix. Drawing No. 06 Rev. D (Proposed Surface Finishes and Indicative Levels) received 11/12/2019

x. Drawing No. 07 Rev. F (Proposed Site Sections) received 11/12/2019

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

3. The development hereby approved shall not be occupied until the access to the site and car parking spaces have been provided in accordance with the approved plan 03 Rev F, and in accordance with the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

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

4. All hard and soft landscape works shall be carried out in accordance with the approved plan (Ref. Drawing No. 01 Rev. F) prior to the occupation of any part of the development or in accordance with 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 having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

5. The development shall be carried out in accordance with the details set out in the submitted Arboricultural Impact Assessment and Tree Survey and Constraints Report prepared by Amenity Tree Care.

Reason - In order to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

6. Prior to the commencement of any earthworks, a survey for invasive plant species, including Japanese knotweed and Himalayan balsam and in particular along the northern and southern boundaries shall be undertaken and the finding submitted to and approved in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be submitted to and approved in writing by the Local Planning Authority prior to any earthworks, and the development shall be carried out in full accordance with the approved details.

Reason - To protect native species and the environment, in accordance with Policy 21 of the Oldham Local Development Framework

7. Notwithstanding any details already submitted, no development shall commence until a sustainable surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(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 the site conditions and the potential for

infiltration of surface water;

(ii) A restricted rate of discharge of surface water to 6 litre per second forward flow rate of discharge, if infiltration is discounted in the investigations.

(iii) A timetable for its implementation.

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.

8. Prior to first occupation of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the principles as set out in the submitted Flood Risk Assessment & Drainage Strategy prepared by Sutcliffe Civil and Structural Engineers (Report ref: LRD30389) dated October 2019. 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 an appropriate management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

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

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

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

10. No development shall commence until a Phase III remediation strategy in accordance with the recommendations of the Phase II Interpretative Ground Assessment Report (30389LG-R02 dated February 2020) has been submitted to and approved in writing by the Local Planning Authority.

Reason - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.

11. Prior to any part of the development hereby approved being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy required under Condition 9 of this approval, and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include details of sampling and monitoring carried out in

accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site does not pose any further risk to human health or the water environment having regard to Policy 9 of the Oldham Local Plan.

12. The development shall be carried out in accordance with the details set out in the Energy Strategy Report prepared by Ridge and Partners LLP (ref. FS0626-RDG-XX-XX-RP-ME-00002_V2) and retained as operational thereafter.

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

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

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

14. Prior to commencement of any earthworks a survey of the site and within 30m of the boundaries for badger setts shall be undertaken and the findings submitted to and approved in writing by the Local Planning Authority. If any earthworks are proposed within 30m of a sett additional information on how any potential impact on badgers would be mitigated shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In order to prevent undue harm to protected species having regard to Policy 21 of the Oldham Local Plan.

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Planning Committee Meeting

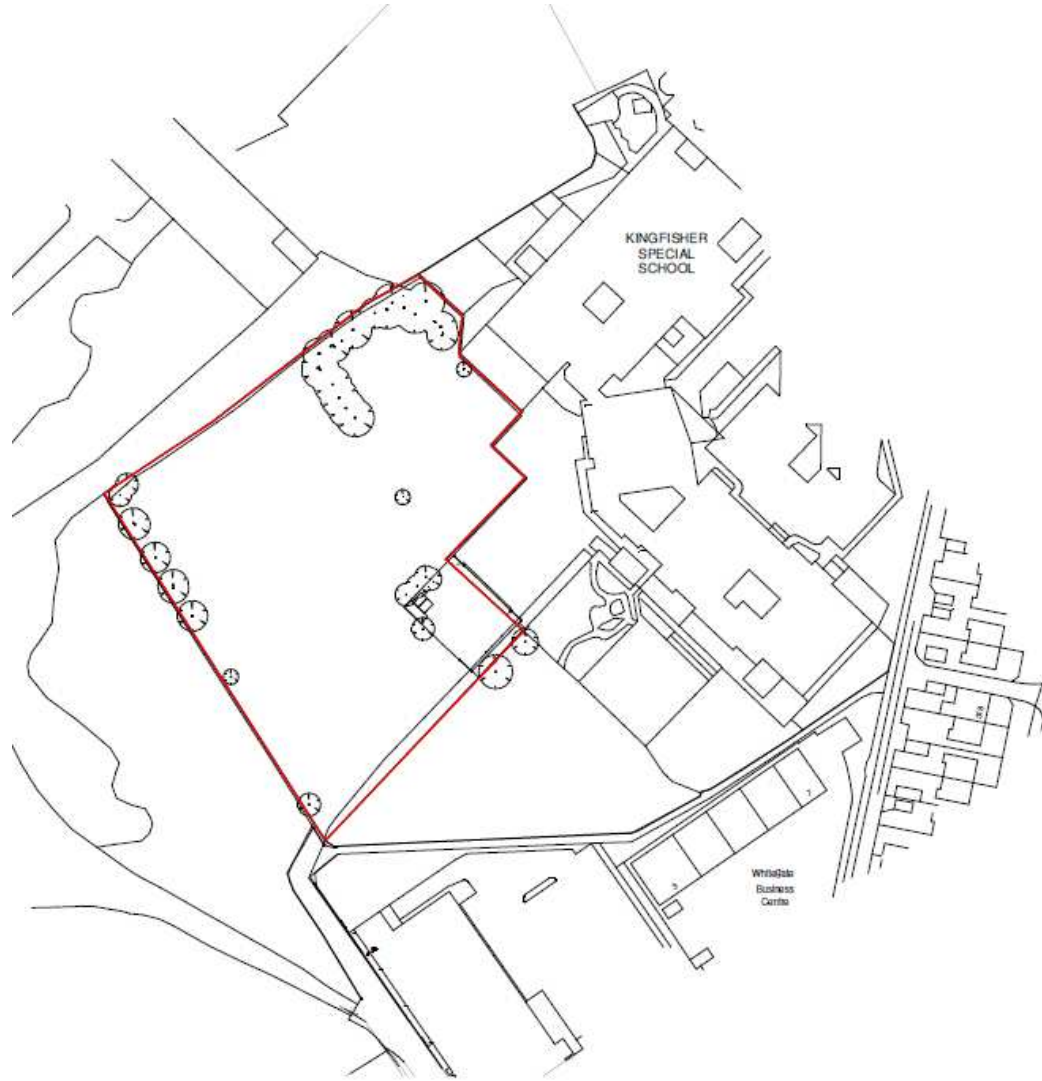
Date 27th May 2020

Erection of a two storey Special Educational Needs & Disability (SEND) Primary School, including multi-use games area, access, landscaping and other works.

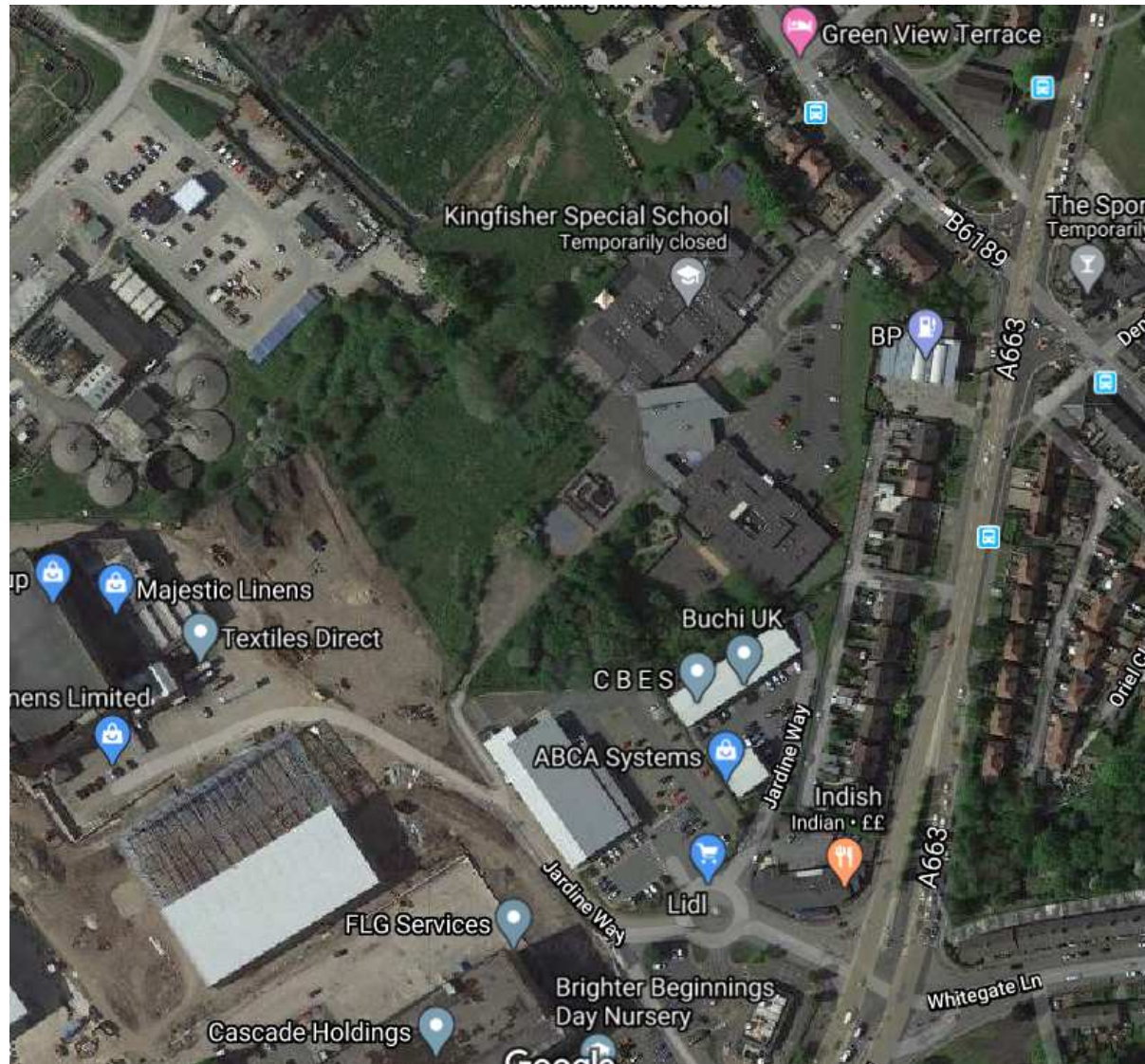
Land adjoining Kingfisher School, Foxdenton Lane,
Chadderton

Application No. PA/344246/19

Location Plan



Aerial view



View across the site



View across the site



Site layout plan



Proposed elevations

Page 19



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APPLICATION REPORT - PA/344254/19

Planning Committee, 27 May, 2020

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

Application Reference: PA/344254/19
Type of Application: Full Planning Permission

Proposal: Three storey extension to provide 13no additional bedrooms and additional lounge at ground floor.

Location: Dryclough Manor, Shaw Road, Royton, OL2 6DA

Case Officer: Dean Clapworthy

Applicant Carewise Homes Ltd
Agent : C C Gladding Architects

Members will recall that Committee resolved to grant planning permission for the development subject to an additional planning condition relating to the provision of additional on-site car parking. The precise wording and validity of the additional condition was subsequently raised later in the meeting.

Council officers believe that the committee members thought they were voting for the on site parking to be provided for local residents, whereas what was actually proposed and seconded for approval did not specifically mention that the parking should be for local residents.

In addition, the Council's planning and legal officers have confirmed that a planning condition which required the developer to provide on site parking for persons not associated with the development would not be valid.

In view of the above, it has been decided that the planning application should be reconsidered by planning committee.

THE SITE

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

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

THE PROPOSAL

The proposal is for a three storey extension attached to a previous extension to provide 13no additional single bedrooms for people in need of care and an additional lounge at ground floor. The extension would be finished in facing brick with grey concrete roof tiles.

No alterations are proposed to the existing site layout, which has twelve off-street parking spaces.

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

RELEVANT HISTORY OF THE SITE:

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

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

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

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

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

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

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

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

RELEVANT PLANNING POLICIES & GUIDANCE

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

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The site is unallocated on the DPD Proposals Map. The following policies are relevant to the determination of this application.

Joint Development Plan Document (DPD)

Policy 1: Climate Change and Sustainable Development

Policy 2: Communities

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

Policy 20: Design

Saved Unitary Development Plan Policies

Policy D1.5: Protection of Trees on Development Sites

CONSULTATIONS

Highway Engineer

No objection.

Environmental Health	No objection, subject to a condition relating to ground conditions.
Coal Authority	No objection, subject to a condition requiring the investigation of past mine workings.
Drainage	No objections.
Tree Officer	No objection, subject to condition requiring tree protection measures.

REPRESENTATIONS

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

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

PLANNING CONSIDERATIONS

Background

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

The main issues to consider are:

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

The principle of development

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

Access and highway safety

DPD Policy 5 states that the Council will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals. Policy 9 states that local environmental quality and amenity will be protected and/or improved by ensuring development minimises

traffic levels and does not harm the safety of road users. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

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

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

Design and impact on visual amenity

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

The proposed extension would largely continue the scale and form of the existing extension and the fenestration would replicate the regimentation and alignment of the existing. The materials would match. A generous distance of around 12 metres would be retained to the southern boundary, such that the building to plot ratio would remain low. Land reprofiling would be minor in scale and would not be significant, particularly from beyond the site boundaries.

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

Amenity

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

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

Other matters

The site falls within an Air Quality Management Area (AQMA), but relates to an existing facility that falls within a densely populated residential area. Neither the Lead Local Flood

Authority, Environmental Health Officer, Tree Officer or Coal Authority have objected to the proposal. Conditions are recommended to ensure that the proposed development proceeds in a manner that ensures that ground conditions are appropriate and trees are adequately protected.

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

Conclusion

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

The proposal therefore complies with the relevant Oldham Local Plan policies and the NPPF.

RECOMMENDATION

Approve, subject to the following conditions:

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

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

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

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

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those used in the existing building.

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

4. Prior to the commencement of development a site investigation and assessment to identify the extent of land contamination shall be carried out and the consultant's report and recommendations submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.

5. Prior to the commencement of the built development hereby approved, the following details should be submitted to and approved in writing by the Local Planning Authority:

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

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

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

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

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

Planning Committee Meeting 13 May 2020

PA/344254/19: Three storey extension to provide 13no additional bedrooms and additional lounge at ground floor.

Dryclough Manor, Shaw Road, Royton, OL2 6DA

Aerial view



Site Location Plan



Site entrance from Eleanor Road



Site entrance on the left



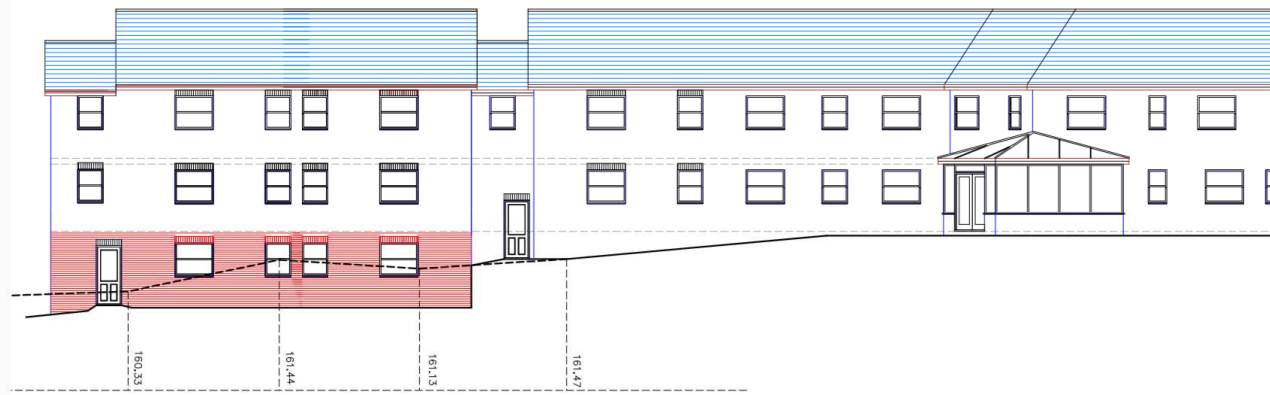
Existing site from south



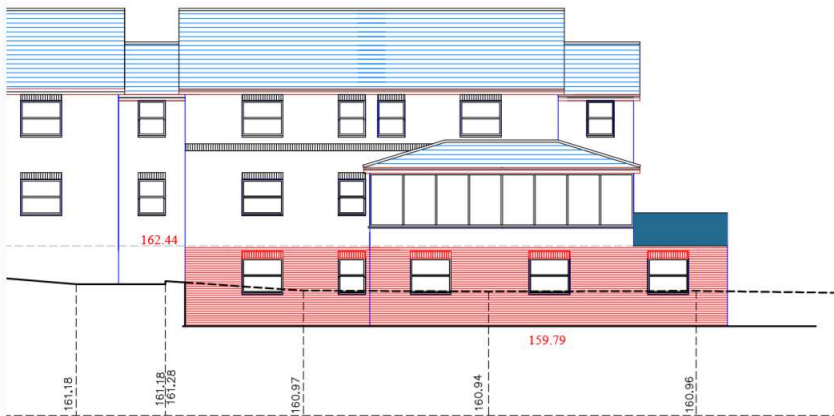
Existing car park



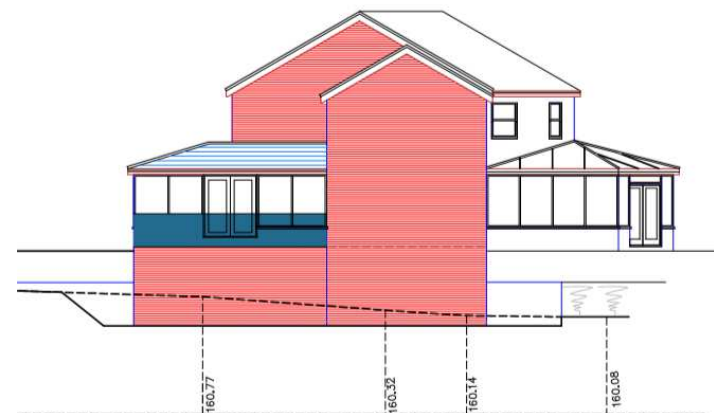
Proposed elevations



proposed rear

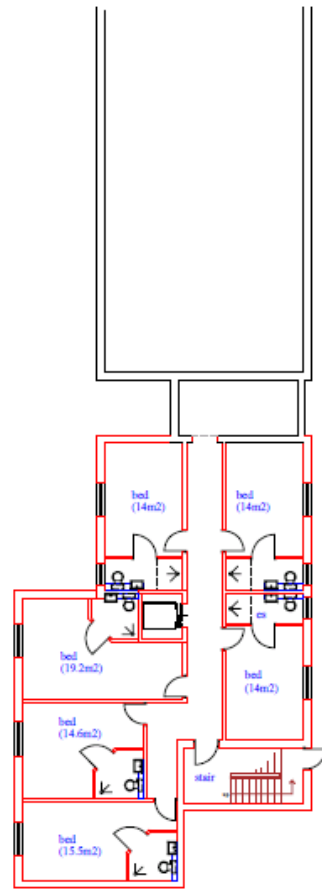


proposed front

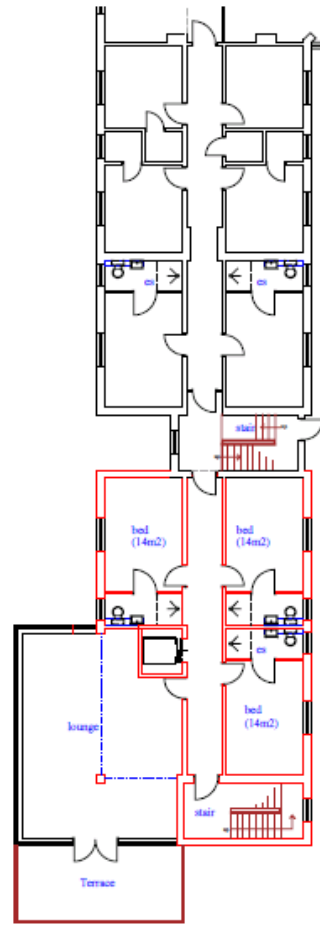


proposed side

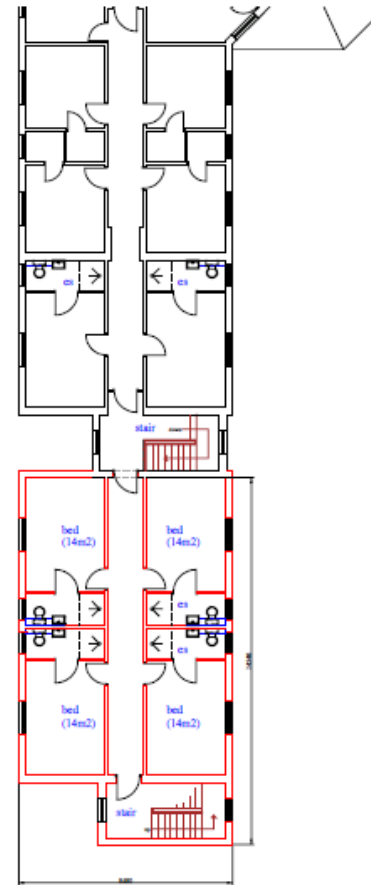
Floor layout plans



proposed lower ground floor
1:100 @ A1



proposed ground floor
1:100 @ A1



proposed first floor
1:100 @ A1

Site Location Plan



APPLICATION REPORT - PA/344572/20

Planning Committee, 27 May, 2020

Registration Date: 25/02/2020
Ward: Shaw

Application Reference: PA/344572/20
Type of Application: Full Planning Permission

Proposal: Full application for the erection of 65 no. dwellings and associated works.

Location: P AND D NORTHERN STEELS LTD, Mosshey Street, Shaw, OL2 8QL

Case Officer: Graham Smith

Applicant Agent : Mulbury Homes Ltd and Great Places Housing Group
PWA Planning

THE SITE

The site covers approximately 1.9 hectares to the south of Moss Hey Street on the edge of Shaw District Centre. The site is brownfield scrub land which was previously occupied by P & D Northern Steels Ltd, who distributed steel plates. The company have since moved to Royton. To the east is the Metrolink line. To the west is a former 'Site of Biological importance'. There are several mature trees on the western boundary.

THE PROPOSAL

Proposed development of 65 Dwellings. The houses include 12 x 2 bed, 38 x 3 bed and 15 x 4 bed houses. It provides 44 affordable rent or shared ownership and 21 open market houses. The layout has been amended to address concerns regarding an easement to a main water supply crossing the site.

The applicant has included a viability assessment which indicates that due partly to abnormal costs involved in mitigating the contaminated nature of such a brownfield site, there is insufficient profit to enable the development to be provide the full open space contribution required under DPD Policy 23.

RELEVANT HISTORY OF THE SITE:

PA/3501/19 - Application for approval of Reserved Matters of appearance, landscaping, layout and scale relating to the proposed development of 65 no. dwellings and associated works in connection with outline planning approval PA/331731/11. Undetermined.

PA/331731/11 - Outline application for demolition of existing buildings and erection of 80 residential units. Access to be considered and all other matters reserved (Re-submission of PA/57631/10) - Approved subject to Section 106 legal agreement and conditions 25 March 2013.

PA/057631/10 - Outline application for demolition of existing buildings and erection of 80 no. residential units. Access to be considered and all other matters reserved. Granted subject

to legal agreement and conditions 8 July 2011.

CONSULTATIONS

Highway Officer - No objection subject to provision of highway improvements and conditions.

Transport for Greater Manchester - No objections subject to conditions regarding noise protection on properties near the Metrolink line, a construction management plan, and controls to avoid vehicular access to the line and or water discharging to culverts that cross the line.

Environment Agency - No objection subject to conditions regarding contamination measures.

United Utilities - There is a large water trunk main running through the site with an easement. UU has worked with the Council and the applicant, and a revised plan protects the easement. Final comments will be reported in the Late List.

Greater Manchester Ecology Unit - No objections. The new landscaping should represent a biodiversity gain on what is now a predominantly brownfield site.

GM Archaeology Unit - A condition is requested to record historic archaeology due to likely historic remains.

Environmental Health - No objection subject to noise mitigation and ground investigation conditions.

LFA - Accept that the only reasonable discharge is to the United Utilities combined sewer. The applicant's proposed finished floor levels take on board existing and likely flood levels and allow for climate change.

REPRESENTATIONS

The application was publicised by letter, site notice and press advertisement. No representations have been received.

No comments have been received from Shaw & Crompton Parish Council.

RELEVANT PLANNING POLICIES AND GUIDANCE

The application site is unallocated on the Oldham Local Plan (DPD).

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

Policy 2 - Communities;
Policy 5 - Promoting accessibility and sustainable transport options;
Policy 9 - Local environment;
Policy 10 - Affordable housing;
Policy 18 - Energy;
Policy 19 – Water and Flooding
Policy 21 – Protecting Natural Environment
Policy 23 - Open Space
Policy 24 – Historic Environment
Policy 25- Developer Contributions

PLANNING CONSIDERATIONS

Principle of Development

The Council cannot currently demonstrate a five-year supply of deliverable housing land at this time. 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:

1. 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
2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework

Given the present position, Oldham Local Plan Policies 1, 3, 11, which are relevant to the delivery of housing, are to be considered out-of-date. Therefore, in this case planning permission should be granted unless the above points 1 or 2 apply taking consideration of any relevant Local Plan policies. This will be considered later in the Planning Balance section of the report.

Furthermore, a Reserved Matters application is presently undetermined and remains extant and capable of determination. As the principle of the residential use of the site has been established through the earlier outline approval, this also remains a material consideration in support of the principle of the development.

The site is considered to be well located, in terms of access to services and facilities, and as such is in a sustainable location.

The proposal for a mix of affordable rent and shared ownership represents 67% affordable provision which more than accords with policy and will be a welcomed addition to affordable housing in Oldham. The affordable housing will be safeguarded via a planning condition. The direct provision of affordable housing is welcomed.

The development would normally be required by DPD Policies 23 and 25 to provide new open space or contributions towards off-site provision. The applicant has submitted a Viability Assessment arguing that the development would not be viable if the contribution was sought. Following assessment by the Council's expert advisor, the applicant now agrees to include a contribution of £17,500 towards open space, along with the required highway improvements. The proposal is therefore considered to represent a viable development.

The applicant has submitted an energy statement which demonstrates a capability of compliance with 10.99% reduction in energy beyond part L of the Building regulations; this was due to the outline planning application having 10% conditioned as the target on the previous outline approval. Given the position regarding the extant reserved matters submission, it is not considered reasonable to require DPD Policy 18's 15% energy reduction above the building regulations level. Nevertheless, it is a minor negative environmental impact in the planning balance.

Flood risk and drainage.

The site is in Flood Risk Zone 2. The NPPF advises that development should be directed to areas at least risk of flooding and in such cases, applicants are required to undertake sequential tests to demonstrate that sequentially preferable sites are not available.

However, having regard to the previous outline approval, the applicant has submitted a Flood Risk Assessment (FRA) which is considered thorough in nature. It proposes surface

and foul water to be discharged to United Utilities existing combined sewers. It also details that finished floor levels of all houses will be at 176.5 AOD which is at 600mm above the 1 in 100-year flood level plus 35% due to climate change event following on from original discussions with the Environment Agency.

The Lead Local Flood Authority has assessed the FRA and considers the proposed finish floor levels to be acceptable.

Late in the process, United Utilities requested amendments to the layout to address conflict between the development and the easement around a large water trunk main supply. It is understood the revised layout, which now indicates the easement crossing only the rear garden of Plot 53, is broadly acceptable, but final comments will be reported on the late list. A planning condition is proposed to remove relevant permitted development rights to extend Plot 53. The applicant has also updated the Construction Management Plan to address United Utilities' concerns. Subject to United Utilities further comments the proposal is considered to accord with DPD Policy 19.

Amenity

All properties achieve reasonable rear gardens. Separation distances are considered to accord with the aims of DPD Policy 9.

The applicant has undertaken a noise survey. Transport for Greater Manchester (Metrolink) had requested details seeking acoustic barriers on all the abutting land. However, after submitting a more detailed noise assessment the Council's Environmental Health Officer considers the proposed noise mitigation measures to be satisfactory and no further details need be submitted. Metrolink has been informed and has no further concern. It is considered that subject to implementation of the approved protective measures the proposal will provide acceptable levels of amenity for future occupiers.

Design

The applicant amended external materials after discussions with officers. House-types now include the use of reconstituted stone block walls (with two colours to provide some contrast) and with some cream rendered areas, grey tiled roofs and buff stone sills and heads. Doors and windows are timber finished in grey with some additional decorative details. The use of the pallet of materials will both enhance, and is in keeping with, the character of the area. The design of the houses proposed are considered to accord with Policy 20 requirements.

Tree planting is proposed but almost entirely within individual plots. There are two narrow strips of shrub planting alongside private drives and the edge of the site near plots 49/50 and 65. Whilst the scheme requires minimal maintenance it does result in a densely designed layout (34 dwellings per hectare); however it is acknowledged that this would be in character with the area.

Highways

The proposed development site is situated in a sustainable location with excellent links to public transport and access to a wide range of amenities. A Transport Statement was submitted with this application which found that the additional traffic will not have a significant impact on the wider highway network in terms of volumes. It will have some impact on Moss Hey Street, where there are significantly lower levels of traffic.

The Applicant has agreed to fund improvement works to ensure that the site can be accessed safely and that the highway network immediately surrounding the site will continue

to operate safely. A highway improvement scheme will be required at the junction of Moss Hey Street and the new access road into the development carried out under a Section 278 Agreement.

Waiting restrictions will be required along the western side of Moss Hey Street and at the junction of Moss Hey Street and the new access road to ensure that access to the site is not obstructed by parked vehicles. The pedestrian links to the site need to be improved to safely accommodate the additional pedestrians. Pedestrian crossings including the provision of dropped kerbs and tactile paving will be required from the site towards Shaw District Centre. Additional road marking and improvements to existing traffic signs will be required at the junction of Moss Hey Street and the entrance to the supermarket. This work will be carried out under a Section 106 Agreement for a contribution of £12,100

The internal layout meets current design standards and the parking provision is considered sufficient so that there should be no additional demand for on-street parking on the nearby existing highway network.

In this context, neither the Highways Officer or Transport for Greater Manchester has any objection to the proposed development in terms of its impact on the local or strategic highway network.

Ground conditions & Archaeology

The applicant has undertaken a phase 1 Ground condition survey. The site has both significant contamination and landfill gas issues and the Environment Agency request appropriate conditions be imposed. The Environmental Health Officer (EHO) has also addressed contamination issues and agreed to detailed bespoke conditions which include vapor testing. A verification condition is recommended and details of necessary elements are attached as an informative. The EHO has no further objection and therefore issues of noise, contamination and landfill gas are considered appropriate.

The Greater Manchester Archaeology Advisory Service (GMAAS) request the standard condition requiring on-site investigations. The applicant has addressed the early part of the process and GMAAS has confirmed the appropriate condition required attached in accordance with NPPF advice.

Ecology

The application is not considered to have any detrimental impact on biodiversity. The applicant proposes a bat and bird box scheme which is considered acceptable and will be required by planning condition. The proposal is considered to accord with DPD Policy 21.

Planning Balance and Conclusion

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

NPPF Paragraph 8 states that achieving sustainable development means that the planning

system has three overarching objectives: the 'economic objective', the 'social objective' and the 'environmental objective'. The tilted balance favouring sustainable development applies. In this instance the benefits are considered to include the following:

- The significant social benefit of the direct provision of 44 affordable dwellings
- The significant social benefit of 65 dwellings towards Oldham's 5-year land supply (this is considered the most significant benefit)

The following benefits would be normally identified as good planning practise, and therefore carry some reduced weight in the balancing exercise.

- The social economic and environmental benefit of the site having good access to services and facilities.
- The social and environmental benefit of a good layout resulting in good levels of amenity for future occupiers.
- The economic benefit of development of a derelict site and the additional vitality of occupancy of a new residential development for the community.
- The environmental benefit of development of a brownfield contaminated site where no significant assets of particular importance (i.e. triple SSSI) exists and results in no harm to the landscape.
- Houses designed in character with the area, a medium environmental gain.
- The development has overcome any flood risk concerns considered a medium social/environmental benefit.

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

- The medium Social and Environmental harm of the inability to fully contribute toward open space contrary to Policies 23 and 25. However weight given to any such harm should be reduced due to the applicant having proven the development would be unviable. It is considered that this by itself due to the applicant's viability argument would not be a reasonable reason on which to refuse the application.
- Minor Environmental harm of being 4% below current Energy reduction target being contrary to DPD Policy 18.

Assessing the tilted balance, and being mindful of the remaining link to the previous planning permission, it is considered that whilst there is some harm identified, there are however no significant or demonstrable adverse impacts that outweigh the benefits provided.

The proposal is considered to represent sustainable development. Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, planning permission should be granted.

RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the following conditions, and to the applicant submitting a satisfactory Unilateral Undertaking to cover the following matters:

The provision of £17,500 towards open space provision.

A contribution of £12,100 towards necessary highway improvements including:

Waiting restrictions will be required along the western side of Moss Hey Street and at the junction of Moss Hey Street and the new access road to ensure that access to the site is not obstructed by parked vehicles.

Improving pedestrian links to the site, including pedestrian crossings dropped kerbs and tactile paving from the site towards Shaw District Centre

Additional road marking and improvements to existing traffic signs at the junction of Moss Hey Street and the entrance to the supermarket.

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

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

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

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications received on 25.02.2020, which are referenced as:

1272-M-LP01 (Location Plan),
1272-M-MB01 Rev E (Materials),
1272-M-HT- A to G (Housetypes),
1272-M-PL01 Rev Z (Master Layout),
UG_11991_LAN_GA_DRW_01 (General Arrangement Plan),
UG_11991_LAN_HL_DRW_02 Rev P05, (Hard Landscaping),
UG_11991_LAN_SL_DRW_04 Rev P05 sheets 1 and 2 (Soft Landscaping)

and plans received on 03.03.2020

40-01 P6 (Drainage Layout),
40-16 Rev P4 (External Works)
1272-RF-01 rev E (Refuse strategy),

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

3. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas and vapour risks 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.

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

4. No development shall commence unless and until a supplementary site investigation and assessment to identify the extent of land contamination has been carried out (post demolition and following the necessary enabling works) 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 during

the enabling works and, on receipt of a satisfactory completion report, to discharge the condition.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in any phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

5. No property shall be occupied until the boundary fencing as detailed on the approved fencing and furniture plan ref UG_11991_LAN_FF_DRW_03 and Materials Boundary plan ref 1272-M-MB01 E, has been completed in accordance with the approved details.

Reason - In the interest of the amenity of the future occupiers and for the mitigation of noise from the Metrolink having regard to Policy 9 of the Oldham Local Plan.

6. No occupation of any dwelling shall take place until the noise mitigation measures detailed in the applicant's Noise Assessment report ref 50 - 142-R1 dated 25th February 2020, has been implemented for that dwelling, including glazing and ventilation requirements to all floors and facades and acoustic screening of 1.8 metre and 2.4 metre high acoustic fencing as detailed on fencing plan ref UG_11991_LAN_FF_DRW_03 Rev P05.

Reason - In the interest of the amenity of the future occupiers and for the mitigation of noise from the Metrolink having regard to Policy 9 of the Oldham Local Plan.

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

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

8. All hard and soft landscape works shall be carried out in accordance with the approved plans (Ref:UG_11991_LAN_GA_DRW_01 Rev P05 (General Arrangements) and plan ref UG_11991_LAN_HL_DRW_02 Rev P05 (Hard Landscaping) and UG_11991_LAN_LSN_DRW_06 (Landscaping notes) UG_11991_LAN_SL_DRW_04 and UG_11991_LAN_SL_DRW_05 (Soft Landscaping) and in accordance with the implementation programme approved in writing by the Local Planning Authority prior to occupation of any dwelling. Thereafter

any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

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

9. The development shall be implemented in full accordance with the Energy Statement submitted in support of the application dated February 2020 by PB Sustainability, which details an average completed energy performance of 10.9% above Part L of the Building Regulations and shall be retained as operational thereafter.

Reason – In the interests of sustainability and having regard to Policy 18 of the Oldham Local Plan.

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

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

11. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - (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;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) foul and surface water drainage on separate systems;
 - (iv) mitigation measures required to protect the groundwater environment identified by condition [1]; and
 - (v) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The 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 and having regard to Policy 19 of the Oldham Local Plan.

12. Prior to any occupation of the development a sustainable drainage management and

maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

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

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

Reason - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development and having regard to Policy 19 of the Oldham Local Plan.

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

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible and having regard to Policy 24 of the Oldham Local Plan.

14. No dwelling shall be occupied until the access road and car parking space for that dwelling has been provided in accordance with the approved parking plan Ref: 1272-2020-05-PL02 REV C and the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

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

15. No development above slab level to the site shall take place until a highway improvement scheme on Moss Hey Street at its junction with the new access road, has been carried out which will ensure all users of the highway can use the junction safely. Details of construction, drainage, road-marking and signs shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter all works that form part of the approved scheme shall be retained.

Reason - To ensure that all users of the highway can use the junction of the junction of Moss Hey Street and the new access road safely having regard to Policies 5 and 9 of the Oldham Local Plan.

16. The development shall be implemented in accordance with the details within the Construction Environmental Management Plan (CEMP) submitted by Mulbury Homes dated 18/05/2020, and the Traffic Management Plan drawing ref 876.TMP.001 Rev A received 15/05/2020, and these measures shall be maintained for the duration of the construction works.

Reason - To safeguard the amenities of the adjoining premises and the area having regard to Policies 9 and 19 of the Oldham Local Plan and in the interest of highway safety, and in the interests of protection of a main water supply.

17. Prior to the commencement of development, a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment shall be submitted to and approved in writing by the Local Planning Authority. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system (pipework, trenches, manholes, pumping stations and attenuation features). The development shall be implemented in accordance with the approved details.

Reason - To ensure a satisfactory form of development and to prevent pollution of the groundwater environment and having regard to Policy 19 of the Oldham Local Plan.

18. If any unsuspected invasive species are encountered during construction, eradication measures in accordance with advice from the Environment Agency regarding control of invasive plant species, shall be undertaken immediately. In such circumstances evidence of implementation of such measures shall be provided to the Local Planning Authority in order to discharge this condition.

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

19. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, E and F and Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development shall be carried out without the express written permission of the Local Planning Authority.

Reason - To protect the existing water mains, the water environment and public drinking water supplies and in accordance with Policy 19 of the Oldham Local Plan.

20. Prior to occupation of any dwelling any measures set out in the Bat and Bird Box

scheme Report Ref: 80-024-R2-3 submitted by the applicant shall be implemented in accordance with the detailed document and shall be retained thereafter.

Reason - In the interest of biodiversity and having regard to Policy 21 of the Oldham Local Plan.

21. No above ground works shall take place until a scheme for the provision of affordable housing on the site has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework (or any future, equivalent guidance that replaces it) and shall include details of:
- (i) the type, tenure and location of the affordable housing provision,
 - (i) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - (i) the arrangements for the transfer of the affordable housing to a registered affordable housing provider or the management of the affordable housing (if no registered provider is involved);
 - (i) the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
 - (i) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced. The affordable housing shall thereafter be provided in full accordance with the details, phasing and timetable contained within the duly approved scheme.

Reason - To ensure an appropriate affordable housing is provided and retained having regard to Policies 10 and 11 of the Oldham Local Plan.

Planning Committee Meeting 27th May 2020

Full application for the erection of 65 no. dwellings and associated works.

P and D Northern Steels, Moss Hey Street, Shaw

Application No. PA/344572/20

Location plan



Aerial view



View along Moss Hey Street



Site entrance

Page 53



Present site frontage



View towards the site



Site layout



Typical elevations

Page 57



FRONT ELEVATION



FRONT ELEVATION

7

Typical elevations



Site layout



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