

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 24 August 2022

Time 6.00 pm

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

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

2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 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, 19 August 2022.

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

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

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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 Al-Hamdani, Dean (Chair), H. Gloster, Hobin, F Hussain, Lancaster, Surjan, Woodvine, Cosgrove, A Hussain, S Hussain, Islam, Nasheen and C. Phythian

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 6th July 2022 are attached for Members' approval.
- 6 FUL/348807/22 - Public Toilets, King George V Playing Fields, Wade Row, Uppermill, OL3 6BF (Pages 5 - 14)
1) Conversion of public toilet to café with ancillary takeaway 2) Provision of public toilet 3) External alterations to building including removal of pitched roof and replacement with green roof 4) Single storey glazed extension 5) Bin store.
- 7 FUL/348550/22 - Hill Top Farm, Healds Green, Chadderton, OL1 2SB. (Pages 15 - 22)
Erection of indoor menage extending to circa 35m x 25m.
- 8 FUL/348898/22 - Land at Snipe Clough, Oldham (Pages 23 - 54)
Hybrid planning application seeking full/part outline consent comprising:, (a) Full application for the erection of a visitor centre, events building with meeting pods, learning centre, forestry depot, ground mounted solar PV array and associated works, relocation of football pitch provision, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street., (b) Outline application (all matters reserved except for access) for a community growing allotment and swimming pond.



- 9 FUL/348472/22 - Land Off Cherry Avenue and Snipe Clough, Oldham, OL8 2HS (Pages 55 - 64)
- Full planning application for the construction of a Bike Recreation Hub (Use Class F2(c)) consisting of 2 bike track areas and ancillary service area, hard and soft landscaping, new car park on Cherry Avenue and footpath diversions and improvements and vehicular access improvements.
- 10 FUL/346142/21 - Knoll Mill, Wellington Road, Greenfield, Oldham (Pages 65 - 78)
- Conversion and addition of lift tower and two floors above existing mill, along with alterations to external elevations, to create 38 apartments with basement car parking
- 11 HOU/349204/22 - 1 Longdale Close, Royton (Pages 79 - 82)
- Single storey rear extension including new pitched roof to existing garage
- 12 HOU/349252/22 - 1079 Middleton Road, Chadderton (Pages 83 - 86)
- Single storey rear extension
- 13 Planning Appeals Update (Pages 87 - 90)

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PLANNING COMMITTEE
06/07/2022 at 6.00 pm

Present: Councillor Dean (Chair)
Councillors Al-Hamdani, H. Gloster, Hobin, F Hussain,
Woodvine, Cosgrove, Harrison (Substitute), A Hussain, Islam
and Nasheen

Also in Attendance:

Peter Richards	Head of Planning
Graham Dickman	Special Projects Development Lead
Kaidy McCann	Constitutional Services
Martyn Leigh	Development Management Team Leader
Stephen Gill	Planning Officer
Laila Chowdhury	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Lancaster,
Surjan (Vice Chair) S Hussain and C Phythian.

2 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **PUBLIC QUESTION TIME**

Public questions had been received by the Chair which had
been ruled out as per the Council's Constitution, Appendix 3
Protocols, due to the context of the questions about individual
planning applications or enforcement matters.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Meeting held on 8th June
2022 be approved as a correct record.

6 **RES/347759/21 - LAND OFF KNOWLS LANE, LEES**

APPLICATION NUMBER: RES/347759/21

APPLICANT: N/A

PROPOSAL: Reserved Matters application for the erection of
234 dwellings, with associated vehicular access and parking,
private amenity space, and landscaping, pursuant to hybrid
planning permission MMA/344723/20.

LOCATION: Land off Knowls Lane, Lees

It was MOVED by Councillor Al-Hamdani and SECONDED by Councillor Woodvine that the application be DEFERRED (against Officer recommendations).



On being put to the vote 4 VOTES were cast IN FAVOUR OF DEFERRAL and 7 VOTES were cast AGAINST with 0 ABSTENTIONS.

It was MOVED by Councillor F Hussain and SECONDED by Councillor Harrison that the application be APPROVED.

On being put to the vote 7 VOTES were cast IN FAVOUR OF APPROVAL and 4 VOTES were cast AGAINST with 0 ABSTENTIONS.

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

NOTES:

1. That an Objector, Applicant and Ward Councillor attended the meeting and addressed the Committee on this application.

7 FUL/347294/21 - LAND ADJACENT TO MALTBY COURT, LEES

APPLICATION NUMBER: FUL/347294/21

APPLICANT: Mr Mark Sexton

PROPOSAL: Construction of 40 residential properties with associated access, landscaping and ancillary works.

LOCATION: Land adjacent to Maltby Court, Lees

It was MOVED by Councillor Dean and SECONDED by Councillor F Hussain that the application be REFUSED.

On being put to the vote, it was unanimously cast IN FAVOUR OF REFUSAL.

DECISION: That the application be REFUSED.

NOTES:

1. That an Objector, Applicant and the 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.



- 8 **PLANNING APPEALS UPDATE**
RESOLVED that the Appeals Update be noted.
- 9 **PLANNING APPEAL - COSTS DECISION**
RESOLVED that the Planning Appeal - Cost Decision be noted.
- 10 **APPEAL DECISION**
RESOLVED that the Appeal Decision 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 7.56 pm

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APPLICATION REPORT - FUL/348807/22 Planning Committee 24th August 2022

Registration Date: 31st March 2022
Ward: Saddleworth South

Application Reference: FUL/348807/22
Type of Application: Full Application

Proposal: 1) Conversion of public toilet to café with ancillary takeaway 2) Provision of public toilet 3) External alterations to building including removal of pitched roof and replacement with green roof 4) Single storey glazed extension 5) Bin store.

Location: Public Toilets, King George V Playing Fields, Wade Row, Uppermill, OL3 6BF

Case Officer: Sophie Leech
Applicant: Mr Rick Scholes
Agent: Mr Mark Jones

INTRODUCTION

Having regard to the Council's Scheme of Delegation the application is referred to the Planning Committee for determination because the site is owned by Oldham Council and a significant number of representations have been received.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

THE SITE

The application site is located within King George V Playing Fields, also known as Uppermill Park. The development itself relates to a vacant public toilet block located close to the northernmost boundary of the park where it adjoins Wade Row. The building was closed to the public in 2018. The site is accessed from Wade Row and Uppermill Conservation Area. The River Tame is located on the edge of the park to the west.

The site fronts onto one street, namely Wade Row to the north which also has residential units fronting along the opposite side. To the south of the site is St Chad's recreational ground. There are a number of residential and commercial units to the east of the site forming part of the Uppermill Village High Street.

The park is protected by Fields in Trust which is a charity that supports parks and green spaces by protecting them for people to enjoy in perpetuity.

THE PROPOSAL

The application seeks full planning permission for the conversion of the vacant public toilet block to a café with ancillary takeaway, along with the provision of a public toilet, external alterations to the building including the removal of the pitched roof and replacement with a green roof. In addition to this it is proposed to erect a single storey glazed extension and an external bin store.

RELEVANT PLANNING HISTORY

PA/039029/99 – Erection of public toilet block – Approved 10.11.1999

RELEVANT PLANNING POLICIES

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

Joint Development Plan Document

Policy 06 – Green Infrastructure

Policy 09 – Local Environment;

Policy 16 – Local Services and Facilities;

Policy 19 – Water and Flooding;

Policy 20 – Design;

Policy 21 – Protecting Natural Environmental Assets

Policy 23 – Open Spaces and Sports;

Policy 24 – Historic Environment; and,

Saved UDP Policy D1.5 - Protection of Trees on Development Sites.

National Planning Policy Framework (NPPF, 2021).

Statutory and Internal Consultees:

Conservation & Design Advice	The Conservation Officer raised concerns about the design and scale of the originally submitted proposals and questioned whether the extent of public benefits associated with the proposal would outweigh harm caused to the character of the conservation area. Following amendments to the proposals, which included the removal of decking, the Conservation Officer acknowledged that these significantly reduced the net impact on the conservation area.
Highways Engineer	No objection, subject to a condition requiring bollards at the Wade Row entrance to ensure vehicles do not park and obstruct the pedestrian route into and out of the park.
Environmental Health	Following the submission of additional information clarifying how the use would operate raise no objection subject to the imposition of conditions restricting the hours of deliveries and opening times to customers. Initially raised concerns raised about the loss of trees, their proposed replacements not being near the building, and the impact of the proposed bin store on the root protection area of trees.

Tree Officer	Following the receipt of amended information raised no objections providing the replacement trees are provided and retained and the Arboricultural Impact Assessment is fully complied with.
Parks & Open Space Team	No objections
Planning Policy	No objections
Saddleworth Parish Council	No objections, subject to level access to toilet always and disabled toilet accessible by Radar key and toilet checked every two hours and cleaned daily. The decking is a community seating area so no tables and chairs outside the building, permitted activities are maintained. Clarification is needed about the permitted use of CCTV public spaces.
Drainage/LLFA	No objections
Greater Manchester Ecology Unit	No objections received

REPRESENTATIONS

37 support comments have been received.
 0 neutral comments have been received.
 122 objection comments have been received.

1 petition has been received with 1300 signatures.

SUMMARY OF OBJECTIONS:

- Loss of open space,
- Impact on conservation area,
- Too many cafes in the area,
- Impact on other local business,
- Noise implications,
- Litter problems,
- Loss of privacy and outlook,
- Damage and loss of trees,
- Highway safety issues,
- Lack of onsite parking,
- Lack of roadside parking,
- Public toilets should be back in use.

PLANNING CONSIDERATIONS

The main issues to consider are:

1. Principle of the proposed development;
2. Design/impact on the conservation area;
3. Residential amenity;
4. Highway safety;

5. Ecology and Trees;
6. Flood risk; and,
7. Other matters.

Principle of Development

The application site forms part of the Uppermill Conservation Area, is located in Flood Zone 1 on the Environment Agency's Flood Risk Maps, and forms part of a Green Corridor/Link.

Having regard to the Development Management policies in the Local Plan, Policy 1 explains that the Council will, amongst other things, ensure the effective and efficient use of land and buildings, promote the vitality of the borough's centres, and to promote economic prosperity by meeting the needs of existing and new businesses in sustainable locations. However, it also seeks to promote development away from areas at risk of flooding, ensure that development respects local character, distinctiveness and sense of place, and that it respects the natural, built and historic environments, and Green Infrastructure.

Policy 16 promotes the need for local shops, leisure facilities and offices which will be met by permitting new local services and facilities where appropriate within existing built-up areas. The policy permits, outside of designated Centres, local shops with a gross floorspace of 500m² or less. With recent changes to the Use Classes Order, shops now fall within the generic Use Class E, which also would be the use class of the proposed development. As such, given the floorspace proposed is significantly below the 500m² threshold applicable outside a designated Centre, it is considered that proposal complies with the requirements of this policy.

Given that the site is located on open space, Policy 23 is engaged. It states that the Council will protect, promote and enhance existing open space in the borough. The policy states that the loss of open space will be permitted where, amongst other criteria, the proposals comprise of a small-scale development which is ancillary or complementary to the open space function of the site, and that the quality and character of the site is maintained.

The revised proposal will result in the loss of a small area of public open space that extends to approximately 52m² in floor area. When considering the benefits of the proposal, the conversion of the toilet block into a café will bring a vacant building back into use, compliment the use and function of the park by enabling visitors to purchase refreshments whilst using the park and play area, and also provide a public toilet for users of the park and wider village. As such, the proposed development accords with the overarching aims and objectives of Policy 23.

Having regard to the requirements of Policies 1, 16 and 23, it is considered that the principle of development is acceptable, subject to complying with relevant development plan policies and national guidance discussed below.

Design and Impact on the Uppermill Conservation Area

Policy 20 requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene. Policy 24 states that development within conservation areas must serve to preserve or enhance the character or appearance of the area, as an appropriate response to context.

Paragraph 194 of the NPPF (2021) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the

potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Heritage statements have been submitted as part of the planning application which assesses the principle of development, the impact on the setting of the Uppermill Conservation Area and provides justification for the proposed size and design of the building.

It is agreed that the stone-built toilet block with a steeply pitched hipped roof is not of any notable heritage significance and neither does it positively enhance the setting of the Uppermill Conservation Area, which is a designated heritage asset. The Council's Conservation Officer raised concerns regarding the design of the proposal including the external decking area, along with the size of the extension, and revised drawings were submitted on 20 May 2022 with the following amendments:

- All external decking has been removed.
- The external timber cladding to the stonework and brickwork has been removed and the existing stonework retained.
- The blue bricks at the plinth are to be painted black.
- The retractable roof material has been changed to dark grey.
- A natural stone plinth to match the stonework on the toilet building is proposed around the base of the new extension with ashlar stone coping.
- Ashlar stone coping heads and cills to all external doors and windows are now proposed to reflect architectural detailing found within the conservation area.
- Horizontal transoms are shown on the windows to break up the expanse of glass.
- Steppingstones are proposed across the grass.
- 6 no. tree replacement planting shown in close proximity to the premises.
- The entrance to the cafe to the west has been reduced in size. This results in an overall reduction in extension size by 5m². The proposed extension is now 52 square metres in floor area, making a total floorspace of 85 sq metres.
- Disabled access is now shown near the main entrance to the west with a new pathway down.
- The bin store has been significantly reduced in size with 2no. lightweight bin shelters. Bin stores to accommodate 3no. domestic bins each – 140 litres each.

When considering the impact of a proposed development on the significance of a designated heritage asset, Paragraph 199 of the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

In this case it is considered that the proposed glazed dining extension, removal of pitched roof and replacement flat sedum roof, and the cladding of the stonework with cedar cladding represent 'less than substantial harm' to the heritage asset. Paragraph 202 of the NPPF explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. An assessment of the public benefits is provided below.

Public Benefits

Public Toilet:

The extension to the building will provide a public toilet to be used by the public regardless of any purchase at the proposed café/takeaway. This will be a disabled toilet which will be made available and be managed by the Applicant during times when the business is open to customers. This is a positive benefit to the village of Uppermill where no public toilets have operated since 2018.

Re-use of a Public Building:

The re-use of this existing building will bring a derelict building within the Uppermill Conservation Area back into a viable economic use.

Improvement to Design of Building:

The proposal results in the removal of the inappropriately designed hipped roof and its replacement with a low-level green sedum roof that will bring environmental benefits to the wider park area.

Conclusion:

The NPPF advises that any harm to the significance of a designated heritage asset should require clear and convincing justification. The public benefits outlined above would cumulatively bring significant weight and are considered to outweigh harm to the Conservation Area. As such, the proposal would preserve and enhance the character or appearance of the Uppermill Conservation Area in accordance with DPD Policy 24 and the NPPF.

Residential Amenity

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security, and noise.

The building is located approximately 15.6m from the facing windows of properties to the north at no.s 9, 10, 11 and 12 Hopkinson Close, and approximately 11.3m would be retained between the proposed extension and the residential terrace on Wade Road (no.1).

The elevation facing properties on Hopkinson Close will serve as the entrance/exit to the building and no extension is proposed on this elevation aside from the overhanging sedum roof.

The only new feature is the proposed bin store which will be sited in front of the existing boundary to the park opposite the main entrance to the café. This small-scale structure will not give rise to any loss of light, outlook or privacy. Furthermore, its addition is unlikely to give rise to any unwanted odour and Environmental Health have raised no concerns in this regard.

In regard to noise, a condition is included on the recommendation preventing deliveries to site before 8am Monday to Saturday and before 9am on Sunday and Bank Holidays. This is considered acceptable to ensure that neighbouring amenity is maintained with regards to any excess noise. It is considered the use of the building to a café would not give rise to any serious noise issues given the building will only operate during daytime hours. In addition,

Environmental Health have advised that the building shall not be open to customers before 9am and after 7pm Monday to Sunday including Bank Holidays, and a condition is attached to the recommendation for this. Therefore, the proposed development is considered acceptable having regard to the provisions of DPD Policy 9.

Amenity of the Site:

A Litter Management Plan has been submitted with the application detailing how often the waste will be removed from site. Environmental Health have not raised any issues regarding this. As such, the proposed development is considered acceptable having regard to the provisions of DPD Policy 9.

Highway Safety

The Council's Highway Engineer has been consulted regarding the proposed development and has raised no objections on highway safety grounds as the change of use is in a sustainable location with excellent links to public transport and access to a wide range of amenities.

A condition has been recommended to install collapsible bollards at the park entrance on Wade Row to prevent cars parking and obstructing the access to the park. The collapsible bollards will allow deliveries to the building when required which is acceptable. Therefore, the proposed development is considered acceptable having regard to provisions of DPD Policy 9.

Ecology and Trees

The site forms part of a wider designation covering the wider park as a Green Corridor / Link in recognition of its value for recreation and supporting biodiversity. Policy 6 explains that such allocations form part of the borough's Green Infrastructure Network and that development proposals in such areas must promote and enhance this. Policy 21 explains that development proposals must protect and maximise opportunities for Green Infrastructure at or near to the site. Having regard to the small scale of development proposed, which is ancillary and complimentary to the park, and which brings back into use a vacant building, it is considered that the wider function of the Green Corridor/Link is not compromised and no objections have been raised to the proposals from the Greater Manchester Ecology Unit.

The proposed development will result in the loss of two trees which are protected by virtue of being within a Conservation Area. The proposed site plan shows the replacement of these trees with six new trees to be sited in close proximity to the building to provide the same level of visual amenity. The Council's Tree Officer is satisfied with the submitted tree reports and has raised no objections, subject to the works being carried out in accordance with the submitted documents. Therefore, the proposed development is considered acceptable having regard to the provisions of Saved Policy D1.5 subject to the imposition of a condition which is attached to the recommendation requiring such works to be carried out.

Flood Risk

The application site is located in Flood Zone 1 (lowest risk) on the Environment Agency Flood Risk Maps and has carried out a Flood Risk Assessment. The nature of the proposal means it is regarded as 'less vulnerable' from effects of flooding and is therefore considered to be appropriate in this location. Furthermore, no objections have been received from the Lead Local Flood Authority who have been consulted on the application.

Other Matters

Site Security & Anti-Social Behaviour:

No specific details have been provided regarding site security. Whilst it is acknowledged the building could be subject to vandalism the Agent has advised that no roller shutters or bars on windows will be required. Such additions would require a planning application to be made for them.

CONCLUSION

It is considered that the change of use of the building together with a single storey extension and new roof would amount to 'less than substantial' harm to the character and appearance of the Uppermill Conservation Area. However, as a whole, the proposals will contribute to the park and wider economy of the village by offering a public toilet facility, the reuse of a public vacant building, and design improvements to a designated heritage asset. As such, the application is recommended for approval, subject to the imposition of conditions set out below.

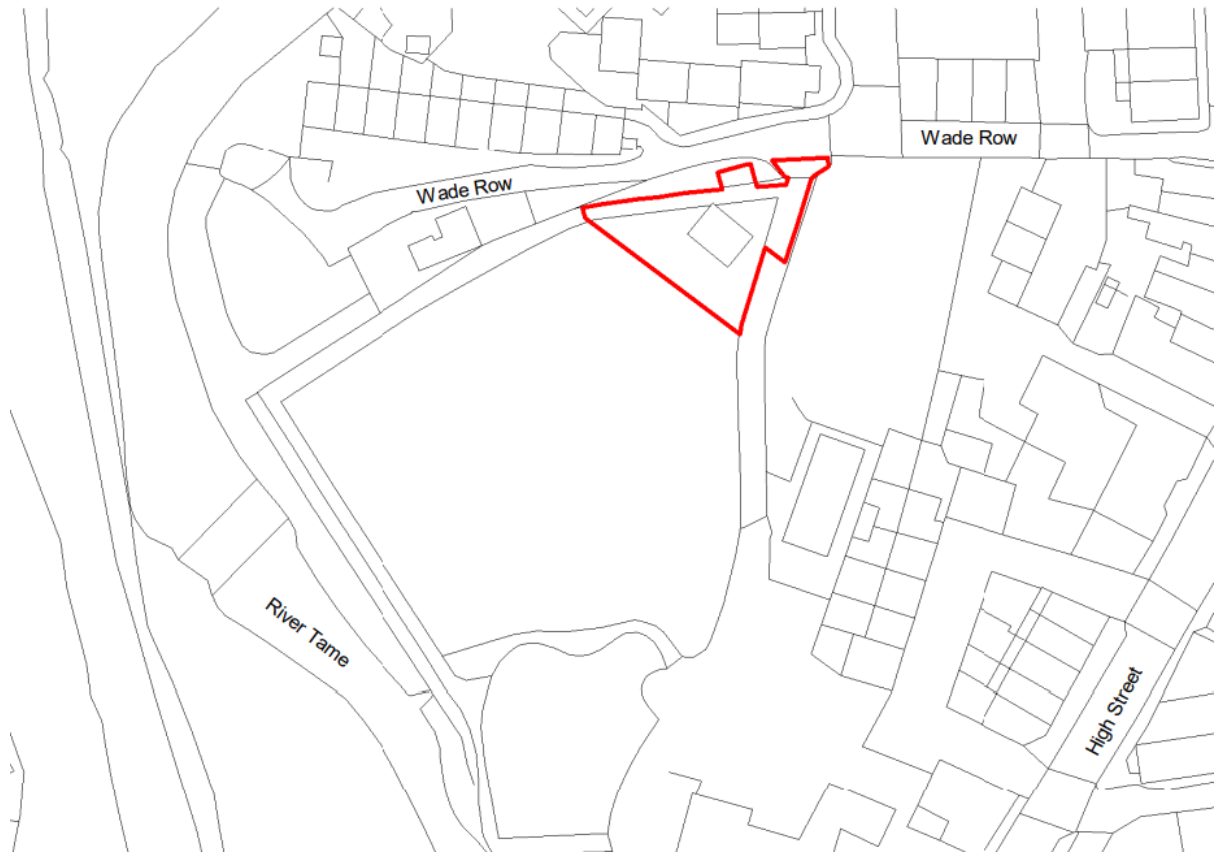
RECOMMENDED CONDITIONS:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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 comprising works to the exterior of the building shall take place until samples and details of any external materials, including stonework, are submitted to the Local Planning Authority, made available on site, where necessary, for inspection and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. REASON - In the interests of the character and appearance of the Conservation Area, having regard to Policies 20 and 24 of the Oldham Local Plan.
4. The use hereby permitted shall only be carried out during the following hours: 09:00 – 19:00 Monday to Sunday including Bank Holidays. REASON - To safeguard the amenity of the neighbouring occupiers having regard to Policy 9 of the Oldham Local Plan.
5. No deliveries shall take place before 08:00 or after 21:00 Monday to Saturday and no deliveries shall take place before 09:00 or after 20:00 on Sundays and Bank Holidays. REASON - To safeguard the amenity of the neighbouring occupiers having regard to Policy 9 of the Oldham Local Plan.
6. The development hereby approved shall not be brought into use until bollards have been provided in the area outside the gates on Wade Row in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be retained

thereafter. REASON – To ensure that vehicles do not park and obstruct the pedestrian routes to and from the park having regard to Policy 9 of the Oldham Local Plan.

7. The development hereby approved shall not be brought into use until the bin storage as shown on plan ref: 1004 Rev G and 1005 Rev D has been provided. The bin storage shall be retained thereafter for the life of the development. REASON - To ensure satisfactory storage of waste having regard to Policy 9 of the Oldham Local Plan.
8. The development hereby approved shall be undertaken in full accordance with the submitted details as specified within the Arboricultural Method Statement and Arboricultural Impact Assessment by Mulberry (ref: TRE/UPUO/RevB 29 May 2022). All replacement tree planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size. REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.
9. The toilet as indicated on the submitted plan shall be made available for general public use at all times that the business is open to the public between the operating hours 09:00 to 19:00 Monday to Sunday including Bank Holidays. REASON – To provide a community facility having regard to Policy 2 of the Oldham Local Plan.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 2, Class A shall be carried out unless permission is first granted by the Local Planning Authority. REASON - In order to protect the openness and visual amenity of the park having regard to Policies 9, 20 and 23 of the Oldham Local Plan.

LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT - FUL/348550/22 Planning Committee 24th August 2022

Registration Date: 21st February 2022
Ward: Chadderton North

Application Reference: FUL/348550/22
Type of Application: Full Application

Proposal: Erection of indoor menage extending to circa 35m x 25m.
Location: Hill Top Farm, Healds Green, Chadderton, OL1 2SB.

Case Officer: Sophie Leech
Applicant: Mr L Dransfield
Agent: Mr C Cowey

INTRODUCTION

In accordance with the Council's Scheme of Delegation the application has been referred to the Planning Committee under the discretion of the Head of Planning given the scale of development, its Green Belt location, and the level of public interest.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

THE SITE

The proposed development site is located the north of Chadderton and west of A627(m), off Heights Lane. The site is bounded by a fence and substantial mature hedgerow to the north. The proposed development site is approximately 875sqm with the overall facility being approximately 14.52 hectares and currently comprises grassland in part and a horse exercise ring along with pasture, 20 stables and an outdoor menage.

THE PROPOSAL

The proposal is for the erection of an enclosed menage within a building measuring 35m in length and 25m in width. It would have a pitched roof measuring 6.8m in height and 3.92m to eaves level. The building would be constructed with fibre cement roof sheets and Yorkshire timber boarding for the external facing walls. The entrance doors would be electric roller shutters.

RELEVANT PLANNING HISTORY

FUL/346541/21 – Erection of building to provide indoor riding arena – Withdrawn 11.06.21

RELEVANT PLANNING POLICIES

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

Joint Development Plan Document

Policy 09 – Local Environment;
Policy 14 – Supporting Oldham’s Economy;
Policy 16 – Local Services and Facilities;
Policy 19 – Water and Flooding;
Policy 20 – Design;
Policy 21 – Protecting Natural Environmental Assets; and,
Policy 22 – Protecting Open Land.

National Planning Policy Framework (NPPF, 2021).

Statutory and Internal Consultees:

Highways Engineer	Raises no objection on the basis that there is adequate parking and manoeuvring space within the site and that the development is unlikely to result in additional vehicular movements.
Environmental Health	No objections received.
Greater Manchester Ecology Unit	No objections, subject to conditions for retention of hedgerow, external lighting, installation of bat/bird boxes and no works during bird breeding season.
United Utilities	No comments to make.
Drainage/LLFA	No objections.

REPRESENTATIONS

15 **support** comments have been received.
0 **neutral** comments have been received.
17 **objection** comments have been received.

SUMMARY OF OBJECTION COMMENTS

- Increase in traffic and pollution,
- Green belt land should not be built upon,
- Impact on residential amenity,
- Noise nuisance,
- Harm to wildlife,
- Drainage issues,
- Development too large,
- Development out of character.

SUMMARY OF SUPPORT COMMENTS

- Facility needed within the area,
- Indoor facilities required due to weather,
- Social benefits for adults and children,
- Enable riding skills for children,
- Enable disabled adults and children to access sport.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of the proposed development;
- Green Belt assessment;
- Design;
- Residential amenity;
- Highway safety; and,
- Other matters.

Principle of Development

The application site lies within a semi-rural location and the site itself is an existing agricultural holding which has diversified into an equestrian centre/riding school. The centre/riding school provides livery (full, part and DIY), schooling, competitions, and holiday livery to the local community.

The site is located within the Green Belt. Development Management Policy 2 in the Local Plan states that development in the Green Belt will be permitted provided it does not conflict with national policies. As such, there is significant reliance on the National Planning Policy Framework (NPPF).

NPPF Paragraph 137 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and permanence.

NPPF Paragraph 138 sets out the five purposes which the Green Belt serves:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 149 of the NPPF explains that a local planning authority should regard the construction of new buildings as being inappropriate in the Green Belt but lists a number of exceptions. This includes the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport or recreation providing the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

In this instance it is proposed to erect a large building to provide indoor riding facilities. However, the building would be used in conjunction with existing outdoor horse riding. Although it is acknowledged that the proposed building would complement the existing outdoor horse riding facilities at the site it is not exclusively for outdoor sport and recreation and

therefore it represents inappropriate development within the Green Belt. According to paragraph 147 of the NPPF inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will only apply if the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In order to establish whether the principle of development is acceptable it is necessary to identify the extent of harm caused to the Green Belt and balance this against the benefits of the proposals to determine whether or not very special circumstances exist.

Very Special Circumstances

The building would have a materially greater impact on the openness of the Green Belt since there is no existing development on the location where the new building is proposed.

The parcel of land proposed for the building is presently free of any buildings and/or structures. However, the proposed building would be sited in close proximity to other buildings on the site and be partially screened by an existing hedgerow to the north. Furthermore, by virtue of its design and appearance, it would appear as an agricultural building when viewed from other vantage points. As a result, it is not considered that the proposed development would have a significantly harmful impact upon the openness or appearance of the Green Belt.

In support of the application the following points have been put forward by the applicant which they consider amount to being the very special circumstances required to justify the inappropriate development:

- This site forms an existing sport/recreation business which meets huge demand in the area for riding lessons.
- There is a demand for such facilities from local special schools.
- The building will encourage safety and inclusion by allowing the business to continue in poor weather conditions providing safety to all participants and most importantly to vulnerable clients.
- The building will allow the business to expand and will promote diversity within the local community encouraging clients from mixed cultural backgrounds and ability to enjoy horse-riding.
- The building will be built into the land, reducing visual impact.

The social and economic benefits of the scheme outlined by the applicant are in this case considered to amount to the very special circumstances needed to support the principle of this development in the Green Belt. This is because although the building will be visible from short and long-distance views and therefore result in some harm to openness and visual amenity the extent of such harm is not considered significant due to its location. The community benefits associated with supporting a wider outdoor sport and recreation-based activity are considered to outweigh the identified harm to the Green Belt and therefore it is considered that the principle of development is acceptable.

Design

Policy 20 requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

The external appearance of the outbuilding is designed to be similar to that of almost all modern agricultural buildings. The materials would comprise concrete panels to circa 1.5

metres, clad in Yorkshire boarding to the eaves. The roof would be clad in natural grey fibre cement roof sheet. A large roller shutter door will allow access to the indoor menage. The positioning of the building would allow for sufficient space surrounding the building for maintenance and protection of the mature hedgerow to the north. The building would be positioned in line with adjoining structures to the east and west to ensure a linear design. A minimum distance of circa 3.05 metres will be maintained between the mature hedgerow to the north and the proposed menage. As such, the proposed development is considered acceptable having regard to provisions of DPD Policy 9.

Residential Amenity

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security, and noise.

The closest residents to the development site are at no.51 and 53 Cragg Road where the building would be approximately 19 metres from the boundaries of these properties. It is considered that any additional noise from the use of the building would be contained within the building and any proposed flood lighting and hours of operation can be controlled via conditions. This would ensure no significant detrimental impact on these neighbours. Given the distance, there would also be no additional loss of light, outlook or privacy.

The existing access on Heights Lane would be utilised and the driveway area would have vehicles passing and re-passing to a similar nature to how the existing site operates. Therefore, it is considered there would be no additional harm arising from the reuse of this access. Therefore, the proposed development is considered acceptable having regard to the provisions of DPD Policy 9.

Highway Safety

The Council's Highway Engineer has been consulted regarding the proposed development and has raised no objections on highway safety grounds. Therefore, the proposed development is considered acceptable having regard to provisions of DPD Policy 9.

Other Matters

Drainage

The Applicant has advised that the design of the building would enable the capture of run off surface water into tanks positioned at the gable ends of the building. Surface water would then be recycled and used in association with the existing equestrian facilities (horse drinking, horse cleaning and yard washing, stable cleaning etc). This would then take pressure off mains water resources and makes for a sustainable system and avoids surface water run-off. The Council's Drainage/LLFA department have not raised any objections to this approach. As such, the proposed development is considered acceptable having regard to provisions of DPD Policy 19.

CONCLUSION

It is considered that the proposed indoor manege would not have a significant adverse impact on the character or appearance of the area or the designated Green Belt land and the considerations put forward by the applicant amount to the very special circumstances needed

to establish the principle of the proposed development. As such, the application is recommended for approval, subject to the imposition of the conditions listed.

RECOMMENDED CONDITIONS:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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 external materials to be used in the construction of the development hereby approved shall be as detailed within the approved application particulars and approved plans. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
4. Prior to their installation full details of any proposed external lighting shall first be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in full accordance with the approved details and be maintained at all times. REASON - To preserve the rural and residential amenities of the locality having regard to Policy 9 of the Oldham Local Plan.
5. The building shall not be used between the hours of 21:00 and 08:00 on any day. REASON - To preserve the rural and residential amenities of the locality having regard to Policy 9 of the Oldham Local Plan.
6. The hedgerow to the northern boundary shall be retained in accordance with the Preliminary Ecological Appraisal dated November 2021 by Verity Webster. The hedgerow shall not be removed without approval from the Local Planning Authority. REASON – In order to maintain the hedgerow having regard to Policy 21 of the Oldham Local Plan.
7. The hedgerow, trees, and scrub on site adjacent to the development shall be protected 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. Prior to the development first being brought into use, in accordance with the Preliminary Ecological Appraisal two bird boxes shall be erected on site in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The boxes shall thereafter be retained on site for the life of the development. REASON – In order to promote biodiversity on site having regard to Policy 21 of the Oldham Local Plan.

LOCATION PLAN (NOT TO SCALE):

Site Location Plan - Hill Top Farm



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APPLICATION REPORT – FUL/348898/22 Planning Committee 24th August 2022

Registration Date: 13th April 2022
Ward: Alexandra

Application Reference: FUL/348898/22
Type of Application: Full Application

Proposal: Hybrid planning application seeking full/part outline consent comprising: (a) Full application for the erection of a visitor centre, events building with meeting pods, learning centre, forestry depot, ground mounted solar PV array and associated works, relocation of football pitch provision, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street., (b) Outline application (all matters reserved except for access) for a community growing allotment and swimming pond.

Location: Land at Snipe Clough, Oldham

Case Officer: Graham Dickman
Applicant: Northern Roots (Oldham) Ltd
Agent: Mr Ian Ford

INTRODUCTION

This application is presented to Committee as a major Council scheme which involves a departure from policies of the development plan.

Under the provisions of the Town and Country Planning (Consultation) (England) Direction 2021, before issuing planning permission, the Local Planning Authority is required to consult the Secretary of State where the Local Planning Authority is minded to grant planning permission for development which involves:

- green belt development which includes 'inappropriate development' and comprises (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt
- development which involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost, and Sport England has made representations objecting to the whole or part of the development

No planning permission shall be issued until the expiry of a period of 21 days from of the date the Secretary of State acknowledges receipt of the referral, or that the Secretary of State has notified the authority that he/she does not intend to issue a direction under section 77 of the Town and Country Planning Act 1990 and the authority may proceed to determine the application.

RECOMMENDATION

It is recommended that Planning Committee resolves that it is minded to grant permission subject to:

- the conditions set out in this report,
- referral of the application to the Secretary of State, and,
- that the Head of Planning shall be authorised to issue the decision following the confirmation that the Secretary of State does not wish to call in the application for her/his determination.

THE SITE

The Northern Roots site stretches south-east from Alexandra Park and encompasses a mix of flat grassland, heath, boggy wetlands, and dense wooded slopes.

The majority of the site is surrounded by residential areas and the adjacent Glodwick Cricket Club and Grade II listed Alexandra Park. To the south, further woodland exists and is within the ownership of the applicant. It is likely that this land will be considered in the future under a separate planning application for the next phase of Northern Roots.

The site is currently used by people for informal recreation, including walking dogs, horse riding via the existing bridleways, cycling, and nature watching. There is however evidence of inadequate sign posting, with paths and trails becoming overgrown and not fit-for-purpose. This has resulted in the site mostly being used by those who know it well, but potentially feeling unwelcoming and unsafe to those who do not.

Furthermore, the site is currently subject to fly tipping, illegal off-road motorbiking and anti-social behaviour, which further discourages residents and visitors from using it. Oldham Council's Environmental Services team spends around £26,000 per annum on its upkeep.

The site also has four playing pitches, with only two of these currently being used on the weekend.

The nearest designated sites of international importance are both located 8km away. The nearest designated site of national importance is 350m north. This is separated from the site by existing residential areas. The site does not fall within any Site of Special Scientific Interest (SSSI) impact risk zones for which the proposals type is a risk category. The nearest statutory locally designated site is Glodwick Lows Local Nature Reserve (LNR) located 170m north.

THE PROPOSAL

The application has been submitted in a Hybrid form, encompassing some fully detailed proposals and other elements for which an approval to the principle of the development is sought, along with necessary improvement works to access infrastructure and landscaping.

The FULL elements include:

- the erection of a visitor centre,
- an events building with meeting pods,
- learning centre,
- forestry depot,
- ground mounted solar PV array,

- relocation of football pitch provision
- car parking areas and access improvements.

The OUTLINE application (all matters reserved except for access) include:

- a community growing allotment,
- outdoor swimming pond.

Visitor Centre

The Visitor Centre will be located to the north-east of the site on the edge of the woodland. It is part single storey with an element of two storey and a gross internal floor area of 720m². The building will house a reception, a shop, a café, a multi-use and interpretation space, multi-faith prayer and meditation space, toilets and staff facilities.

Produce from the proposed market garden will be sold in the shop and used within the café in the Visitor Centre.

The overall building form has been driven by sustainable principles and design inspirations from natural forms. Uses have been positioned to maximise solar gains and create solar shading in certain areas. All of the spaces are linked by a glazed cloister which acts as a draught lobby. This is encircled by a rammed earth wall which moderates the temperature soaking up heat during the day and releasing it at night.

A natural amphitheatre where school and community groups can hold events is located close to the Visitor Centre and consists of a performance space with stepped seating around it. This follows the natural topography of the landscape and uses timber decking for the seating and self-binding gravel for the ground surface. The amphitheatre will have a natural appearance and will be sympathetic to the surrounding landscape.

The car park will have with 3 accessible spaces, 10 staff car parking spaces, 1 delivery bay and 17 cycle spaces.

Events Building

The Events Building and three meeting room pods will be located close to the Visitor Centre in clearings or areas of poor tree quality within the woodland. The Events Building will be a single storey oval structure with a gross internal floor area of 97.1m². The meeting room pods will be simple oval spaces which open out onto the woodland garden. They will have a gross internal floor area of 12.7m² each, therefore totalling 38.1m².

The Events Building and meeting room pods could be used as conference type facilities. The Events Buildings will be clad in timber shingles to give a rustic feel. The design of the buildings will enable them to blend with their natural environment.

Forestry Depot

The Forestry Depot will be located to the north-east of the site in an existing woodland clearing. The depot consists of a simple rectilinear yard containing two buildings - the forestry base and the workshop. Both buildings are single storey with a combined gross internal floor area of 293 m². The Forestry Depot is to be used by the Estate Management team for the long-term maintenance and management of the wider Northern Roots site. The yard associated with the depot includes staff parking and storage space for materials.

The buildings house an office, staff area and shower/ toilet plus workshop, meeting room, secure tool store and vehicle storage bays.

The Forestry Depot is screened by new planting and will be a natural coloured Forticrete block and standing seam roof allowing it to blend with the natural environment.

Learning Centre

The Learning Centre will be situated to the southern part of the site and act as a good focal point between the Visitor Centre and Bike Hub (application FUL/348472/22).

It consists of five single storey buildings grouped closely together surrounding a communal outdoor teaching space. The buildings have a gross internal floor area of 813m².

The Learning Centre will house a reception, teaching kitchen and breakout space, staff facilities, multi-faith prayer and meditation space, classrooms, toilets, and bunkhouse. There will also be communal outdoor space for outdoor learning. All buildings are fully accessible.

The site of the Learning Centre was deliberately chosen as the woodland in this location has been affected by ash dieback, meaning that trees in this area will need to be removed regardless of any building proposal. The existing woodland will also enable the buildings to be well screened and nestled within the surrounding landscape.

The Learning Centre buildings have been designed to nestle into and embrace the natural setting.

The associated landscape proposals build upon a woodland aesthetic working with the existing topography to retain as many trees as possible. A stepped route comprised of timber steps with self-binding gravel infill winds up the existing wooded slope to the Reception Building, linking the buildings to the car park and wider routes.

There will be 30 car parking spaces located to the north of the buildings, including 4 additional accessible spaces, 3 minibus spaces, 5 staff and 1 coach space. There is a delivery bay and 10 cycle spaces.

Ground Mounted Solar PV Array

A solar array will be located south of the Visitor Centre and market garden. Electricity will be generated and fed to a substation in the Alexandra Park Depot with the potential to provide electricity for the buildings within Northern Roots.

The layout of the scheme has been designed to best harness the power of the sun's irradiation alongside accommodating adequate separation distances between the arrays and trees that would otherwise shade the panels and reduce their availability to generate power.

The solar array will consist of 10 rows of solar modules (approximately 880 panels) with a containerised electrical switchroom.

Each row will be elevated above ground on the mounting frame, with the bottom (southern) edge at a height of up to 1.0m above ground level and the top (northern) edge at a maximum height of 3.1m. The module units are orientated southwards and will have an angle varying between 20 and 30 degrees.

The overall land area will be approximately 0.9ha. The physical footprint of the solar park component (e.g., arrays, inverters and cabling etc) would be approximately one third of the red line boundary area, therefore comprising a land take of approximately 0.3ha.

The installed capacity of the entire proposal is circa 440kW. The predicted annual power generation approximates up to 342 Megawatt Hours (MWh). The electricity output would result in annual offsetting of carbon dioxide emissions associated with fossil fuels equating to approximately 79,733 kilogrammes annually.

A security fence and CCTV cameras will be located around the outside of the solar array. This will consist of a 3m high, black paladin fence. Rows of native hedgerow species will be planted each side of the majority of the fence line which will enable the appearance of this boundary to soften in time. The space in between each row of solar panels will be planted with grassland and wildflowers to enhance the biodiversity of the area.

Existing mature woodland on three sides of the solar array area will provide effective natural screening which restricts visibility of the area from a wider perspective.

The current landscape elements that contribute to landscape character such as hedgerows or trees within the area will be retained. The Solar Array Design and Access Statement provides details of the site assessment undertaken to decide on the best location of the Array within the site. Out of three identified areas, the proposed location was the preferred option due to the higher elevation and that the fact it was surrounded by mature trees to reduce visual impact. The ground is also level and ground conditions considered very good and free from buried utilities apart from one drain which skirts the western edge of the site.

A Glint and Glare note supports the planning application which concludes that the presence of mature woodlands will provide substantial visual screening of the site from any potential receptors, such as residential properties. Therefore, the solar array will not have an impact on public safety and amenity.

Community growing allotment.

A market garden and community growing areas will be located on the site of two existing football pitches in the north-east of the site.

Community growing proposed south of the Visitor Centre will include a number of polytunnels. Produce from the gardens will be sold in the shop and used within the café of the Visitor Centre.

Participating in allotment gardening delivers a wide range of health benefits. However not everyone has access to an allotment or a garden and without knowledge of how to grow and care for plants, this can seem like a daunting challenge. Northern Roots will provide a safe space for people to learn and develop through hands on teaching and demonstrations providing both physical and mental health and wellbeing benefits.

Northern Roots also allows for its own community to be created with a shared interest and sense of purpose focused on community growing, enabling people to create new social networks, reducing social isolation and encouraging greater social cohesion.

Nationally, poor diet is one of the main factors driving poor health, such as cancer, heart disease and diabetes. The importance of allotments as a source of healthy local food is recognised. There will be an opportunity to increase the quantity of fresh produce available to the local community through community growing sites, beehives and orchards, and more residents can receive the health benefits of fresh produce.

The fresh produce of Northern Roots improves sustainability through the reduced environmental impact of food transport miles reducing the carbon footprint; and the sustainability of the food sector in Oldham is enhanced through its urban farm and growing element.

Relocation of football pitch provision and new car park

Two football pitches will be retained in their current location, to the north-west of the site, whilst two are being re-provided to the north-east adjacent to Glodwick Cricket Club.

The site will benefit from replacement of four poor quality playing pitches, where one pitch hasn't been used for over 5 years and the other 10 years, to four improved playing pitches. This will encourage more people and teams to use these spaces who have been put off by the poor-quality amenities in the past, which have often led to games having to be cancelled in poor weather.

The location of the re-provided pitches is easily accessible from existing parking, but additional parking will also be provided off Nether Hey Street which will be closer to this area. 22 spaces will be provided in addition to a minibus space and 3 accessible bays enhancing access.

The car park will occupy approximately 50% of the present maintenance grassed area. It will be gated. Additional tree planting will be provided and the existing footpath route through the site will be unaffected.

Outdoor swimming pond.

The proposed swimming pond is part of the outline application. It will be situated north of the Learning Centre. This existing area has a natural collecting of surface water. The proposal seeks to deepen this, to create an area for wild swimming. Further technical details will be provided during the Reserved Matters process to consider layout and design and to explore technical matters including drainage and ensuring the water quality can be maintained for swimming.

COMMUNITY ENGAGEMENT

Due to Covid-19 restrictions, the majority of consultation has been hosted virtually on the PlaceChangers website, an online, digital engagement platform which specialises in digital outreach to engage with a wider audience of participants in an easy to use, interactive format.

The more detailed stages of public consultation were managed in two phases, with the first stage running between 19th July and 20th September 2021 and the second stage between 24th November and 12th December 2021.

As part of the wider Northern Roots project, public engagement will continue even into operation to ensure the community is getting the best out of the project.

ENVIRONMENTAL IMPACT ASSESSMENT

A 'screening' request has been submitted as to whether the development would require the submission of an Environmental Statement. Under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs).

The development does not fall within any of the categories of development set out in Schedule 1 of the EIA Regs.

However, the overall area of the Proposed Development amounts to approximately 35 hectares, which greatly exceeds the Schedule 2, Column 2 threshold of 5 hectares. It is therefore necessary for the development to be screened.

The Council's assessment is set out in detail in a Screening Opinion dated 10th November 2021 which concludes that the development does not appear to involve development which would result in significant environmental impacts, either within individual themes or cumulatively.

Various specialist reports and assessments would nevertheless be required and these have been submitted.

There are considered to be no significant, potential environmental effects of the development when assessed against the criteria within Schedule 3 of the EIA Regs, including the extent of the impact, any transfrontier nature of the impact, the magnitude and complexity of the impact, (iv) the probability of the impact, or the duration, frequency and reversibility of the impact.

On the basis of the above, it is considered that the proposals would not have significant, or wider than local environmental effects, and therefore does not constitute development for which an Environmental Statement is required.

RELEVANT PLANNING HISTORY

FUL/348472/22 - Full planning application for the construction of a Bike Recreation Hub (Use Class F2(c)) consisting of 2 bike track areas and ancillary service area, hard and soft landscaping, new car park on Cherry Avenue and footpath diversions and improvements and vehicular access improvements. Pending determination

PA/345179/20 - New community Growing Hub (Use class D1) Erection of single storey structures, polytunnel, sustainable drainage, hard and soft landscaping works and amended parking and servicing layout. Approved 22 December 2020

PA/344412/20 - Demolition of existing ancillary buildings and glasshouses at Alexandra Park Depot with phased replacement of new facilities including erection of 2 storey office building (Use Class B1), new glasshouse structure (horticultural use), remodelling and extension of existing portal frame storage unit, hard and soft landscaping works and amended parking and servicing layout. Approved 22 May 2020

RELEVANT PLANNING POLICIES

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

The proposed development site is predominantly located within the Green Belt, identified as open space, and adjoining Green Corridors and Links, a Registered Park and Garden and Alexandra conservation area.

As such, the following policies are relevant to the determination of this application:

Policy 1 - Climate Change and Sustainable Development;

Policy 2 – Communities;
 Policy 5 - Promoting Accessibility and Sustainable Transport;
 Policy 6 – Green Infrastructure;
 Policy 9 - Local Environment;
 Policy 17 – Gateways & Corridors;
 Policy 18 – Energy;
 Policy 19 – Water & Flooding;
 Policy 20 – Design;
 Policy 21 – Protecting Natural Environmental Assets
 Policy 22 - Protecting Open Land; and,
 Policy 23 – Open Spaces and Sports.

Saved Oldham UDP Policy D1.5 – Protection of Trees on Development Sites

CONSULTATIONS

Highways Engineer:	No objection subject to conditions in respect of measures to secure safe access to and within the site, which will be subject to planning conditions.
Environmental Health:	Conditions in respect of landfill gas and contaminated land are requested, along with the need for a Construction Management Plan.
Trees Officer	No objections subject to tree protection measures and implementation of replacement tree planting.
G M Archaeological Unit:	No objection as the development should have no impact on below ground archaeological remains.
G M Police:	No objections subject to the security measures within the Crime Impact Statement.
Sport England:	Objects to the application as it is not considered to accord with any of the exceptions to Sport England’s Playing Fields Policy or with Paragraph 99 of the NPPF.
Ramblers:	No objections to the overall proposals. Welcome the improvements to the PROW network in the area and would wish to ensure safe use where paths also accommodate vehicles, and to prevent unauthorised use by motorised bikes.
Tameside Council:	No comments received
National Air Traffic Services:	No objections as the proposal does not conflict with safeguarding criteria.
Environment Agency:	No specific comments, but draw attention to the Agency’s guidance on water risk management and flood risk standing advice
GM Ecology Unit:	Recommend that the Biodiversity Net Gain Matrix is completed, and conditions are imposed requiring updated ecological assessment for specific areas prior to development.

United Utilities: No objections in principle subject to conditions requiring submission of a sustainable drainage system and measures to protect existing drainage infrastructure before work commences in each development phase.

REPRESENTATIONS

7 objections from local councillors

The application has been publicised by means of neighbour notification letters, site notice and press notice.

In response, seven objections have been received, all relating to the provision of a new car park on Nether Hey Street.

- It would take away a well-used open space,
- result in more traffic problems in a congested area with on-street parking issues,
- cause increased noise, anti-social behaviour, pollution, and litter,
- adverse impact on wildlife
- the site is remote from main development.

The objections are supported by Councillors Mushtaq, Chauhan, and Harrison.

1 letter of support has been received.

PLANNING CONSIDERATIONS

Principle of the development

The proposed development comprises a variety of development projects which form part of a wider vision to create an eco-park and urban farm in one of the country's most dense urban environments, which suffers from high levels of deprivation. It is intended to deliver much needed, maintained greenspace for residents to access leisure, learning and recreation facilities.

With minor exception the site is located within an area allocated as Green Belt. Consequently, it is necessary to assess the degree to which the development conforms with the aim and purposes of the Green Belt and the definitions of 'appropriate development' as set out in NPPF. Where there is deviation from this aim and purposes, development would be required to demonstrate that very special circumstances outweigh any identified harm.

Subject to specific locational factors, the various elements of the development would be appropriate within an urban context. However, location within allocated Green Belt requires further assessment.

The proposal requires an extensive area of greenspace to enable the vision of an urban farm and eco-park to be achieved. In order to satisfy the objective of demonstrating its eco-credentials and becoming sustainable, it is not possible to locate the forestry depot, visitor centre, learning centre, solar array, events building and meeting pods, and amphitheatre elsewhere outside the Green Belt, nor separate out certain elements of the project as this will not achieve the same agglomeration benefits and will prevent the site achieving its full sustainability credentials.

Green Belt Assessment

NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, noting that the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

NPPF Paragraph 149 states that a local planning authority should regard the construction of new buildings or other development as inappropriate in the Green Belt. Exceptions include:

- buildings for agriculture and forestry;
- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- engineering operations or material changes in the use of land (such as changes of use for outdoor sport or recreation) which preserve its openness and do not conflict with the purposes of including land within it.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Whilst the impact of each can be assessed on its own merits and having regard to the degree of conflict with Green Belt aims and purposes, it is also necessary consider each element of the proposals as forming part of a unified whole.

In order to assess the impact on the Green Belt a 'Green Belt Assessment' and 'Green Belt Very Special Circumstances Case Report' have been submitted with the application. These documents consider the individual aspects of the scheme of the overall development objectives and benefits.

The Northern Roots site occupies a wedge of land slightly less than 0.5km in width located between established urban areas to the south-west and north-east. As such the site serves important Green Belt purposes "to check the unrestricted sprawl of large built-up areas" and "to assist in safeguarding the countryside from encroachment" (NPPF paragraph 138).

Within the descriptions of "appropriate development" (NPPF paragraphs 149 and 150) the various developments can be considered as follows:

The proposed visitor centre and learning centre can be regarded, at least in part, as promoting and supporting the provision of appropriate facilities in connection with the existing use of land or a change of use for outdoor sport or outdoor recreation.

The parcels of land on which these facilities are proposed are presently devoid of built development. Consequently, these proposals would not preserve the openness of the Green Belt and result in conflict with the Green Belt purposes.

The impacts of the individual proposals are set out below.

Visitor centre, events space and associated facilities

Although the Visitor Centre will be more visually prominent than the other buildings, it has been sensitively designed to blend with the surrounding natural environment and would be nestled into the woodland edge, with the woodland forming a backdrop. To the west of the Visitor Centre is an existing strip of woodland between this area and the football pitches. The buildings would therefore be well screened when viewed on entry to Northern Roots from the west.

The building roofs will be sedum on the single storey element to increase biodiversity, with a standing seam twisted roof over the café and butterfly roof canopy with elements of colourful dichroic glass.

The overall building form has also been driven by sustainable principles with uses positioned to maximise solar gains and create solar shading in certain areas and this is encircled by a rammed earth wall which moderates the temperature soaking up heat during the day and releasing it at night.

The events building and meeting room pods will be located close to the Visitor Centre in clearings or areas of poor tree quality within the woodland. The design of the buildings will enable them to blend with their natural environment being rustically clad in timber shingles.

Learning centre

The Learning Centre is located to the south of the site and consists of five single storey buildings grouped closely together surrounding a communal outdoor teaching space.

The buildings are all single storey raised slightly on stilts to minimise the impact on the ground and tree roots and to sit sensitively within the woodland setting being designed to be reminiscent of treehouse structures. They will be clad in timber shingles and shakes to give an organic feel and the majority of the buildings will have flat sedum roofs to minimise the scale and increase biodiversity.

The buildings comprising the Learning Centre have similarly been designed to maximise sustainability with the orientation and openings to maximise on solar gains and views out to the woodland, while the sculptural oversailing classroom roof provides solar shading. This will create a non-typical education space that feels organic and connects with the natural world surrounding it.

The existing woodland in this location enables the buildings to be well screened and nestled within the landscape. However, since in part the overall scale and elevation of the buildings relate closely to adjacent footpaths and public views, this will have a notable impact on Green Belt openness. The development has nevertheless been designed to be readily accommodated into its woodland backdrop and incorporate natural themes. It would consequently be suited to its setting.

In this regard, permission should only be granted where 'very special circumstances' can be demonstrated.

Forestry Depot

This facility is screened by new planting and will be a natural coloured Forticrete block and standing seam roof and designed to allow it to blend with the natural environment.

Whilst the forestry depot facilities assist in securing creation and maintenance of a landscape integral to the objectives of Northern Roots, it could not be regarded as constituting appropriate facilities within the Green Belt in this context. Furthermore, there are inevitable impacts on openness and Green Belt purposes.

In this regard, permission should also only be granted where 'very special circumstances' can be demonstrated.

Solar array

The solar array is an integral part of the overall scheme and will directly power the Northern Roots project with any excess sold off and used to fund the running of the project. Consequently, it will ensure a local benefit.

As a result of the existing mature woodland on three sides of the solar array area, effective screening is naturally provided which restricts visibility of the area from a wider perspective. Views would be visibly restricted and contained within the much wider expanse of natural habitat and would not alter the distinctiveness or essential character of the area. The current landscape elements that contribute to landscape character such as hedgerows or trees within the area will be retained.

The modules will be low lying. Each row will be elevated above the ground rising at the top edge to a maximum height of 3.1m with an inclination/angle between 20 and 30 degrees.

Solar arrays are not included in the examples of appropriate development set out in the NPPF. It would inevitably result in some loss of openness to the Green Belt. It would therefore conflict with the Green Belt aim of keeping land permanently open and the purposes of checking the unrestricted sprawl of large built-up areas and safeguarding the countryside from encroachment.

NPPF Paragraph 151 does, however, qualify this by stating that very special circumstances may include "the wider environmental benefits associated with increased production of energy from renewable sources".

The proposal would make a valuable contribution to cutting greenhouse gas emissions, which along with the functional integration to the wider development are positive benefits. Nevertheless, such benefits must be weighed alongside the identified impacts on the Green Belt.

Community growing hub, relocation of football pitch provision and outdoor swimming pond.

As uses of land, the growing hub, football pitches and outdoor swimming pond would comprise appropriate uses of land in the Green Belt.

However, it is necessary to demonstrate that they preserve the Green Belt's openness and do not conflict with the purposes of including land within it. In particular, this will apply to any ancillary buildings or structures necessary to facilitate the uses for which separate planning permissions would be required.

Associated engineering operations

These works include the provision of new car parks, the enhancement of existing vehicular and footpath/cycle infrastructure within the site, including necessary drainage infrastructure.

It is considered that the nature of these works would not harm the Green Belt's openness or conflict with the purposes of including land within it.

Assessment of impacts on openness

As noted above, elements of the proposed built development could be deemed to provide appropriate facilities which would contribute towards the provision of outdoor sport and recreation, albeit in the context of preserving the openness and not conflicting with the purposes of the Green Belt. Similarly, the 'appropriateness' of material changes of use of land and engineering operations is subject to the same proviso (NPPF paragraphs 149-150).

The Supreme Court case of R (on the application of Samuel Smith Old Brewery) v North Yorkshire County Council [2020] confirmed that the assessment of openness is not limited to spatial considerations and that it was open to the planning judgement of the decision taker to determine whether the visual aspect of openness is relevant in any given case.

In this instance, having regard to the existing character of the site and the potential impact of the various elements of the proposed development, it is considered that visual impact would be a relevant consideration.

This has been assessed in the applicant's supporting submissions.

The site is visually well contained due to a combination of tree cover, surrounding development and landform. Substantial tree belts along the site's eastern and western boundaries provide significant screening to adjacent housing areas. This visual screening function remains present even in winter, when trees are not in leaf, due to the density of the tree cover and associated understorey.

There are more open views into the site from the north across the upper football fields. The distinctive rolling hills/landscape are visible to the south, although this will become more screened as trees come into leaf. New planting is proposed to help embed the proposals into the landscape.

Much of the internal areas of the site are visible from the extensive/well used footpaths and tracks that cross the green spaces. These are often enclosed in nature due to the containment from the woodland with only occasional longer views across the open field areas.

As a result, views into the site from most directions will remain relatively unchanged as a result of the proposal and existing longline views out in the surrounding open countryside will be retained. The greatest visual change will be from the public right of way known as the Tip Road, which runs to the west of the site.

It is recognised that the existing site has a strong sense of openness and there are presently no existing buildings or structures. The proposal will include four groups of buildings and two structures with a combined footprint of 12,373 sqm set within a site area consisting of 270,000sqm representing 4.5% of the overall site area.

The layout of the site respects the existing rural landscape and topography enabling open views across the site which reflect the current sight lines. The areas surrounding the proposed

buildings and structures will remain largely undeveloped and natural maintaining the character of the open countryside.

The buildings have been designed to blend with the natural environment and use a palette of environmentally friendly materials driven by sustainable and environmental principles.

The site layout has therefore been designed to take advantage of the existing woodland around the site enabling the proposed buildings and structures to be located in areas which are naturally enclosed and screened by existing woodland.

Having regard to the chosen location, the visitor centre, events space, learning centre and associated facilities serve a purpose integral to the objectives of Northern Roots in assisting with the promotion of outdoor sport and recreation. However, range of facilities provided would not in totality be regarded as constituting appropriate facilities within the Green Belt in this context. Furthermore, there are inevitable impacts on openness and Green Belt purposes.

In this regard, permission should only be granted where 'very special circumstances' can be demonstrated.

Very Special Circumstances

Locational Requirements

The proposal requires an extensive area of greenspace to enable the vision of an urban farm and eco-park to be achieved. All of the elements within Northern Roots have been carefully considered and are inextricably linked.

As a result, it is not possible to locate the forestry depot, visitor centre, learning centre, solar array, events building and meeting pods, and amphitheatre elsewhere or separate out certain elements of the project as this will not achieve the same agglomeration benefits and will prevent the site achieving its full sustainability credentials.

The solar array will be seeking to directly power the buildings on site with any excess sold off and used to fund the running of the project.

Northern Roots will occupy a significantly underutilised asset located adjacent to the inner-urban area which contains a concentrated area of acute and sustained inner-urban multiple deprivation. The legacy of Oldham's industrial past has left little room for green space for leisure and recreational uses. This will enable the project to benefit those in greatest need.

The inner-urban location also means the site is a highly accessible and sustainable location with good existing public transport links. In addition, the site links in with the existing 'Fruit Route' created by the Council which builds on the objectives of encouraging healthy eating and engagement with nature.

The integration of the project with the nearby Alexandra Park is a key objective of Northern Roots. The eco-depot which is currently under construction in Alexandra Park will become a new Environmental Centre of Excellence and will act as an anchor development for the project (Ref: PA/344412/20). In addition, planning permission for a Growing Hub was granted in December 2020 (Ref: PA/345179/20) and this forms a key part of the Northern Roots vision in helping the local community to learn to grow and improve their mental and physical health.

Due to these locational requirements, there are no alternative non-Green Belt sites which could accommodate the proposal as this specific location is vital to deliver the Northern Roots vision and strategic objectives.

The benefits of the Northern Roots project are extensive, with the vision to be the UK's largest urban farm and eco-park delivering much-needed greenspace for residents and visitors to access leisure, learning and recreational facilities as well as representing a visitor attraction with regional and national significance.

Social Benefits

NPPF Paragraph 92 directs planning policies and decisions towards achieving healthy, inclusive and safe places, promoting social interaction, safe and accessible environments, and enabling and supporting healthy lifestyles.

The proposed seek to improve access to the countryside

The site, stretching from Alexandra Park, along the River Medlock and down to Daisy Nook Country Park, is used by people dog walking, horse riding, biking and nature watching, but underinvestment in the site over many years means it is not sign-posted and paths and trails are often overgrown and not fit for purpose.

As such, the site is used by those who know it well but can be unwelcoming and feel unsafe to those who do not. Furthermore, the site is currently subject to fly tipping, illegal off-road motorbiking and antisocial behaviour, discouraging residents and visitors from using it.

Northern Roots will utilise this underused and underperforming asset and turn it into a welcoming and attractive place for local residents and visitors. The existing footpath network will be enhanced and improved encouraging people to access and explore the countryside. In addition, the various uses within the site have been located across the site to encourage nodes of activity throughout the site.

In terms of social benefits, the proposal aims to improve both physical and mental health and wellbeing, reduce social isolation, and improve community cohesion by bringing people together and providing improved opportunities for walking and cycling, and sports and recreational activities.

The positive impacts of childhood team sport activities are highest in urban areas where opportunities are typically limited. The proposals include improved facilities for team sports which allow participants to not only stay active but can help develop key cognitive skills in childhood, providing opportunities which are typically limited. On a larger scale through the improved sporting and leisure infrastructure available; improved football facilities, a swimming pond and the associated Bike Hub, routes for walking, running and cycling can all provide opportunities to meet new people, improving overall community cohesion for young people.

The market garden and community growing area provides a space for people to learn and develop horticultural skills which will deliver a wide range of health benefits. Not everyone has access to an allotment or a garden, or the knowledge to grow and care for plants. Northern Roots will provide a safe space for people to learn and develop through hands on teaching and demonstrations, providing both physical and mental health and wellbeing benefits, allowing for its own community to be created with a shared interest and sense of purpose focused on community growing, enabling people to create new social networks, reducing social isolation and encouraging greater social cohesion.

The fresh produce from the market garden area will be directly sold in the Visitor Centre shop and used in the café enabling the proposal to contribute towards improved nutrition and diet outcomes building on the benefits of local fresh produce through the community growing project at the Alexandra Park Depot.

Northern Roots includes significant levels of cycling and walking infrastructure, including pathways throughout the site to encourage activity and a bike hub with a pump track. The improved facilities for cycling and walking are central to the vision for Northern Roots. The number of people who will participate in additional walking and cycling is anticipated to be approximately 100,000 per year by year five.

The proposals will result in educational benefits directly with a Learning Centre, courses, schools' programme, forest school and workspaces creating a dedicated space that is accessible for all young people to meet and discover more about the environment. There are also opportunities to become involved in growing and learning about food from the community garden on site.

Northern Roots will work with local health and care providers to connect people in these communities, working with Oldham's social prescribing network to support access to increased physical activity, healthy food and activities. In addition, it will work with schools, colleges and universities to deliver courses, qualifications apprenticeships and jobs, providing economic opportunities in communities where this is much needed.

Overall, the proposals therefore accord with national and local policy which seeks to address the needs of the local community, enhance health and wellbeing, and promote social cohesion.

Economic Benefits

In terms of economic benefits, the project will create, and showcase, a wide range of green skills, jobs and technologies in an area of acute and sustained economic deprivation, in a sector which will rise in prominence over the coming years.

The site is anticipated to support 80 gross-level jobs in the various businesses and operational roles across to the site.

It is anticipated that there will be 150 volunteering placements per year in a range of activities, and approximately 28 traineeships and apprenticeships per annum once the site is fully operational in sectors ranging from horticulture and arboriculture to construction, green technologies, visitor services and marketing.

Furthermore, the wider regeneration benefits of the project include improving the external perception of Oldham as a place to live, work and visit which will attract further investment and kickstart development in the town centre.

Overall, the proposals therefore accord with national and local policy which seeks to achieve sustainable development by supporting skills development, education and innovation and improved productivity.

Environmental Benefits

The proposed landscaping, habitat creation and improvement, and woodland planting and management will encourage new flora, fauna and biodiversity. Approximately 268 new trees and 1.1 hectares of woodland cover will be planted which will enhance nature and contribute towards carbon reduction. Proposals for sustainable drainage solutions will improve poor drainage, reduce surface flooding and improve water quality across the site, whilst enhancing biodiversity. Growing fresh produce in the market garden which will be used in the Visitor Centre will reduce the environmental impact of food transport miles.

The proposed solar array will directly power the Northern Roots project with any excess sold off and used to fund the running of the project. The proposed solar array has an installed capacity of circa 440kW. The predicted annual power generation approximates up to 342 Megawatt Hours (MWh). The electricity output would result in annual offsetting of carbon dioxide emissions associated with fossil fuels equating to approximately 79,733 kilogrammes annually.

The use of sustainable drainage systems to reduce the impact of development on the natural water environment has become increasingly common over the past decade, in response to government guidance. The Northern Roots site has low water quality in certain areas, with pollution in the water and limited water storage capability. These issues will be addressed through various water management strategies, many of which use natural elements including ponds and wetlands, shallow swales, rain gardens, filter drains and bio-retention systems. The whole system can be used as an educational tool telling the “story of water” through educational programmes and direct observation of water’s value for farming, irrigation of sports areas, biodiversity and other uses.

Overall, the proposals therefore accord with national and local policy which seeks to conserve and enhance the natural environment and meet the challenges of climate change.

Conclusion

The proposals must be assessed in their totality given the evident benefits which would accrue from the achievement of the Northern Roots’ objectives. In that context, various elements of the scheme would result in development which would be ‘inappropriate development’ as defined in NPPF and therefore require demonstration of ‘very special circumstances’ to overcome the resultant harm to Green Belt policy.

As set out above, there are identified benefits in the direct and observable sport and recreational facilities which would be created. In addition, in the longer term the Northern Roots proposals have the potential to generate momentum for the revitalisation of the town and to secure engagement and resultant positive outcomes for the local communities which are presenting unable to engage in and benefit from the natural environment in the area.

Collectively, these numerous and significant benefits represent the ‘very special circumstances’ and are shown to outweigh the identified harm to the Green Belt.

Impact on existing playing pitches

The proposals will result in the creation of 4 improved playing pitches, albeit with the loss of areas which have been previously used for such purposes.

It is proposed that two pitches will be retained as existing, whilst two new pitches would be provided to the northeast, adjacent to Glodwick Cricket Club.

Within the Council’s Playing Pitch Strategy (2015), the land named “Hope Playing Fields” is listed as lapsed, noting that it was overgrown and had not been used for recreation since approximately 2010.

The applicant considers that the site will benefit from replacing poor quality playing pitches (two are considered lapsed) with four improved playing pitches. Within the public engagement process, local teams and general public indicated a desire to use the pitches more but due to the quality and of the current provision, the pitches were unattractive in their current state.

Teams have been put off by the poor-quality amenities in the past, which have often led to games having to be cancelled in poor weather.

This location of the replacement pitches will also benefit from additional parking to be provided off Nether Hey Street which will be closer to this area.

The site of the re-located pitches was originally an all-weather pitch created for St Albans school which was demolished in the late 1980s and the site has not been used for sport since. The current condition is very poor and in need of considerable repair. There is currently no recreational or sport value and therefore the proposal will be an improvement to the space.

The relocation of existing pitches will allow the market garden, commercial growing and allotments to be development in a location which has been chosen due to the suitable ground conditions for growing food and the proximity to Oldham Town Centre. Allotments are considered as a recreational use with an abundance of benefits to mental and physical health.

When considered collectively, the two relocated pitches in addition to the market garden, commercial growing and allotments are considered to be at least equivalent to terms of usefulness, attractiveness, quality and accessibility.

When the proposals are considered as a whole, the improvements will bring about a wide range of social, economic and environmental benefits that would outweigh any harm from the loss of the presently unused pitch spaces.

In this context, the applicant considers that the proposed scheme is in accordance with Local Plan Policy 23 and NPPF Paragraph 99, and the re-provision of playing fields and the development of the wider proposals, specifically the market garden, commercial growing and allotments should be considered acceptable in this location.

Sport England comments

Sport England considers that the trigger for consultation in a statutory rather than in an advisory capacity is where the whole of a development (within the red line boundary of a planning application) includes a playing field that falls within the definition in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO).

Sport England notes that its statutory remit is not merely to protect pitches that are currently or historically marked out, but the whole of a playing field including any areas that have never been marked out but have the potential to do so.

This is because playing field land is becoming an increasingly scarce resource that is needed to respond to changes in demand for different pitch types and sizes over time. Any unmarked areas can be used to accommodate more pitches.

Sport England considers that Snipe Clough Playing Fields falls within the statutory definition of a playing field as it is currently in use which triggers the requirement to consult. Any unused pitches or playing fields that lie within the red line boundary are not treated separately as Sport England's comments relate to everything that falls within the red line boundary.

It considers that the lawful use of a playing field, even if unused, is still that of a playing field until such time as its use is changed or it is developed. Neither the DMPO, NPPF or Sport England Policy make any distinction between used or unused playing field nor is there a positive obligation (under planning law) for any playing field to be actively used as such. It should be noted that a playing field does not have to be available for, or in community use to fall within the definition of playing field.

In this context, Sport England objects to the proposal as it considers the mitigation for the loss of approximately 4.3ha of playing field falls short of what is required to meet Sport England's Playing Fields Policy and paragraph 99 of the NPPF.

In submitting an objection, Sport England states that it does not object to the principle of the development as a whole only those elements that affect the playing fields. It acknowledges that the proposal as a whole satisfies many of the 'Big Issues' set out in Sport England's 'Uniting the Movement' Strategy. However, Sport England's statutory remit to protect playing fields falls within that same Strategy and it considers that the wider health and physical activity benefits of the proposal need to be considered alongside Sport England's statutory remit, the one cannot off-set the other.

The proposal is required to meet either Sport England Playing Fields Policy Exception E1 (surplus to requirement) or E4 (replacement).

With respect to E1 (paragraph 99(a) of the NPPF), the Council's Playing Pitch Strategy (2015) sets out whether there is an excess or deficiencies of pitch provision in the analysis area. The Strategy is considered out of date (no updates to the baseline data have been undertaken for three years or more).and no longer robust as there have been changes in demand and supply since 2015.

As there is no evidence submitted of an excess of provision within the sports catchment area then no part of any of the playing fields affected can be deemed surplus to requirement, and Exception E4 (paragraph 99(b) of the NPPF) must be applied. Sport England notes that surplus to requirement in this policy context does not refer to surplus to the current owner/users requirement but to meet a local community sport need across a wide range of pitch sport types now and in the future.

With respect to Exception E4, each of the sites affected are either in use as playing field now or are disused playing fields. To meet the Exception, an equivalent or greater quantity (playing field area) and equivalent or better quality (pitches and ancillary facilities) need to be provided. Simply marking out a pitch, even if improved, on an existing or disused site constitutes qualitative improvements only and does not meet the policy requirements because it does not result in the genuine creation of replacement playing field land.

The existing playing field area of Snipe Clough playing field is approximately 3.42ha, with two pitches currently marked out although historically it has had up to four pitches marked out. The proposal would see the southern part of the playing field lost to the market garden representing a loss of playing field land equating to approximately 1.8ha. The mitigation proposes to create two pitches on the former St Albans School playing field. The relocation site was the playing field of the former school and contained a redgra pitch, MUGA and area of natural turf playing field.

During pre-application discussions, Sport England advised that if a Feasibility Study is undertaken on the relocation site that shows significant works are required to bring the land back into use e.g. Cut and fill, levelling etc then there may be a case to be made that this constitutes a genuine creation of new playing field. No such Feasibility Study has been submitted.

The creation of pitches without support from ancillary facilities is often unsustainable so it is likely changing rooms/toilets will be required in addition to the proposed car parking. Consultation with the Football Foundation and Manchester FA is required to understand what pitch type and size, and if any ancillary provision, is needed. Even if the Feasibility Report

demonstrates this area creates new playing field that would only partially mitigate the total loss of playing field across the whole proposal.

The Lees Recreation Ground (also known as Hope Playing Fields) is a currently unused playing field of approximately 2.5ha that historically accommodated up to three pitches and would be lost in its entirety to the market garden and solar array.

As stated previously, Sport England applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Such land can retain the potential to provide playing pitches to meet current or future needs.

No evidence has been submitted that the playing field is surplus to requirements to meet local community sport needs, and therefore the playing field is required to be replaced in accordance with Sport England Playing Fields Policy E4.

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF.

Sport England advises that the applicant has needs to satisfy one or more of four options in order to resolve the objection:

1. Relocate the proposed new sports facilities (Bike Hub, Swimming Pond) to the playing field to be lost. Subject to consultation with British Cycling and Swim England, this might provide sufficient benefits to sport to outweigh the loss of playing field to meet Exception E5;
2. Provide the outstanding loss of 4.3ha of playing field off-site in consultation with the Council and pitch sport National Governing Bodies of Sport;
3. Submit a Feasibility Study for the relocation site at St Albans School playing field that demonstrates a genuine creation of new playing field will be created which would mean mitigation for the loss of a smaller amount of 2.8ha will be required; or
4. Wait for a revised Playing Pitch Strategy to be developed to help inform whether the unused playing field is surplus to meet a local community sport need.

Finally, it is noted that should the Planning Committee be minded to grant planning permission for the proposal contrary to Sport England's objection, then in accordance with the Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

Assessment of impact on sports provision

It is acknowledged that the requirements of Sport England cannot be fully satisfied on the basis of the present proposals, and that the overall loss of area with potential for active playing pitches will be reduced. The proposals envisage an improvement in the quality of the 4 pitches which will be provided, alongside other sports and recreation facilities as part of the overall Northern Roots package. Sport England suggest that those concerns could be lessened if the alternative sports provision was on the former playing pitch sites, thereby retaining their active sporting use.

The swimming pond location is site specific, based on topography and an existing waterbody and would be impractical to move to the former pitches.

Moving the bike hub (as proposed under application FUL/348472/22 also on this agenda) would not result in any additional gain as its provision is anticipated to be achieved nearby.

Sport England considers that the loss of the unused playing pitches is a significant negative consideration, whilst the applicant suggests that the use of the pitches has lapsed. In either scenario, the primary objective must be to achieve overall sport and recreational benefit from the proposals.

In this context, ensuring the new provision is available before the former playing pitches are redeveloped would achieve that objective, whilst also ensuring the proposed recreational and health benefits of the growing hub can come to fruition in a location which has been identified as highly suitable for such a use.

Therefore, it is recommended that a condition is imposed that the areas of former playing pitches are not developed until the replacement pitches are provided and brought into use.

NPPF Paragraph 99 states that:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”.*

Whilst it is acknowledged that the Playing Pitch Strategy dates from 2015, it is considered that the proposal would be in accordance with the requirements of sub-paragraphs b) and c).

It also achieves the aim in paragraph 98 that *“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change”.*

Local Plan Policy 23 requires that sites currently or most recently used as open space or for sport or recreation should not be lost unless it can be demonstrated that the development brings substantial benefits to the community that would outweigh the harm resulting from the loss of open space. This can include:

g. a replacement facility which is at least equivalent in terms of usefulness, attractiveness, quality and accessibility, and where appropriate quantity, to existing and future users is provided by the developer on another site prior to the development commencing; or

h. if replacement on another site is neither practicable nor desirable, an agreed contribution is made by the developer to the council for new provision or the improvement of existing open space or outdoor sport and recreation facilities and its maintenance within an appropriate distance from the site, or within the site.

In either instance, where this involves the loss of playing fields, the development should be approved by Sport England.

The proposals will result in a reduction in the playing pitch area available for sports. However, this must be weighed in the balance of the wide-ranging public benefits which would accrue

from the Northern Roots development. As with the NPPF, the exceptions do not specifically distinguish between sports use and recreational use. In that context, neither suggests that benefits in one sport recreational sphere cannot be weighed against the loss in another.

Policy 23 does nevertheless require the approval of Sport England for any loss of playing fields. As such, approval of the application would be a departure from the adopted Policy. The Policy pre-dates the NPPF to which such policies are required to be consistent.

Consequently, it is recognised that this would not overcome Sport England's objection, nor remove the need to refer the application to the Secretary of State. However, it is not considered that, in light of the resultant gain in sport and recreational facilities overall, Sport England's position would justify rejection of the application.

Loss of Open Space (car park proposals)

Although not defined as a playing field, the proposed new car park at Nether Hey Street will also lead to the partial loss of an area of public open space. However, the considerations above would similarly apply.

Therefore, the loss of part of this space must be weighed against the substantial benefits from the creation of replacement playing fields in the vicinity. Furthermore, a significant area of the existing open space will be retained, along with the footpath route which passes through it.

In addition, mitigation has been put in place for any loss of trees or open space to allow the proposal to be built which includes additional tree and shrub planting to enhance the biodiversity of the area and improved playing fields nearby.

Highways Impacts

The Highway Engineer has assessed the suitability of the existing highway layout and has some concerns with conflict arising between different sets of drivers, pedestrians and cyclists.

A Transport Assessment has been submitted with the Application which looks at existing highway conditions and the likely effect that the proposed development will have on the local highway network. TfGM have requested some further information and we are awaiting their full response.

The Transport Assessment as submitted shows that the site can be accessed by sustainable modes of transport with good links to public transport. The nearest bus stops to the site are located on Honeywell Lane / Keswick Avenue, Abbey Hills Road and Furness Avenue. An additional regular service is available at stops on Ashton Road at a slightly greater distance. The site is located 1.5 km from Oldham Town Centre. It is well served by public transport. Oldham King Street tram station is 1.5 km away from the site, which connects the site to the wider area of Greater Manchester.

The site currently accommodates people arriving by car at an existing car park at the northern end of the site.

There are also opportunities for walking and cycling in the immediate area with links to local pedestrian and cycle infrastructure. Both will be enhanced as part of the development

There are a number of definitive public rights of way that pass through the site. Some of these will be enhanced as part of the development, which will improve pedestrian routes through the site

The proposed development will be located with links to existing or proposed cycle infrastructure in the area. A link to the existing cycle network on Kings Road should be incorporated into the highway improvement at Kings Road/ Honeywell Lane.

Individual Travel Plans will be required (by condition) as each element of the development is brought into use so that more sustainable modes of travel to those parts of the development are promoted and encouraged for all future users.

The Transport Assessment looked at the impact of the development on the local highway network of people choosing to drive to the site.

Additional vehicular movements at each of the nearby major junctions – Kings Road/Park Road/Woodstock Street, King Street Roundabout/A62 Oldham Way and Honeywell Lane/A627 Ashton Road/Hollins Road were looked at. At all but one of those junctions, the additional movements during the morning, inter and evening peak periods were shown to be less than 30 vehicles per hour.

The total impact at the Kings Road/ Park Road Woodstock Street junction was shown to exceed 30 vehicle movements per hour during the evening peak on a weekend day when traffic flows are usually lower.

Whilst TfGM are still to provide their final comment, the Transport Assessment has demonstrated that there will not be a severe impact on the local highway network in terms of traffic generation.

Access to the proposed development will be taken from Kings Road near to Honeywell Lane. The existing access will require amendment so that it is suitable for use by the volume and type of traffic that will be attracted to the site. This will include a narrowing of the very wide carriageway and provision of pedestrian and cycle facilities.

The Highway Engineer has serious concerns about the use of the short length of highway outside the nearby residential properties on Honeywell Lane. If there is an increase in the use of this it will result in additional manoeuvres to and from it at its junction with Kings Road, conflict between two-way traffic along it due to its narrowness, and conflict between users at its junction with the access to the proposed development.

There are a number of options available which would successfully resolve the issue; however, they are all subject to further consultation with others, including the local residents. Mitigation measures will be carried out by way of condition.

A car park will be provided for the relocated sports pitches off Nether Hey Street. This will provide a convenient place close to the facility for players and spectators and will reduce the requirement for any additional on street parking demand on the local highway network close to the pitches.

Ecology and Trees

The application accompanied by an Ecological Assessment

GM Ecology Unit is satisfied that any ecological impact can be alleviated successfully. In addition, a net gain in biodiversity can be achieved as the site offers clear potential for biodiversity net gain in excess of 10% as will be required under the Environment Act.

The applicant is preparing an assessment of the potential gains using the DEFRA Biodiversity Metric and this will be required to be completed as a condition of any approval.

Given the potential timescales for implementation of the various developments proposed, it is recommended that updated ecological assessments are undertaken in relation to species including bats, badgers, amphibians, and hedgehog, and for the treatment of invasive species.

The Council's Trees Officer has assessed the submitted details and has no objection in principle to this proposal.

It is noted that approximately 6 individual trees and 1.1 hectares of tree group or woodland cover are proposed to be removed' in order to implement this proposal as submitted. However, it has been shown that this level of proposed tree loss has/can be kept to a minimum by the considered design and positioning of the buildings, facilities, activities, and infrastructure throughout the site.

This proposed tree loss can be mitigated throughout the site and the wider Northern roots site as there is sufficient available and suitable space, by undertaking compensatory tree planting at the minimum required ratio of 3:1, three new trees for every one semi or semi mature tree that is agreed can be removed.

Approximately 268 new trees and 0.8 hectares of new woodland planting is detailed or indicated on the Masterplan and Planting Plans. Further new planting commitments would be made to ensure adverse effects on tree cover are mitigated for in accordance with Local Policy within the wider Northern Roots land ownership boundary'.

The 3:1 minimum requirements of our replanting policy can and will be exceeded. Further information is required in this area as many of the proposed new trees are only indicated at this time.

It is recommended that an Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree and Hedgerow Planting Scheme are secured by condition.

Residential Amenity

Due to the wide range of proposals within the proposed scheme, there is likely to be varying operating hours, specific to each development. Furthermore, much of the area is and will continue to be open 24/7 due to the nature of the site.

G M Police supports the proposals subject to measures set out in the submitted Crime Impact Statement, including detailed design and siting to limit opportunities for break-in, changing facilities for the sports pitches and swimming pool to be secure, car parking to contain perimeter fencing and lighting, CCTV, sign posting and clear pathways.

In general, there are no residential properties in the immediate vicinity of the various proposals within the overall site.

The exception relates to the proposed introduction of the new car parking area at Nether Hey Street. This will occupy part of an existing area of open space, and concerns have been expressed by local residents and elected members that this could increase anti-social behaviour and crime, along with increasing parking and access problems in the area.

To help reduce the potential of anti-social behaviour, security lighting will be proposed, and a security gate will be put in place at the entrance of the car park. This form of traffic control prevents cars from leaving the site after a certain time and will be locked by the site management team. Signs will clearly show that this form of traffic control will be implemented

past a certain time, preventing cars from leaving and therefore discouraging cars from entering the space after a certain time, helping prevent anti-social behaviour.

In respect of the loss of open space, this is considered earlier in this report.

Drainage

The DEFRA Flood Risk Maps identify the site as falling within Flood Zone 1, at the lowest risk of flooding. Smaller areas within Flood Zone 2 lie within the overall development site; however, none of these areas are specifically subject to proposed development.

Flood Risk Assessments and Drainage Strategy documents have been submitted in respect of the built development proposals.

United Utilities has raised no objections in principle; but given the scale and range of the proposed developments required detailed assessments of impact on existing infrastructure and proposed drainage. Phased conditions will therefore be required.

Energy

In accordance with Local Plan Policy 18 'Energy', each individual development over 1,000 square metres will be required to reduce energy emissions by +15% increase on Part L for domestic and non-domestic buildings.

An energy statement has been provided which demonstrates that the targets can be achieved through energy efficiency and incorporated design measures. In addition, the benefits from the provision of an on-site energy source via the solar array will ensure the required targets can be met.

This matter will be controlled by planning condition.

Ground conditions

The application is accompanied by Phase 1 Geo-environmental Reports.

The Environmental Health team has considered these documents and does not foresee any impediments to the proposed development. Nevertheless, conditions are recommended in relation to the need for subsequent full site investigation and assessment, and for implementation of any identified remedial measures.

CONCLUSION

The proposals represent a significant scheme which is envisaged can act as a large-scale demonstrator of how the natural environment can be harnessed and enhanced to be productive and help in improving local economic and social outcomes. The project aims to contribute towards making Oldham a more attractive and desirable place to live, encouraging people and businesses to visit and potentially locate in the borough.

The benefits are identified as improving a significant but severely under utilised and neglected site on the edge of the urban area that is close to some of the more deprived areas in the borough and will provide opportunity to encourage increased use for recreational and sporting purposes improving health outcomes, including encouraging regular exercise, and alleviating identified poor health indicators amongst the local population.

Conflicts with Green Belt policy have been assessed, and it is acknowledged that Visitor Centre, events building/ meeting pods, Learning Centre, forestry depot, and ground mounted solar PV would all constitute 'inappropriate development' in the Green Belt.

Very Special Circumstances are required to be demonstrated out outweigh the resultant harm as required in paragraphs 147 and 148 of the NPPF and Local Plan Policy 22.

In this context, the overall social, economic, and environmental benefits which would accrue from the scheme in its totality are deemed sufficient justification to outweigh any identified harm. The benefits relate directly to the productive enhancement of an undervalued space in the urban area and the proximity to areas of deprivation.

RECOMMENDED CONDITIONS

1. Development comprising any part of the FULL application 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. For the approved developments comprising the OUTLINE application, submission for approval of the reserved matters of 1) Appearance, 2) Landscaping 3) Layout and 4) Scale shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Development comprising any part of the OUTLINE application, shall be begun either before the expiration of three years from the date of this permission or two years from the date of approval of the last of the reserved matters. REASON - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
4. No development comprising the erection of the external walls or roof of any individual building hereby approved shall take place until samples of the materials to be used in the construction of the external surfaces of that building have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
5. No development associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall be brought into operation until the car parking spaces and associated vehicular and footpath access as indicated on the approved plan has been provided 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 accesses and parking spaces. Thereafter the parking spaces 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

6. No development associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall be commenced until a scheme in the form of a Construction Environmental Management Plan (CEMP), including details of construction vehicle access routes, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust, and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, which shall be maintained for the duration of the construction works. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.
7. No development associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall be commenced until details of facilities for the storage and removal of refuse and waste materials have been provided in accordance with a scheme which has previously been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter. REASON - To protect the amenity of the area having regard to Policy 9 of the Oldham Local Plan.
8. No development associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority.

Details of a sustainable surface water drainage scheme and a foul water drainage scheme. The drainage scheme shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and 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 in accordance with BRE365;
- (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) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporation of mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water drained on separate systems.

Prior to the commencement of the use of the proposed development within that Phase, the drainage scheme shall be completed in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

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.

9. No development associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

Details of the means of ensuring the water mains and public sewers that are laid within the site boundary are protected from damage as a result of the development. The details shall include a survey that identifies the exact location of the water mains and public sewers, the potential impacts on the water mains and public sewers from construction activities (including the construction compound), the impacts post completion of the development on the sewer infrastructure that crosses the site and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the sewers both during construction and post completion of the development. The details shall include a pre and post construction condition survey of water mains and public sewers within the red line boundary.

Any mitigation measures shall be implemented in full in accordance with the approved details and timetable for implementation and shall be retained thereafter for the lifetime of the development.

REASON - To protect drainage infrastructure, 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 associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall be brought into use until a sustainable drainage management and maintenance plan for the lifetime of the development has been 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 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.

11. 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.

12. Prior to the commencement of the construction of any building within each Phase, as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01, details for demonstrating

that each building will achieve a 15% reduction in carbon emissions against Part L of the Building Regulations 2013 shall first be submitted to and approved in writing by the Local Planning Authority. No individual building shall be first occupied until the approved measures have been fully implemented for that building. REASON - In order to secure a sustainable form of development having regard to Policies 1 and 18 of the Oldham Local Plan.

13. No development comprising the alternative re-use of the existing or former playing fields (community growing allotment, solar array) shall commence until the improved and replacement playing pitches hereby proposed have been constructed and are brought into use. REASON - To ensure that the development leads to the enhancement of sport and recreation facilities having regard to Policy 23 of the Oldham Local Plan and paragraphs 98-99 of the NPPF.
14. No development comprising the construction of the replacement playing pitches shall be commenced until full details of the method of construction, including drainage, has been submitted to and approved in writing by the Local Planning Authority. REASON – To ensure the creation of high- quality playing surfaces having regard to Policy 23 of the Oldham Local Plan.
15. No development associated with any Phase as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01, shall be commenced, other than site clearance, until a site investigation and assessment into landfill gas risk and ground contamination, including any historic gas mining legacy features, has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. In order to fully discharge the condition, the written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and to confirm that the site has been made safe and stable for the development. REASON - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
16. No development associated with any Phase as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall be commenced, until a scheme and timetable showing how that Phase helps contribute towards the achievement of Biodiversity Net Gain, has been submitted to and approved in writing by the Local Planning Authority. The development shall be fully implemented in accordance with the approved details and timescale. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and paragraph 174 of the NPPF.
17. No development associated any Phase as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall take place until full details of both hard and soft landscape works, with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme.

All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the agreed date of planting. Any

trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

18. No development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, associated any Phase as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall commence until all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, have been 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.

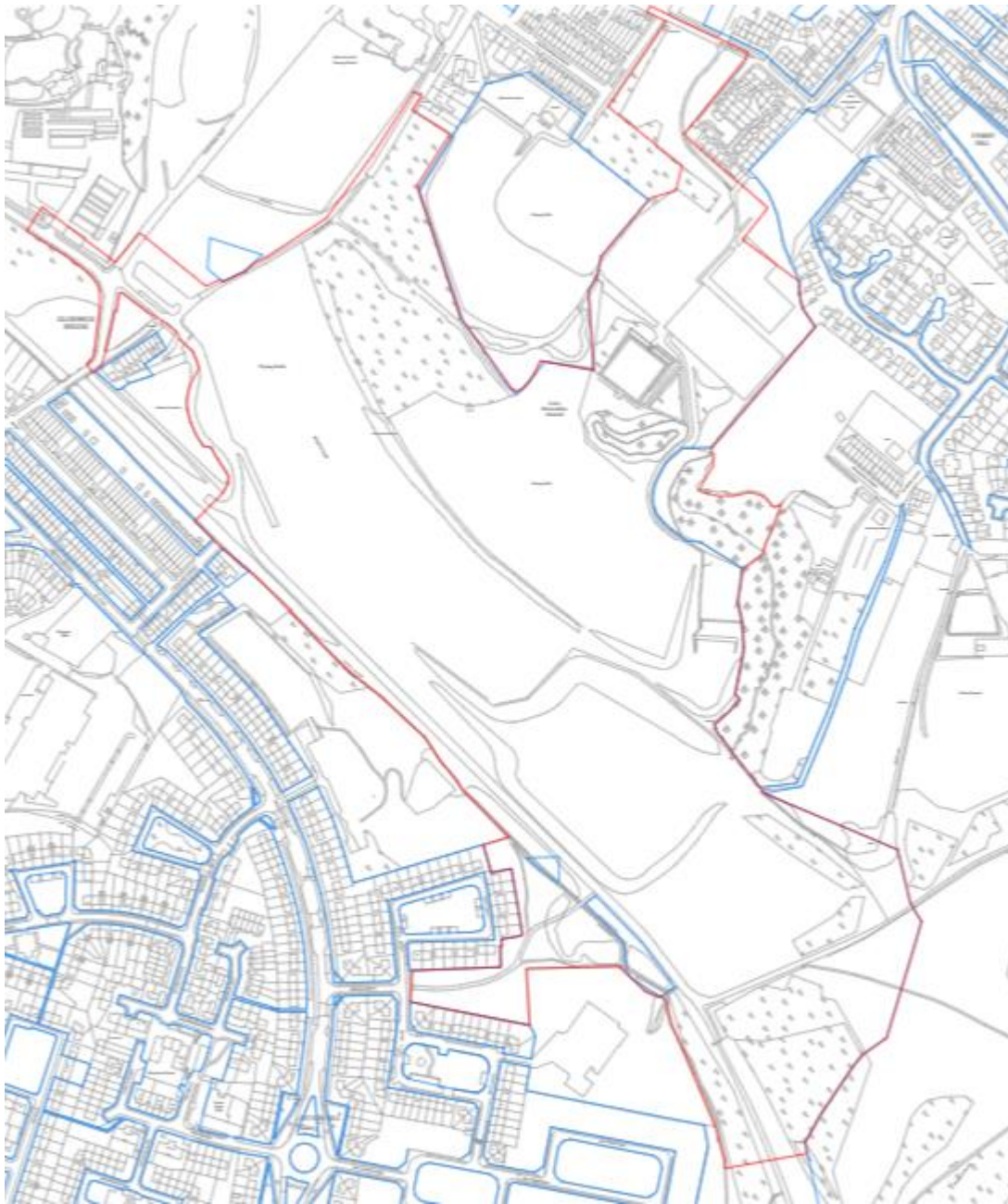
19. No development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, associated any Phase as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall commence until a detailed method statement for removing or for setting out the long-term management / control of Japanese knotweed, Himalayan balsam and Rhododendron identified on the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures that will be used to prevent the spread of the invasive species during any operations and shall also contain measures to ensure that any soils brought into the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement. REASON - To prevent the spread of invasive plant species having regard to Policy 9 of the Oldham Local Plan.

20. No development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, associated any Phase as indicated on plan ref: 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall commence until updated surveys and reasonable avoidance method statements in relation to bats, badger, hedgehog, and amphibians (learning centre and swimming pond only) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with any identified mitigation measures. REASON - To ensure the protection of protected species having regard to Policy 21 of the Oldham Local Plan.

21. No external lighting associated with any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01 shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter. REASON - To protect the amenity of the area and minimise any impact on the natural environment regard to Policies 9 and 21 of the Oldham Local Plan.

22. Subject to the submission and approval in writing of the Local Planning Authority of evidence to demonstrate impracticality of any measure, the proposed developments shall be implemented in accordance with the security measures as set out in paragraph 3.3 and Section 4 of the submitted Crime Impact Statement Version B: 27.01.22 (2021/0526/CIS/01). REASON – In order to ensure the development is implemented in a manner which reduces the risk of crime having regard to Policy 9 of the Oldham Local Plan.
23. The use of the Visitor Centre or Learning Centre hereby approved shall not commence until a highway improvement has been carried out at the junction of the access road to the development at its junction with Kings Road and Honeywell Lane. The improvement will include narrowing the carriageway and providing pedestrian and cycle infrastructure on Kings Road and the access road, and improving access at Kings Road/ Honeywell Lane including the highway leading to and in front of 256-272 Honeywell Lane and should first of all have been submitted to and approved in writing by the local Highway Authority. All works that form part of the approved scheme to be retained thereafter. REASON – In the interest of the safety of all users of the site having regard to Policies 5 and 9 of the Oldham Local Plan.
24. The use of the Learning Centre hereby approved shall not commence until a scheme of measures to demonstrate safe passage for pedestrians and cyclists where routes are shared with vehicular traffic has been submitted to and approved in writing by the Local Planning Authority, and the approved measures have been fully implemented. REASON – In the interest of the safety of all users of the site having regard to Policies 5 and 9 of the Oldham Local Plan.
25. Within three months of the first occupation of any Phase as indicated on plan ref : 2642-PLA-XX-XX-DR-L-0016 Rev P01, a travel plan for that part shall be submitted for the written approval of the local planning authority. The approved travel plans for each part shall be implemented within a further three months of the written approval of the Local Planning Authority. REASON - In order to promote sustainable means of travel having regard to policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT – FUL/348472/22 Planning Committee 24th August 2022

Registration Date: 9th February 2022
Ward: Alexandra

Application Reference: FUL/348472/22
Type of Application: Full Application

Proposal: Full planning application for the construction of a Bike Recreation Hub (Use Class F2(c)) consisting of 2 bike track areas and ancillary service area, hard and soft landscaping, new car park on Cherry Avenue and footpath diversions and improvements and vehicular access improvements.

Location: Land Off Cherry Avenue and Snipe Clough, Oldham, OL8 2HS

Case Officer: Graham Dickman
Applicant: Anna da Silva
Agent: Mr Ian Ford

INTRODUCTION

This application is presented to Committee as a Major application involving the Council as applicant and landowner.

RECOMMENDATION

It is recommended that the application is granted subject to the conditions set out below.

THE SITE

This application relates to an area of approximately 3.2 hectares comprising naturally vegetated grassland and two blocks of semi-natural broad-leaved trees, a band of which continues around the southern and eastern fringes of the site.

Both existing and under-construction housing lie adjacent to the site boundary on Furness Avenue to the east and Cherry Avenue to the south.

A footpath along the northern boundary of the application site extends from Furness Avenue westwards towards Snipe Clough and the associated informal recreational areas. Public footpaths 176 OLDH and 8 OLDH also cross the site.

THE PROPOSAL

The proposal relates to the provision of a new cycle training and recreation area. This will include a pump track featuring rollers, banked turns, inclines, and declines, appearing as raised tarmac tracks with grass banking, and a larger skills track.

Associated facilities will include a bike hire station and repair workshop. A separate block containing toilet/shower facilities will include a hatch for selling tickets and snacks with an outside seating area.

These facilities will be provided in five secure container groups to the west of the proposed tracks, along with two staff parking spaces and two disabled persons' spaces. The containers will be finished in a low maintenance, *corten* steel rusted finish.

A main visitor car parking area with 22 spaces (including one for a minibus) will be provided adjacent to an existing games court on Cherry Avenue, with improved footpath access to the bike hub.

It is also anticipated that provision for coaches will be made a short distance from the Bike Hub on the main access track (Tip Road) as part of the wider Northern Roots proposals.

The existing footpath linking the main access track (Tip Road) from the wider Snipe Clough site will be increased in width and resurfaced to allow for the site to be serviced, albeit with the installation of gates to manage access.

Existing public footpaths which cross the site will be improved and diverted as required. A separate application for diversion of the footpaths under Section 257 of the Town and Country Planning Act 1990, as amended will also be required.

It is anticipated that the facility will be staffed between 09.00 and 17.00 hours on every day.

RELEVANT HISTORY OF THE SITE

FUL/348898/22 - Hybrid planning application seeking full/part outline consent comprising:

- (a) Full application for the erection of a visitor centre, events building with meeting pods, learning centre, forestry depot, ground mounted solar PV array and associated works, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street.
- (b) Outline application (all matters reserved except for access) for a community growing allotment, relocation of football pitch provision and swimming pond.

Pending determination

RELEVANT PLANNING POLICIES

The 'development plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is largely unallocated by the Proposals Map associated with the Joint Development Plan Document. However, the proposed improvements to the access track are within the green belt.

The following policies are considered relevant:

- Policy 1 – Climate change and Sustainable Development
- Policy 2 – Communities
- Policy 9 - Local Environment
- Policy 19 – Water and Flooding
- Policy 20 – Design

Policy 21 – Protecting Natural Environmental Assets
Policy 22 – Protecting Open Land
Policy 23 – Open Spaces and Sports

CONSULTATIONS

Highways Officer:	No objections subject to the recommended conditions.
TfGM:	No objections following clarification of information within the Transport Assessment. However, it has been requested that additional secure cycle storage is provided.
Environmental Health:	No objection subject to conditions in relation to landfill gas and contaminated land investigations.
Trees Officer:	No objection subject to appropriate replacement planting.
United Utilities:	Following additional discussions and the information provided, a solution has been agreed in respect of the protection of the sewer which passes through the site.
G M Ecology Unit:	No objection subject to demonstration of Biodiversity Net Gain, and conditions in relation to badger surveys, amphibians, hedgehog, nesting birds, and invasive species.
Coal Authority:	No objection subject to written confirmation that the site is, or has been made, safe and stable for the approved development.
GM Archaeological Advisory Service:	No objections

REPRESENTATIONS

The application has been advertised by press notice, site notices, and direct neighbour notification.

3 objections and one neutral representation have been received raising the following issues:

- Objection as the bike hub will infringe on the Green Belt
- Noise and disturbance given the proximity to houses
- Better alternative sites available on open land away from houses
- Loss of privacy to Furness Avenue if trees are taken down
- Loss of view
- Anti-social behaviour from motorbikes.

First Choice Homes, whilst recognising the socio-economic benefits of health and wellbeing for cyclists using the track, has expressed the following concerns:

- 26 parking spaces in peak times will not be sufficient and visitors will have no other option but to park on Cherry Avenue which will be a significant inconvenience and cause disruption to residents
- concerns about potential noise, anti-social behaviour and crime during unsociable

- hours, and no indication of surveillance outside operating hours
- New routes linking existing rights of way may further impact on the privacy and enjoyment of residents on Cherry Avenue.
-

PLANNING CONSIDERATIONS

Principle of the development

NPPF Paragraph 92 requires that planning decisions should aim to enable and support healthy lifestyles, including through the provision of sports facilities.

Local Plan Policy 2 indicates that the Council will support proposals to new and improved community facilities that meet an identified need.

Although comprising an area of open space, the site presently offers limited recreational potential. Local Plan Policy 23 states that the loss of an area of open space will be permitted where, for example, the proposals are for a new outdoor sport or recreational facility which is of sufficient benefit to the development of sport or recreation or to the open space function to outweigh any harm resulting from its loss.

In this instance there will be a demonstrable improvement in the value of the site encouraging a wider range of people to take advantage of the facility.

Furthermore, the proposals form part of the wider vision for enhancement of recreational facilities in areas of the borough which suffer from deprivation.

Although the vehicular access routes from Kings Road are located within the Green Belt, those works would comprise engineering operations which would preserve the openness of the Green Belt and result in no conflict with any of the purposes of the Green Belt. It would therefore comprise 'appropriate' development in the context of Local Plan Policy 22 and NPPF paragraph 150.

Highways matters

A Transport Assessment and Travel Plan has been submitted with the application. These documents consider the impact of the development on the local highway network, including road safety, the road traffic accident record, and the accessibility of the site in relation to transport provision, and the promotion of sustainable access options.

Access on foot or by cycle is presently available from a number of entrance points. The proposed facility will be serviced via an improvement to the existing vehicular and non-vehicular tracks leading to Kings Road, Cherry Avenue, and Furness Avenue.

It is anticipated that the development has the potential to generate 20000 visitors per annum. TfGM has sought clarification on the assessment and requested additional information. As a result, it is now satisfied that the scheme will not result in adverse impact on the local highway network.

A new car parking area for visitors arriving by car is to be provided on land off Cherry Avenue. In addition, the site is considered to be accessible by a choice of sustainable travel options. It is anticipated that many users will arrive by cycle.

In addition, users will also be able to utilise car parking at various locations around the wider

Northern Roots site, although this application is not reliant upon that provision to make the Bike Hub development acceptable in planning and highway terms.

Paragraph 111 of the NPPF states that development should only be prevented on highway grounds where there would be an unacceptable impact on highway safety or the residual impacts on the road network would be severe.

Having regard to the submitted information, both the Highways Officer and TfGM are satisfied with the proposed measures.

A Travel Plan Co-ordinator will be appointed to lead on the day-to-day delivery of the plan and update the travel information pack annually.

Public Rights of Way Diversions

There are two public footpaths within the site. OLDH 176 runs through the site in a north-south direction towards Cherry Avenue, whilst OLDH 8 emerges from Cherry Avenue heading in a westerly direction (although this is not distinct on the ground). These will be diverted around the new facility with improved surfacing and provision of steps where necessary.

A separate application for diversion of the footpaths under Section 257 of the Town and Country Planning Act 1990 (as amended) will also be required.

Visual amenity

A Landscape and Visual Impact Assessment has been submitted.

Although visible from the access track to the north, the backdrop to the south and east will continue to be of woodland planting, with residential properties beyond.

The skills track has been positioned to accommodate a natural fall in the land levels and the tracks themselves would not appear as prominent bulky structures in the context of the surrounding landscape.

Similarly, the buildings will be limited to small scale, single storey containers.

Residential amenity

The site will remain visually and spatially separated from the nearby houses on Cherry Avenue and Furness Avenue by established banks of trees.

A Crime Impact Statement has been submitted which has been prepared by GM Police Design for Security, which welcomes the proposals.

To help reduce the potential of anti-social behaviour in connection with the new car park, it is proposed that security lighting is provided. A security gate will be put in place at the entrance of the car park to prevent cars from entering or leaving the site after a certain time as the gate will be locked by the site management team. Signs will clearly show that this form of traffic control will be implemented past a certain time.

Implementation of such measures will be subject to planning condition.

Ecology and trees

The application has been accompanied by an Ecological Assessment and Arboricultural Impact Assessment (AIA).

The application site is not within any designated sites of national importance, with the nearest located 600m to the north and separated from the site by existing housing. Similarly, the nearest non-designated site is 480m to the south.

Installation of the tracks will result in some tree loss but will not significantly impact on the overall extent and connectivity of the woodland. The grassland on site which will be affected is of limited ecological value.

A total of 225 new trees are proposed to replace the 75 which will be lost, along with creation of an area of woodland scrub adjacent to the retained tree line.

The Trees Officer notes that existing trees both to be retained and also removed have been adequately considered and accounted for within the AIA. There is the requirement to remove a significant number of trees but there is also sufficient compensatory new tree planting proposed both on-site and throughout the wider Northern Roots site.

A further detailed Arboricultural Method Statement, precisely detailing those measures that will be undertaken as outlined within the Arboricultural Impact Assessment, will be required.

Mitigation has been put in place for the loss of poor-quality woodland to allow the proposal to be built which includes additional tree and shrub planting to enhance the biodiversity of the area.

In order to assist with biological enhancement, additional hibernation and refuse opportunities will be provided, including the installation of bat, bird, and invertebrate boxes.

GM Ecology Unit has advised that the applicant has demonstrated that the site can achieve a minimum 10% Biodiversity Net Gain. A condition will be required for the submission of details of where habitat creation and enhancement will occur for a survey of potential use and provision of reasonable avoidance measures in respect of protected species, and for the eradication of invasive plant species.

Drainage

A Sustainable Drainage Strategy has been submitted.

United Utilities has highlighted that the proposed skills area bike track area will be built over existing wastewater sewers restricting access to the sewers. As a consequence, discussions have taken place with the applicant to secure an acceptable method of protection. United Utilities has confirmed the application can be approved.

Ground conditions

A Geo-environmental Phase 1 Desk Study has been submitted. Based on that assessment it is recommended that intrusive site investigations are undertaken to establish the presence of recorded or unrecorded mine workings, historic landfill, and culverted watercourse.

The Environmental Health team has recommended a condition on this basis.

The Coal Authority has identified the site as being within a Development High Risk Area.

Therefore, it is recommended that any approval is subject to a condition requiring confirmation that the site is, or has been made, safe and stable for the approved development, confirming the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Archaeology

An Archaeological Desk-Based Assessment has been undertaken. It concludes that the potential direct impacts upon known heritage assets are not considered to be a significant constraint. This conclusion is supported by GM Archaeological Advisory Service.

CONCLUSION

The proposal will provide an enhancement to the recreational offer within the urban area and assist in the promotion of healthy lifestyles. The scheme would in effect form a first phase as part of the wider Northern Roots objectives. It will enable riders to improve their skills, whilst providing ancillary facilities, including bike repair and places to obtain refreshments.

The proposal will create significantly improved sport and recreation facilities within the area, as well as educational provision to improve cyclists' skills.

Whilst some impacts on amenity and traffic have been identified, sufficient consideration has been given to mitigating any impacts to a degree where they would be outweighed by the benefits of the development.

RECOMMENDED CONDITIONS

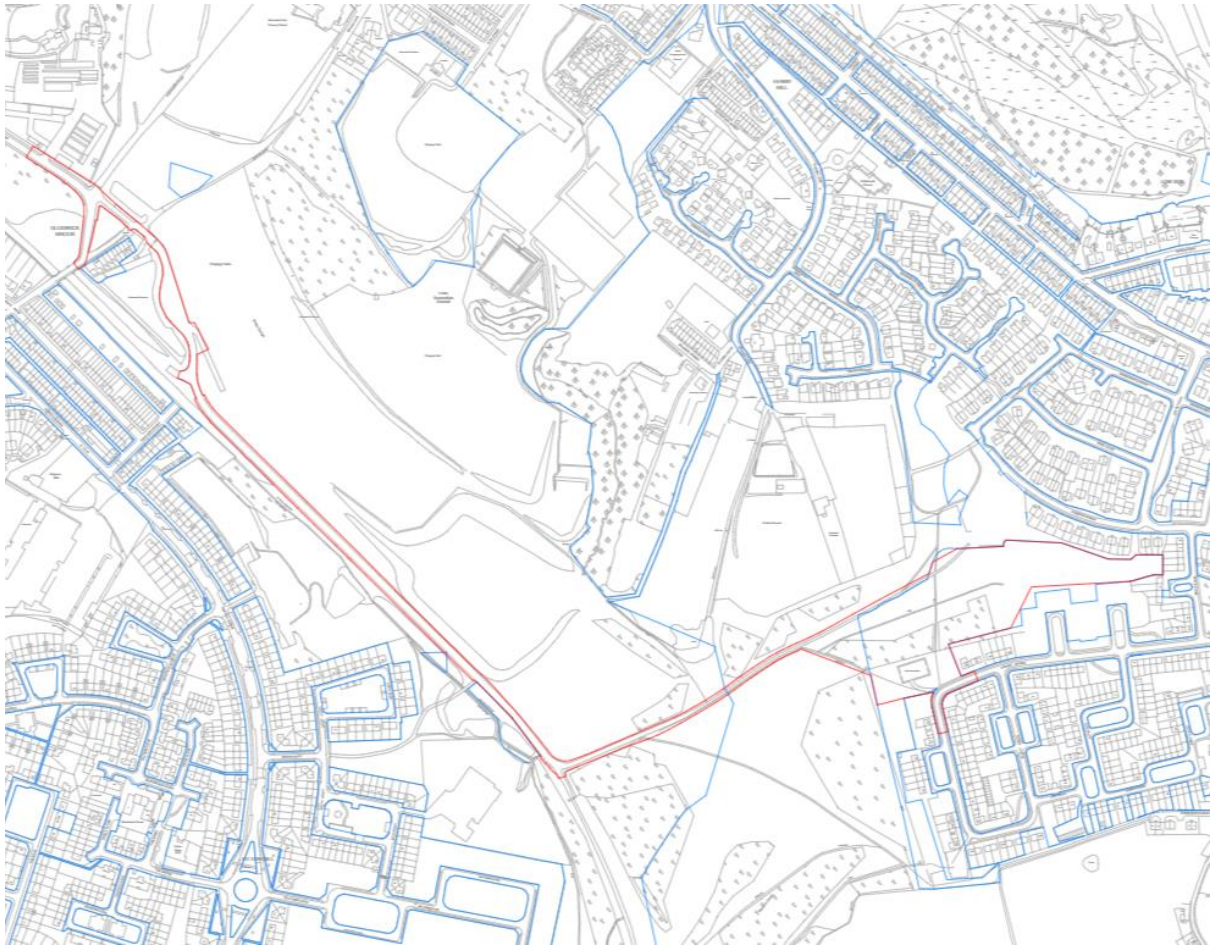
1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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, other than site clearance, shall commence unless and until a site investigation and assessment into landfill gas risk and ground contamination, including any historic gas mining legacy features, has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. In order to fully discharge the condition, the written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and to confirm that the site has been made safe and stable for the development. REASON - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
4. Prior to the commencement of any earthworks or vegetation clearance, a method statement of reasonable avoidance measures for the protection of badger, amphibians, and hedgehog shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved measures. REASON - To ensure the protection of ecological

interests having regard to Policy 21 of the Oldham Local Plan.

5. 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.
6. Prior to the commencement of any earthworks, a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed and an updated survey for Himalayan balsam shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented. REASON - To ensure the control of invasive plant species having regard to Policies 9 and 21 of the Oldham Local Plan.
7. The bike hub facility hereby approved shall not be brought into operation until the car parking spaces and associated vehicular and footpath access as indicated on the approved plan has been provided 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 accesses and parking spaces. Thereafter the parking spaces 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
8. A scheme to mitigate any impact of crime and anti-social behaviour, including measures to prevent access to the proposed car parking area outside the operational hours of the Bike Hub, shall be fully implemented in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The proposed measures shall be retained at all times thereafter. REASON - In the interests of the amenity of the local area having regard to Policy 9 of the Oldham Local Plan.
9. All hard and soft landscape works shall be carried out in accordance with the approved Softworks and Tree Planting Plan prior to the bike hub being brought into use or in accordance with the programme agreed with the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity 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.
10. Prior to the bike hub being brought into use, a scheme and timetable for the achievement of Biodiversity Net Gain, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details and timescale. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and paragraph 174 of the NPPF.

11. Within three months of the commencement of the use hereby approved, a travel plan shall be submitted for the written approval of the local planning authority. The approved travel plan shall be implemented within a further three months of the written approval of the Local Planning Authority. REASON - In order to promote sustainable means of travel having regard to policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (IN RED, NOT TO SCALE)



APPLICATION REPORT – FUL/346142/21 Planning Committee 24th August 2022

Registration Date: 23rd November 2022
Ward: Saddleworth South

Application Reference: FUL/346142/21
Type of Application: Full

Proposal: Conversion and addition of lift tower and two floors above existing mill, along with alterations to external elevations, to create 38 apartments with basement car parking

Location: Knoll Mill, Wellington Road, Greenfield, Oldham

Case Officer: Stephen Gill
Applicant: Mr Michael Carney
Agent: Gordon Bruce

INTRODUCTION

In accordance with the Council's Scheme of Delegation the application is referred to Planning Committee for determination as a Major development proposing more than 20 dwellings.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

THE SITE

The site subject of the application is Knoll Mill, Wellington Road, in the village of Greenfield. The mill building is the sole surviving structure of what was formerly a mid-19th century industrial complex known as Wellington Mills. Knoll Mill is a large, rectangular three-storey block that has stood vacant since the mills closed in the 1990s and is now extensively derelict. The Oldham Mills Strategy categorises the building as a 'medium priority' mill in poor condition, with medium housing potential and low employment potential.

The application site, and the wider immediate area, is allocated as a 'Mixed Use' site under Saved UDP policy B1.3 (M1). The Policy accepts the principle of B1 (now Class E) and/or B2 uses, tourism uses, residential use (not to exceed 40% of the net developable area) and retail (in accordance with relevant policies in the Retail and Leisure Development Chapter).

Following the grant of outline planning permission for the wider site by the Secretary of State for a major mixed use industrial and residential development scheme (PINS reference APP/W4223/V/04/1155164) in 2005, two subsequent reserved matters applications were received in 2007 for retail, industrial and residential development (PA/053913/07 - food store and industrial unit, and PA/053913/07 – residential development for 67 homes overall). Following the approval of the reserved matters applications, the majority of the allocation is now built out.

THE PROPOSAL

The application proposes the conversion of Knoll Mill to a residential use, including the addition of a lift tower and two additional floors to create 38no. apartments with basement parking. The application also proposes alterations and improvements to the external elevations of the mill building.

RELEVANT PLANNING HISTORY

PA/040885/00 - Outline application for comprehensive regeneration scheme consisting of erection of canal basin, public house/restaurant with hotel accommodation. Canal-side leisure related units (A1,A3,B1 uses), 99 dwellings (48 houses and 51 flats), 25,000 sq ft (gross) retail food store, 13 500 sq ft of new business and industrial floorspace and conversion of mill building to B1 uses, all with associated bridges access roads and environmental works. Siting and access to be considered, all other matters reserved. – Granted by Appeal Reference APP/W4223/V/04/1155164

PA/053913/07 - Reserved matters application for erection of 25,000 sq.ft (gross) retail foodstore and 13,500 sq.ft industrial unit with associated parking, servicing and landscaping. Scale, appearance and landscaping to be considered – Approved 11 January 2008.

PA/051925/06 - Reserved matters application for the erection of 45 no. houses and 12 no apartments with layout, scale, appearance and access to be considered – Approved 11 April 2007.

PA/051170/06 - Reserved matters for provision of new canal basin and associated landscaping with siting, design, external appearance, means of access and landscaping to be considered – Approved, 5 June 2006.

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as a 'Mixed Use' site under Saved UDP policy B1.3 (M1).

As such, the following policies are relevant to the determination of this application:

DPD Policy 1 - Climate Change and Sustainable Development;
DPD Policy 2 – Communities;
DPD Policy 5 - Promoting Accessibility and Sustainable Transport;
DPD Policy 9 - Local Environment;
DPD Policy 14 - Supporting Oldham's Economy;
DPD Policy 20 – Design;
DPD Policy 24 – Historic Environment
Retained UDP Policy B1.3 (M1) – Mixed use; and,
Retained UDP Policy D1.5 – Trees

CONSULTATIONS

Highways Engineer: No objection subject to condition

Environmental Health: No objection subject to condition

Conservation Officer: Concerns in relation to the massing and scale of development as discussed in the report

Arboricultural Officer: Concerns raised as discussed in the report

Health and Safety Executive: No objection

Greater Manchester Ecology
Unit: No objection subject to condition

Environment Agency: No objection

Saddleworth Parish Council: Concerns raised in relation to the scale of the proposed building, with two additional floors proposed

Greater Manchester Police: No objection

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters, site notice and press notice. In response, 7 representations have been received raising the following (summarised) issues:

- The development does not demonstrate enough parking provision.
- The development will add to the existing traffic problems on Wellington Road.
- The application will put a strain on NHS medical and dental facilities in the area.
- Construction vehicles have not been considered.
- The developer should consider reducing the scale of the development to lessen the impact on the area.
- The proposal is not in keeping with historical significance of the building.
- No visitor parking is proposed within the scheme
- No drainage strategy has been submitted with the application.
- The design is not appropriate to the building or the site.
- The development will exacerbate the existing parking problems on Wellington Road if residents of the development cannot park within site.
- The development could result in a well-established business in close proximity to the site needing to relocate for fear of increased levels of parking and drainage issues.
- The development will have a detrimental impact on residential amenity and the character of the area
- There is a lack of need for this type of development in the area

PLANNING CONSIDERATIONS

Principle

In terms of the principle of development, the site forms part of an overall UDP allocation for mixed use under Saved UDP policy B1.3 (M1). The Policy accepts the principal of residential development, providing it does not exceed 40% of the net developable area. However, the retained policy does recognise that development proposals for residential may exceed the indicative 40% capacity. The development in conjunction with what has been delivered

previously would take the site slightly in excess of the 40% capacity set out in the retained UDP policy.

Despite the proposal resulting in a slightly higher capacity of housing on the allocation under the Saved UDP policy, the principle of this development is acceptable in light of the fact that:

- National planning policy has evolved significantly since that Saved UDP policy was adopted, with a clear emphasis on supporting sustainable new development, in particular sustainable new housing development. Furthermore, whilst the Council's housing land supply position is improving with increased levels of housing development, sites such as this brownfield site are necessary to maintain this improvement in housing land supply. In this context, a slightly higher capacity would cause little or no harm.
- When assessing development proposals that involve existing mills, the Oldham Mills Strategy ("Mills Strategy") has a presumption in favour of retaining the mills where possible. Knoll Mill is recognised as Wellington Mill in the Mills Strategy and has a medium potential for housing. The proposal to retain the mill for conversion should be given significant weight in favour of the development as the scheme will retain and refurbish a historic mill building which is considered to be a Non-Designated Heritage Asset ("NDHA").
- Local Plan Policy 3 also states that major development should be near key services. In this regard, the development site is within a 10-minute walk from a Tesco superstore, Greenfield Primary School, and other amenities including pubs and restaurants. In addition, there are bus stops in close proximity to the site on Wellington Road, and Greenfield train station is under a 10-minute walk away from the site. Therefore, the site is sustainable in accordance with Local Plan Policy 3.

Based on the above, the principle of development is acceptable.

Viability & S.106 Contributions

Knoll Mill is in poor condition and the proposal involves its retention and conversion. The cost of retaining and refurbishing the mill will be substantial, and clearly the development cost needs to be balanced with potential s.106 contributions and provision for affordable housing and open space etc. The applicant has submitted an Economic Viability Study which concludes that the scheme is only just viable without s.106 contributions.

The Economic Viability Study submitted by the applicant has been reviewed independently by CPV Viability on the Council's behalf. CPV Viability conclude that when they applied the Local Plan Policy requirements for affordable housing, open space etc., this resulted in a financial loss to the developer and therefore, CPV Viability agrees with the applicant's assertions that the scheme is unviable if the Council chooses to require affordable housing and other s.106 contributions which would ordinarily be required by Development Management Policies 10 and 23 in the Local Plan.

CPV have also concluded that even without any s.106 contributions, the scheme will only return a developer profit equivalent to 9.25%, which is below the minimum requirement of 15% on revenue. A reasonable developer profit is considered to be between 15-20%, and this is supported by the Planning Practice Guidance: Viability.

Heritage is discussed below in detail, however given that the building is considered to be a NDHA, National Planning Policy Framework (“NPPF”) paragraph 204 is relevant, and states that:

Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Given the outcome of the viability review, and the conclusion that the profit margins are low (below 15%) and the fact that the building is a NDHA, it was appropriate to query further how the development will be delivered financially. The developer has confirmed that in this instance that they are satisfied to take a profit margin of 9.25%, below the 15% benchmark, to make the scheme viable to ensure the development will be delivered. The developer is entitled to make this choice and with that considered the Council has taken all reasonable steps to ensure the development will proceed.

In conclusion, the development is not considered to be viable if s.106 contributions are sought, and in addition the developer is willing to take a reduced profit margin in order to the deliver the development.

Residential Amenity

When considering residential amenity and separation, Local Plan Policy 9 is relevant and states that the Council will ensure that development does not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety and security, noise, pollution, the visual appearance of an area, access to daylight or other nuisances. This is also reflected in the NPPF paragraph 130.

To ensure that appropriate levels of amenity are maintained in new residential development, it is generally acknowledged that a separation distance of 21m should be demonstrated (habitable room to habitable room) and a separation of 10-12m should be achieved (habitable room to a blank gable or non-habitable room window).

The scheme proposes two additional storeys to the existing mill which will increase the scale and massing of the building as well as the physical appearance. Given the increase in scale and massing, potential impacts to residential amenity are a key consideration as part of the application. Considering the surroundings of the site, immediately east is Hartley Botanic which is a garden building supplier, immediately to the west is a Tesco Superstore, north is where Donkeystone Brewery is situated, and land to the south is for the Tesco car park.

The site is not immediately surrounded by residential properties. The closest residential properties are on Wellington Road and are situated approximately 80m to the north, adjacent to the Donkeystone Brewery. The closest properties to the south are approximately 100m away on Chew Valley Road and there are no properties in close proximity to east and west of the site. Given the distances between the site and existing residential properties, it is not considered that the development will have any adverse impacts on amenity for existing residents that live close to the site.

Considering the individual quality of the apartments for future occupiers, these all comply with the Nationally Described Spacing Standards (NDSS). This will ensure the internal space and the amenity of future occupants is acceptable and therefore complies with the requirements of Local Plan Policy 9. In addition, it is noted that the construction phase of development does have the potential to cause disturbance if this is not appropriately managed, and with that

considered, a condition is attached to the recommendation requiring the submission of a Construction Management Plan.

The applicant also submitted a Noise Assessment undertaken by Martin Environmental Solutions. Environmental Health have reviewed the assessment and do not object to the outcomes or the mitigation proposed which will involve a scheme for soundproofing in respect of the internal apartments and enhanced glazing specifications to prevent any adverse impacts as a result of road noise. A condition is attached to the recommendation to ensure the mitigation is fully implemented prior to occupation.

Concerns have been raised in relation to the potential impacts as a result of the construction phase of development. To consider this a condition would be attached to ensure that a Construction Environment Management Plan is submitted prior to the commencement of development. The document will need to detail how the construction phase will be managed to minimise any disturbance.

Overall, it is considered that subject to condition, the development will not have an unacceptable impact on existing and future residents, and on that basis, the development complies with Local Plan Policy 9 and NPPF paragraph 130.

Design and Integration with Local Character

The construction of two additional floors above the existing mill building, are required to accommodate additional residential units. A lift tower will also be constructed to allow a lift to be installed in the building for future residents. The existing fascia and associated materials of each elevation of the mill building will be refurbished, repaired and retained. Some window openings will need to be increased in size to accommodate residential units and let adequate light into the building. Stainless steel and glass balconies will be introduced to the existing building in the southeast elevation and in the northwest elevation existing openings will be refurbished with new aluminium powder coated window frames, and a glass entrance canopy will be introduced at the ground floor level.

In terms of the lift tower, this would be a dominant feature and this element of the scheme has been subject of much discussion. From a heritage standpoint (discussed below), the Conservation Officer is not supportive of the scale of the lift tower. However, this needs to be balanced with the need to provide a lift (and the associated equipment) for residents in such a tall building. The lift tower itself would have some of the massing proposed broken up with the use of glazing, which will run almost the full length of the lift tower on the elevation facing the existing Tesco.

Turning to the two additional floors, these would be constructed from zinc standing seam cladding, and the floors would be inset from the existing building by 450mm, to give a subservient appearance to the main building. The use of the cladding gives a contemporary appearance and will enable the extension to read as a clear intervention from the main building and will help to distinguish between the old and the new. A mixture of recessed balconies as well as stainless steel glass balconies are proposed on each floor, to help the development have some continuity between the old and new. Stone coping is also proposed between the extension and existing building, to help differentiate further between the old and the new.

In terms of the design (aside from the heritage aspect, which is discussed below), it is not considered that the aesthetic appearance of the scheme will adversely affect the local character of the area, especially when considering the current state of the vacant mill building. The scheme will improve the appearance and outlook of the building and complies with Local Plan Policy 20 and NPPF section 12. The development will cause some harm to the heritage

merit of the building, and this is discussed further in detail below, and this will be balanced with the public benefits of the scheme.

Considering the internal layout, the basement level will contain provision for 20 car parking spaces, with 2no disabled spaces, and access to the proposed lift. The ground floor will contain 10 external parking spaces and 4 additional spaces that will be roofed over. Bin storage is also proposed at the ground floor level and will be conveniently located close to the access / egress for servicing arrangements, which will be constructed out of brick, with a slate roof. Soft landscaping is also proposed at the ground level within the site, no specific details have been provided on this, and equally, it is clear that a range of hard boundary treatments are also proposed, however no specific details have been provided. A condition is attached to the recommendation which will ensure that the hard landscaping and species proposed are delivered, and the future management of the soft landscaping is acceptable.

5no 2 bed apartments and 1no 1 bed apartment are proposed at the ground, first, second, third and fourth floor levels. The fifth and sixth floors, which will be part of the upper floor extensions, will contain 3no 2 bed apartments and 1no 3 bed apartments on each floor. The units proposed on each floor appear spacious and as stated above meet the requirements of NDSS requirements.

Materials will be an important factor as part of this scheme and the Conservation Officer has indicated that the use of red/brown brick in the lift tower for example would not lead to a favourable appearance. Therefore, the applicant has stated that they are happy to accept the imposition of a condition in relation to materials, boundary treatments and landscaping, to ensure a satisfactory appearance for the development overall.

Overall, for the reasons set out above, the development is considered to meet the requirements of Local Plan Policy 20 and NPPF section 12.

Heritage

The Wellington Mills complex was first built in 1852 for cotton spinners Shaw, Son and Lees. In 1858 the premises were acquired by N Broadbent and Sons, who remained there until 1932. The site then stood unused until 1938 when some of the buildings were used for engineering. From 1941, fabric weaver B Kershaw began operations there, and in the wartime years the mill's engineering section produced engine parts for bombers, thereafter, becoming a naval store and then a store for the British Wool Board. In 1946 the site was purchased by Shipley woollen carding and mule spinning firm William Oddy who transferred their operations to the mill and founded the Knoll Spinning Company. The mills finally closed in the late 1990s and the majority of the site was cleared for redevelopment, however, the mill subject of this application has been retained.

The design merits of the scheme have been discussed above, and do not need discussion further in this section. The applicant has submitted a Heritage Assessment, which was undertaken by Gary Miller Heritage Consultancy. The Conservation Officer has reviewed the Heritage Assessment and the current design proposals and whilst they do not have any objection to the principle of development, they are of the opinion that the massing of the upper floor extension would appear bulky against the existing building. In addition, the Conservation Officer also has concerns in respect of the proposal to lengthen certain windows in the existing building, which is considered to have a negative impact and harms the character and appearance of the mill and removes the regularity of the elevations which directly relate to the historic function of the 1853 cotton mill. However, this work is required to provide internal cill heights to habitable rooms that are acceptable for amenity, so the proposal can be accommodated. The Conservation Officer is also of the opinion that the lift tower is very large and has a preference for this to be reduced.

The comments of the Conservation Officer are fully acknowledged. However, as discussed earlier in the report, the viability of this scheme is very finely balanced. It is true that if the massing of the upper floor extension and the lift tower was to be reduced it may result in a more well-balanced scheme from a design standpoint. However, if the extension was to be brought in either side of the building further and the proposal was also reduced in height, this would inevitably reduce the number of units that could be delivered in the scheme. Given that the developer is already taking a reduced profit margin than what is the industry standard, this would of course render the scheme unviable. The result of this is that the mill building would then be left vacant and would inevitably fall into a greater state of disrepair.

The objective of the Oldham Mills Strategy is to, where possible, retain the existing mill buildings, as they contribute strongly to Oldham's heritage. Financial viability is always very finely balanced when redeveloping derelict mill buildings because of the costs associated with bringing them back into use, and therefore the costs of design, massing and aesthetics need to be balanced with the development costs, which is the main objective.

Based on the above, although the proposal to retain the mill is a significant benefit, the proposal itself would lead to less than substantial harm to a NDHA. Therefore, in accordance with NPPF paragraph 203, in weighing applications that directly or indirectly affect NDHA's, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In balancing the harm, the benefits of the development will be considered, which are identified as follows:

- The retention of the mill building and securing its long-term use is considered a significant benefit, and weighs heavily in favour of the development;
- A strong contribution to housing provision in Oldham, which currently cannot demonstrate a 5-year housing land supply against the Local Housing Need calculation, weighs in favour of the development; and,
- Given the scale of the building, its prominence and its very poor condition, the redevelopment and refurbishment of the building, would significantly enhance the immediate setting of the area.

Overall, it is considered that the retention of the mill building, the benefits in enhancing its overall appearance and the developments contribution to housing provision altogether should be given significant weight in favour of the development, and this is considered to outweigh the harm to the NDHA caused by the additional floors and lift tower.

Highways

The highway impacts of the development have been considered by the Highways Engineer and no objections are raised to the development on highways grounds. The Highways Engineer does not consider that the development will result in additional significant traffic generation that would be considered as severe or adverse. Access to the site is taken off Wellington Road, and through some electronically controlled gates, into the site, which is considered to have adequate spacing. Bike racks are also proposed to the west at ground floor level; however, the specification has not been agreed, and this will need to be secured through the imposition of a condition attached to the recommendation.

The development site is situated in an established mixed-use area with good links to public transport, a wide range of local amenities and good opportunities for walking and cycling. Therefore, no objections are raised to the parking provision proposed within the development. Based on the above, the development complies with Local Plan Policies 5 & 9 and NPPF section 6.

Ecology & Arboricultural

Greater Manchester Ecology Authority (“GMEU”) have been consulted on the application in relation to ecology, and they have reviewed the Ecological Survey and Assessment undertaken by ERAP September 2021. GMEU conclude that they have no objections to the methods used to assess bat activity on the site. No evidence of recent or historic use of the site by bats was found. GMEU make reference that to enhance biodiversity potential at the site, a suggestion is made that the scheme has the opportunity to incorporate bird and bat boxes, and this can be secured by way of a suitably worded planning condition which is attached to the recommendation. The Environment Agency have also been consulted on the application, and they have made no comments on the ecological merits of the application.

In relation to trees, the Arboricultural Officer has raised some concerns in respect of the dominant row of trees that face the mill building on Wellington Road. The Arboricultural Officer states that the building subject of the application sits within a few metres of the trees, and whilst the building works themselves are unlikely to have any effect on the trees, the close proximity of the building raises concerns that the trees will cause shading, sunlight blockage and unwanted tree debris for future residents. If this is the case this could lead to requests to have the trees pruned or even removed.

The Arboricultural Officers comments are noted, however, the trees are not in the ownership of the applicant, and they have no control over the trees of concern. The trees do not form part of the proposed development and are not included within the planning application. In addition, the trees are not protected by any Tree Preservation Order and are not proposed for removal by the applicant. It is noted that trees can cause shading and sunlight blockage, and if this was the case, and future residents wanted to address this matter, they could do so without consulting the Local Planning Authority, given that the trees are not protected. Therefore, whilst the concerns of the Arboricultural Officer are understood, this cannot be pursued further for the reasons set out.

Therefore, based on the above, the development complies with Local Plan Policy 21 and NPPF section 15.

Flood Risk / Drainage

Local Plan Policy 19 states that the council will ensure development does not result in unacceptable flood risk or drainage problems by directing development away from areas at risk of flooding.

According to the Environment Agency Flood Maps, the whole site is in Flood Zone 3, benefitting from flood defences. The applicant has submitted a Flood Risk Assessment (“FRA”) undertaken by Innervision Design. The FRA states that the site, in part, lies in an area at a high risk from both surface water flooding, and ground water flooding. Flood resilience and mitigation methods will be required, including flood resilient doors, door defence barriers, anti-flood air bricks and food barriers. The FRA concludes that safe access/egress routes are immediately available and carry a Low hazard rating. There is no documented evidence of flood risk from any other sources, and the development does not impact flood risk elsewhere.

The Environment Agency have not objected to the planning application, and United Utilities have recommended a pre commencement condition relating to surface and foul water is attached to any decision notice. On that basis, subject to a pre commencement condition, the development complies with NPPF Section 14 and Local Plan Policy 19.

Ground Conditions

NPPF paragraphs 178 and 179 and Local Plan Policies 7, 8 and 9 are relevant, which seek to ensure that a site is suitable for its use, taking account of ground conditions, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The Environmental Health team has advised that having reviewed the application and the site history, there are no objections to the proposal subject to conditions in relation to contamination, which will be attached to the decision notice.

CONCLUSION & PLANNING BALANCE

In weighing up the assessment of the application, regard must be given to the Council's lack of a 5-year housing land supply, despite the improvement in the Council's housing delivery in recent years, and the '*tilted balance*' and presumption in favour of sustainable development set out in NPPF paragraph 11 is triggered. Given that NPPF paragraph 11 is triggered, the relevant matters now need to be balanced together to determine whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in accordance with NPPF Paragraph 11d (ii).

There are several material planning considerations which must be weighed up in the assessment, and as set out above. The following matters are considered in the planning balance:

The matters in favour of the application include:

- The mill building forms part of a site that is allocated for residential development (in part).
- The retention and conversion of the mill building is considered a significant benefit and weighs heavily in favour of the development.
- The development will provide a strong contribution to housing provision in Oldham.
- Given the scale of the building, its prominence and its very poor condition, the redevelopment and refurbishment of the building, would significantly enhance the immediate setting of the area.

Overall, these benefits together are given 'significant weight' in favour of the application. The retention and conversion of the mill building in itself should be given significant weight. This coupled with the provision for housing, the site's allocation and the enhancements to the immediate setting only weigh further in the application's favour.

The matters not in favour of the application:

- The development is unable to make any provision for affordable housing or open space in accordance with Local Plan Policies 10 and 21.
- The development will cause 'less than substantial harm' to an NDHA.

These matters have been given 'limited weight' in the planning balance. It has been proven through a viability appraisal of the development costs that it is not possible to deliver contributions towards affordable housing and open space provision. If the Council were to enforce these requirements, then the development would not be viable, and the site would remain derelict and vacant.

The development will also cause 'less than substantial harm' to a NDHA, however, as set out in the report, the benefits are significant, which include the retention and redevelopment of the existing mill building, which secures its long-term use, and it is considered that the public benefits would outweigh the harm. Therefore, it is for that reason that the benefits of the scheme outweigh the harm, and on that basis the application is recommended for approval.

RECOMMENDED CONDITIONS

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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 comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
4. Prior to the commencement of any part of the development hereby approved, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained thereafter. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy 19 of the Oldham Local Plan.
5. Prior to the commencement of development hereby approved, a scheme in the form of a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts, along with adequate wheel wash facilities. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the demolition or construction works are commenced, which shall be maintained for the duration of the demolition or construction works. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.
6. No development shall take place until full details of both hard and soft landscape works and boundary treatments with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);

schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme.

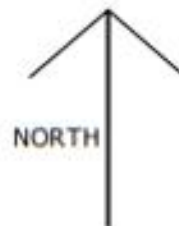
7. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.
8. REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.
9. If development has not commenced on the conversion of the building by March 2023, then an updated report concerning the use of the site by bats, prepared by a suitably qualified person, shall be submitted to and approved in writing by the local planning authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be implemented in accordance with a timetable to be agreed in writing by the local planning authority. Reason - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981. Reason - Prior approval of such details is necessary to ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.
10. No development shall take place until a scheme to soundproof the wall/floor/ceiling between the flats has been submitted to and approved in writing by the Local Planning Authority and all such works that form the approved scheme shall be implemented before the flats are brought into use and shall be retained at all times thereafter. Reason - To protect the amenity of future residents in accordance with Oldham Local Plan Policy 9.
11. If ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety
12. Unless alternative satisfactory protection can be demonstrated, the development shall include the installation of a proprietary gas protection membrane, the details of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of any above ground works. The development shall be implemented in accordance with the approved measures. Reason – To alleviate any possibility of landfill gas ingress as the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas having regard to Policy 9 of the Oldham Local Plan.

13. No dwelling shall be occupied until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plans Ref: 20013 (PL) 090 F and 20013 (PL) 110 A and 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.
14. The use of the building hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter. REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
15. The development hereby approved shall be carried out in accordance with the glazing specification set out section 3 of the Acoustic Survey undertaken by Martin Environmental Solutions dated July 2021 Report no 2133-1 Reason: To protect the amenity of future residents in accordance with Oldham Local Plan Policy 9

SITE LOCATION PLAN (NOT TO SCALE):



SITE LOCATION PLAN
1:1250 SCALE
KNOLL MILL WELLINGTON ROAD
GREENFIELD
OL3 7AF
BRUCE + BRUCE Chartered
Architects



APPLICATION REPORT – HOU/349204/22 Planning Committee 24th August 2022

Registration Date: 2nd June 2022
Ward: Royton North

Application Reference: HOU/349204/22
Type of Application: Householder

Proposal: Single storey rear extension including new pitched roof to existing garage

Location: 1 Longdale Close, Royton

Case Officer: Mr Osian Perks
Applicant: Mr Micheal Harrison
Agent: Mr Gee

INTRODUCTION

In accordance with the Council's Scheme of Delegation the application is referred to Planning Committee for determination as the applicant is a familial relation of an elected member.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

THE SITE

The application site is located on the western side of Longdale Close near its junction with Camberwell Way to the south. The site comprises a two-storey semi-detached dwellinghouse faced in red brick with concrete tiled roof and is forms part of an established residential area of similar properties. A garage adjoins the side elevation of the dwelling which has a flat roof.

THE PROPOSAL

Planning permission is sought for the erection of single storey rear extension which would project 3.5m beyond the main rear elevation and spans the full width of the dwelling and garage (10.4m). It would be built with a pitched roof which would also extend over the existing garage. External steps would abut the rear elevation of the proposed extension to provide access to the garden from the patio doors.

RELEVANT PLANNING HISTORY

N/A

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The following policies are relevant to the determination of this application:

Policy 9 - Local Environment; and,
Policy 20 – Design.

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters. No responses have been received.

PLANNING CONSIDERATIONS

The main material considerations are:

1. Residential amenity; and,
2. Design and integration with local character.

Residential Amenity

DPD policy 9 seeks to protect the amenities of the occupants of residential properties by ensuring adequate outlook, levels of natural light and privacy.

By virtue of its height and depth the proposed rear extension is not considered to cause an unacceptable loss of light to, nor would it have an oppressive impact upon the occupants of the adjoining dwelling, no.3 Longdale Close.

By virtue of the extension's size and the distance of separation between it and the properties fronting Denbydale Way to rear of the site, it is not considered that it would have an oppressive impact upon, nor would it cause an unacceptable loss of light or privacy to the occupiers of these properties.

Whilst the extension and the pitched roof over the garage would be positioned very close to the boundary with No.6 and No.8 Camberwell Way, given the height of the development, the position of the pitched roof in relation to the application property and the distance of separation between the development proposed and the rear elevation of these neighbouring properties, it is not considered it would cause unacceptable loss of light nor would it cause an oppressive impact.

Whilst the external steps proposed would provide limited views of the neighbouring properties, they would function primarily as transient space between the rear garden and the house. As such it is considered that their erection would not result in an unacceptable loss of privacy to the occupants of neighbouring dwellings.

In light of the above, it is considered that the proposed development would accord with the residential amenity aims of DPD policy 9.

Design

DPD Policy 9 'Local Environment' states that it is necessary to consider how a proposed development impacts on the visual appearance of the existing building. DPD Policy 20 requires such proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

By virtue of its size and design, the proposed development would appear as a sympathetic and subservient addition to the application property.

In light of the above, it is considered that the proposed development would accord with the visual amenity aims of DPD policies 9 and 20.

CONCLUSION

The proposal accords with the objectives of Policies 9 and 20 of the Local Plan and relevant policies contained within the National Planning Policy Framework. Therefore, the application is recommended for approval.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. Reason - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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 not detrimentally affected by the proposed extension.

SITE LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT – HOU/349252/22 Planning Committee 24th August 2022

Registration Date: 15th June 2022
Ward: Chadderton Central

Application Reference: HOU/349252/22
Type of Application: Householder

Proposal: Single storey rear extension

Location: 1079 Middleton Road, Chadderton

Case Officer: Mr Abiola Labisi
Applicant: Ms. Tanya Farrugia
Agent: Mr. Ian Tuncliffe

INTRODUCTION

In accordance with the Council's Scheme of Delegation the application has been referred to the Planning Committee for determination since the applicant is an employee of Oldham Council in a senior management role.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

THE SITE

The site is located on the south side of the A669 Middleton Road within a residential area characterised by two storey terraced dwellings. The site is located at the end of a terrace of dwellings and is adjacent an unmade track which leads to some other residential development to the rear of the site.

THE PROPOSAL

The proposal relates to the erection of a single storey rear extension which would project beyond the side wall by approx. 4m with a depth of approx. 7.9m, matching that of the existing dwelling. In terms of external finish materials, the extension would be built using red brick for the walls and Welsh slates for the roof, to match those of the existing dwelling.

RELEVANT PLANNING HISTORY

FUL/346799/21 – Permission granted for the change of use of land forming part of highway to domestic use on 03/09/2021.

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is unallocated in the Proposals Map associated with this document.

As such, the following policies are relevant to the determination of this application:

Policy 9 - Local Environment; and,
Policy 20 – Design.

CONSULTATIONS

Highways Engineer: No objection

Environmental Health: No objection.

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters and no representation was received.

PLANNING CONSIDERATIONS

The main material considerations are:

1. Impact on the character of the area
2. Impact on the amenity of the occupiers of neighbouring properties
3. Highway Issues

Design and Impact on the character of the area

NPPF paragraph 130 as well as Oldham Local Plan Policies 9 and 20 require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

The proposed extension would not project beyond the front wall of the existing dwelling and would therefore not breach the established building line along Middleton Road. This, coupled with its height and width, would minimise any potential adverse impact on street scene.

Notwithstanding its width, the extension would still be set back from the side boundary by at least 1.5m and this would further minimise any potential visual impact.

The scale is considered appropriate having regard to the plot size.

Impact on Amenity

NPPF paragraph 130 requires that new development should ensure a high standard of amenity for existing and future users, whilst Oldham Local Plan Policy 9 provides that development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users

through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

Having regard to the siting of the proposed development in relation to neighbouring properties, as well as its scale and design, it is considered that the proposal would not lead to any significant adverse impact on the residential amenity of the occupiers of neighbouring properties.

Highway Issues

The side garden on which the extension would be erected is not currently used a parking area. As such, the proposal would not lead to any loss of existing parking facility. The dwellings along this stretch of Middleton Road generally rely on on-street parking and therefore it is considered that the proposal would not lead to any severe detrimental highway issue.

The Council's Highway Engineer has raised no objection to the scheme.

CONCLUSION

Having regard to the scale and design of the proposed development it is considered that the proposal would not lead to any significant adverse impact on the character of the area neither would it lead to a significant adverse impact on the amenity of the occupiers of neighbouring properties.

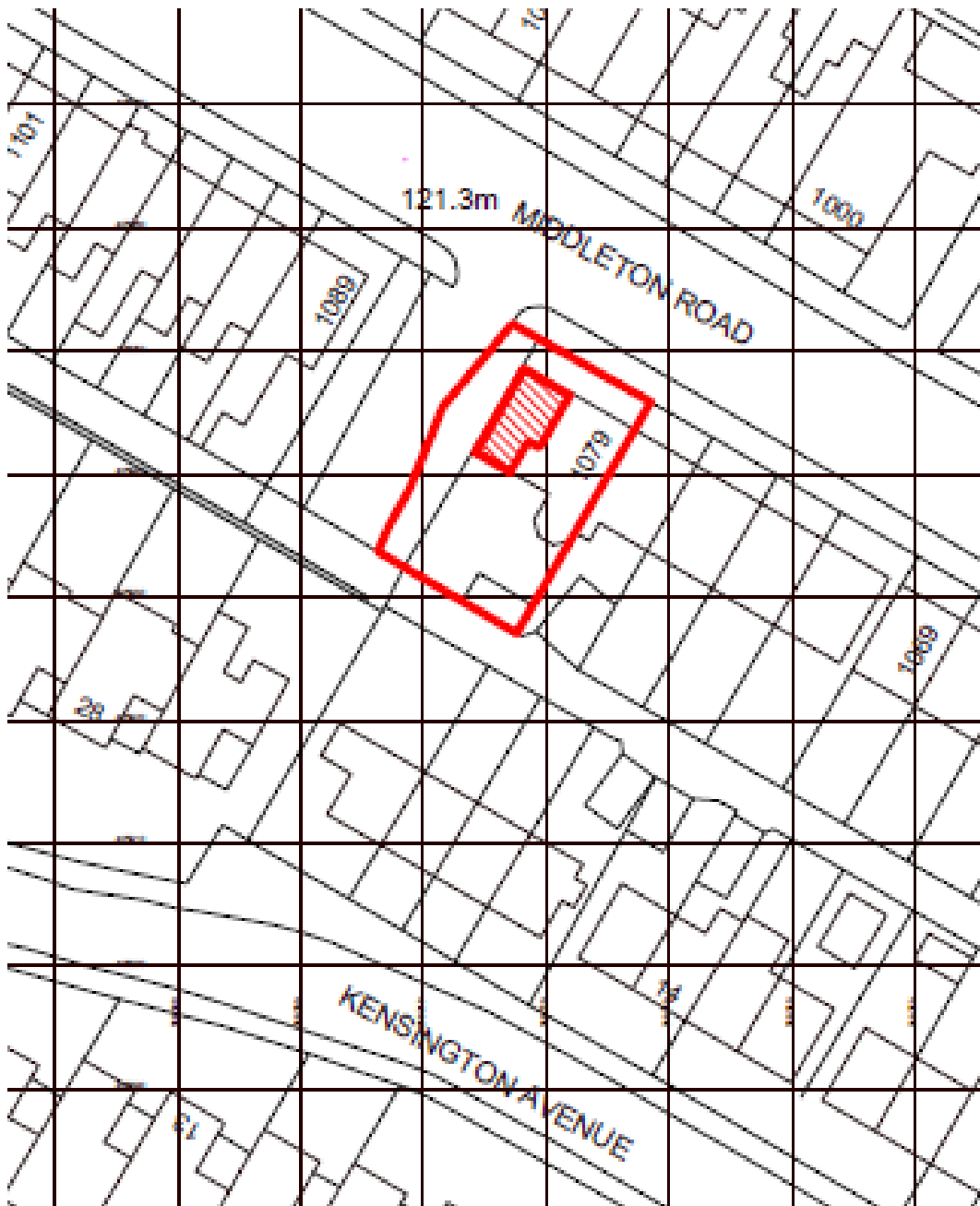
The proposal would therefore be in accordance with relevant provisions of Oldham Local Plan Policies 9 and 20 as well as relevant provisions of Section 12 of the National Planning Policy Framework.

RECOMMENDED CONDITIONS

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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.

SITE LOCATION PLAN (NOT TO SCALE):



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Site Location Plan 1-500

Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

24 August 2022

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 6 July 2022. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals since 23 June 2022 (until 12 August 2022) which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
HOU/347522/21	Hodge Clough Farm Wilkes Street Oldham	Allowed, 06/07/2022	18/03/2022	Single storey extension to existing detached garage, amended application relating to HOU/345894/20.
PA/343735/19	Land On Delph New Road Oldham OL3 5BY	Ongoing	10/05/2022	Erection of three new dwellings.
FUL/345402/20	Land Adj To Woods House Sugar Lane Dobcross	Ongoing	25/05/2022	Erection of three dwellings.
FUL/346143/21	5/7 Scholes Street And 19 Rhodes Street Scholes Street Oldham	Ongoing	10/05/2022	Proposed change of use of 5-7 Scholes Street from office to a transitional Care Home (Class C2) and change of use of 19 Rhodes Street from meeting hall to a soup kitchen and dormitory with two storey extension above the existing buildings.

FUL/347636/21	33 Leaside Avenue Chadderton Oldham	Ongoing	05/05/2022	Change of use of property from residential use (C3) to Class E (day care centre).
HOU/347739/21	161 Oldham Road Springhead Oldham	Ongoing	07/04/2022	Erection of a fire escape and railings leading to access door on the first floor at the rear.
HOU/347813/21	42 Shadowbrook Close Oldham OL1 2UE	Ongoing	21/04/2022	Retention of external garden structure/feature to rear of property
HOU/347829/21	7 Range Lane Denshaw Oldham	Dismissed, 12/07/2022	10/05/2022	Juliet balcony with double doors.
FUL/347898/21	Royal Oak Inn Broad Lane Delph	Ongoing	28/04/2022	Conversion and change of use of public house with associated living accommodation to single dwellinghouse with garden.
CEA/348450/22	Land At Station Road/ Harrop Green Lane Diggle Oldham	Ongoing	27/04/2022	Certificate of lawfulness for Erection of 1 no. dwelling.
FUL/347572/21	6 Walter Street Oldham OL1 1SQ	Ongoing	13/06/2022	Change of use to 3 bedroom HMO property
ADV/348628/22	Land On The North Side Of Huddersfield Road Lees Oldham	Ongoing	22/06/2022	Installation of an internally illuminated digital advertising display.
FUL/347429/21	232 Medlock Road, Failsworth	NEW	12/07/2022	Construction of a stable block

LBC/347521/21	1A Lower Tunstead, Tunstead Lane, Greenfield	NEW	12/08/2022	Single and two storey rear extensions
ADV/348747/22	373 Oldham Road Failsworth Oldham	NEW	04/07/2022	Installation of LED screen advertisement hoarding
HOU/348992/22	1 The Grove Shaw Oldham	NEW	26/07/2022	First floor side extension

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.

If any person has any questions regarding these appeals and decisions, they can request further information from the Planning Service by contacting Martyn Leigh (Development Management Team Leader) via planning@oldham.gov.uk

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