

PLANNING COMMITTEE Regulatory Committee Agenda

- Date Wednesday 18 January 2023
- 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, 13 January 2023.
 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.

Please also note the Public attendance Protocol on the Council’s Website

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:

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

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 - 6)
The Minutes of the meeting of the Planning Committee held on 7th December 2022 are attached for Members' approval.
- 6 PA/345054/20 - The Barns, Clough Lane, Grasscroft (Pages 7 - 16)
Conversion of existing barns to form 3No dwellings, demolition of single storey extensions, forming new roof and extension
- 7 FUL/349677/22 - Land To The North Of Ashton Road West, Failsworth (Pages 17 - 24)
Erection of a 51 no. apartment retirement living development (Use Class C3), landscaping, car parking and all associated works
- 8 HOU/350022/22 - 1 Slack Hall, Thorpe Lane, Austerlands (Pages 25 - 30)
First floor side extension and single storey side extension 1 Slack Hall, Thorpe Lane, Austerlands, Oldham, OL4 3QE
- 9 Appeals Update (Pages 31 - 34)



PLANNING COMMITTEE
07/12/2022 at 6.00 pm

Present: Councillor Dean (Chair)
Councillors Cosgrove, H. Gloster, A Hussain, F Hussain,
Nasheen, C. Phythian, Surjan and Williamson (Substitute)

Also in Attendance:

Emma Breheny

Alan Evans

Martyn Leigh

Wendy Moorhouse

Peter Richards

Paul Rogers

Group Solicitor

Interim Development Management

Team Leader

Principal Transport Officer

Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Hobin, S Hussain, Lancaster and Woodvine.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Councillor F Hussain declared an other registrable interest at item 13.

4 **PUBLIC QUESTION TIME**

There were no Public Questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that subject to 'Surjam' being amended to read 'Surjan' in minute no.1, the Minutes of the meeting of the Planning Committee held on 9 November 2022 be approved as a correct record.

6 **FUL/349133/22 FORMER NATWEST BANK, MUMPS, OLDHAM, OL1 3TL**

APPLICATION NUMBER: FUL/349133/22

APPLICANT: Mr Atif Malik

PROPOSAL: Conversion of existing former bank into office space.

LOCATION: Former Natwest Bank, Mumps, Oldham, OL1 3TL

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

On being put to the vote it was **UNANIMOUSLY** cast **IN FAVOUR OF APPROVAL**.

DECISION: That the application be GRANTED.

7 **LBC/349134/22 FORMER NATWEST BANK, MUMPS,
OLDHAM, OL1 3TL**

APPLICATION NUMBER: LBC/349134/22

APPLICANT: Mr Atif Malik

PROPOSAL: Conversion of existing former bank into office space.

LOCATION: Former Natwest Bank, Mumps, Oldham, OL1 3TL

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

On being put to the vote it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED.

8 **FUL/349701/22 250-252 HUDDERSFIELD ROAD, OLDHAM,
OL4 2RB**

APPLICATION NUMBER: FUL/349701/22

APPLICANT: Mr T Mushtaq

PROPOSAL: Change of use of Public House to 11 bed HMO (House in Multiple Occupation).

LOCATION: 250-252 Huddersfield Road, Oldham, OL4 2RB

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

On being put to the vote 7 VOTES were cast IN FAVOUR OF APPROVAL 0 VOTES were cast AGAINST with 2 ABSTENTIONS.

DECISION: That the application be GRANTED.

NOTES:

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

9 **FUL/349858/22 BUILDER CENTER, COLDHURST STREET,
OLDHAM, OL1 2PX**

APPLICATION NUMBER: FUL/349858/22

APPLICANT: Peter Aureus Investments Limited

PROPOSAL: Change of use from Builders Merchants (sui generis) to dual Class B2 and B8 uses.

LOCATION: Builder Center, Coldhurst Street, Oldham, OL1 2PX



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

On being put to the vote it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED.

10

FUL/349869/22 WATERLOO STREET CAR PARK, WATERLOO STREET, OLDHAM

APPLICATION NUMBER: FUL/349869/22

APPLICANT: Oldham Council

PROPOSAL: Installation of x2 Rapid Taxi/PHV chargers and upgrade existing fast charger on site

LOCATION: Waterloo Street Car Park, Waterloo Street, Oldham

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

On being put to the vote it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED.

11

FUL/349870/22 PEEL STREET CAR PARK, PEEL STREET, OLDHAM

APPLICATION NUMBER: FUL/349870/22

APPLICANT: Oldham Council

PROPOSAL: Installation of two rapid Electric Vehicle chargers for taxi and PHV only.

LOCATION: Peel Street Car Park, Peel Street, Oldham

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

On being put to the vote it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED.

12

FUL/349871/22 RADCLIFFE STREET PRECINCT CAR PARK RADCLIFFE STREET OLDHAM

APPLICATION NUMBER: FUL/349871/22

APPLICANT: Oldham Council



PROPOSAL: Install x 2 rapid EV chargers for taxi/PHV

LOCATION: Radcliffe Street Precinct Car Park Radcliffe Street
Oldham

It was MOVED by Councillor Gloster and SECONDED by
Councillor Williamson that the application be DEFERRED
(against Officer recommendations) to determine whether there is
sufficient space for the proposed 4 disabled parking bays.

On being put to the vote 2 VOTES were cast IN FAVOUR OF
DEFERRAL and 6 VOTES were cast AGAINST with 1
ABSTENTION.

The MOTION was declared LOST.

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

On being put to the vote 7 VOTES were cast IN FAVOUR OF
APPROVAL and 2 VOTES were cast AGAINST.

DECISION: That the application be GRANTED.

NOTES:

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

13

**HOU/349904/22 49 NEWPORT STREET, OLDHAM, OL8
1RE**

Councillor Fida Hussain declared an other registrable interest
left the meeting and took no part in the discussion or vote.

APPLICATION NUMBER: HOU/349904/22

APPLICANT: Mr Fida Hussain

PROPOSAL: First floor side extension and installation of solar
panels.

LOCATION: 49 Newport Street, Oldham, OL8 1RE

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

On being put to the vote it was UNANIMOUSLY cast IN
FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED.

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**FUL/350049/22 ROYAL OLDHAM HOSPITAL, ROCHDALE
ROAD, OLDHAM OL1 2JH**

APPLICATION NUMBER: ~~Page 4~~ FUL/350049/22

APPLICANT: Northern Care Alliance NHS Foundation Trust

PROPOSAL: Partial demolition of Cafe Royal and J-Block and the erection of a four-storey extension to the main building along with landscaping and associated works (Phase 4B)

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

It was **MOVED** by Councillor Surjan and **SECONDED** by Councillor Williamson that the application be **APPROVED**.

On being put to the vote it was **UNANIMOUSLY** cast **IN FAVOUR OF APPROVAL**.

DECISION: That the application be **GRANTED** subject to the amended conditions 5, 7 and 8 detailed in the Late List.

NOTES:

1. That a representative of the Applicant 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 15.

15

APPEALS UPDATE

RESOLVED that the Appeals Update be noted.

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LATE LIST

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

The meeting started at 6.00pm and ended at 7.09pm.

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APPLICATION REPORT - PA/345054/20
Planning Committee – 18th January 2023

Registration Date: 7th July 2020
Ward: Saddleworth South

Application Reference: PA/345054/20
Type of Application: Full Application

Proposal: Conversion of existing barns to form 3No dwellings, demolition of single storey extensions, forming new roof and extension

Location: The Barns, Clough Lane, Grasscroft, OL4 4EW

Case Officer: Matthew Taylor
Applicant: Mr Alan Davies
Agent: Mr Alan Davies

INTRODUCTION

The application is referred to Planning Committee for determination since it was originally requested by (former) Councillor Curley on the basis that the building proposed would represent a significant loss of amenity to adjacent properties, overdevelopment of green space in a conservation area and construction/materials would be incompatible with the surrounding properties.

RECOMMENDATION

It is recommended that the application should be approved subject to the conditions as set out in this report.

THE SITE

The application site comprises a dilapidated former agricultural building within the heart of Grasscroft Conservation Area and is adjacent to a number of Grade II listed buildings at 7, 9, 11, 10, 12 and 14 Clough Lane.

THE PROPOSAL

Planning consent is sought for the conversion of the barns to three dwellings (1No. two Bedroom dwelling and 2No. three bedroom dwellings).

The works proposed include:

- Demolition of a small single storey extension, removal of three existing trees to the rear of the building and reduction of the ground level to create onsite car parking and gardens to the rear of the property;
- The erection of a two-storey rear extension to form a utility room at ground floor and later bedroom at first floor to serve proposed Unit No. 3;

- The utilisation of the adjacent land to form car parking for proposed Unit No. 2 and also neighbour parking;
- Raising of the ridge and eaves of the middle section of the existing building, to create a further stepped roof design, to facilitate the creation of 2 bedrooms in the resultant roof space, to serve proposed Unit No. 2;
- The replacement of the corrugated metal roof with to slate; and
- Alterations to the external window and door fenestration are also proposed.

REPRESENTATIONS

This application has been publicised by way of a site notice, press notice, and neighbour notification letters. In response, 26 letters of objection have been received which are summarised below:

- Proposed development would impact on the setting of a Grade II listed building and Grasscroft Conservation Area;
- Proposed development would have an unacceptable impact on highway safety and amenity;
- Proposed development would have a detrimental impact on protected trees on site;
- The proposed development may impact on bat roosts ;
- Development make an insufficient parking provision;
- Proposed parking would result in the loss of a green space in the Grasscroft Conservation Area;
- Proposed new windows openings would overlook neighbouring properties;
- Site has Japanese knotweed;
- Proposed development is over development of the original building;
- Blue slate not in keeping with the Grasscroft Conservation Area;
- Redevelopment of the barn would result in cars that current park surrounding it being pushed away causing greater parking issues;

Saddleworth Parish Council were also consulted and recommended refusal on the basis that the site is located in a designated conservation area and that the proposal is not in keeping with the character and buildings within the area.

RELEVANT PLANNING HISTORY

PA/340653/17 - 1) Conversion and extension of barns to form two dwellings 2) Demolition of single storey outbuilding 3) Removal of roof – Approved 24.12.2018

RELEVANT PLANNING POLICIES

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

Other than being located within a conservation area the application site is otherwise unallocated by the Proposals Map associated with the Development Plan. As such, the following policies are relevant to the determination of this application:

Joint Development Plan Document:

Policy 1 - Climate change and sustainable development;

Policy 3 - An address of choice;
Policy 5 - Promoting Accessibility and Sustainable Transport Choices;
Policy 9 - Local environment;
Policy 11 - Housing;
Policy 20 - Design;
Policy 21 - Protecting Natural Environmental Assets; and,
Policy 24 – Historic Environment.

The advice and guidance within the National Planning Policy Framework (NPPF) is also relevant as a material planning consideration.

CONSULTATIONS

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| Environmental Health: | No objection. |
| Highways: | Recommended a condition the development not be brought into use until the parking arrangement outlined on the amended site layout have been provided. |
| LLFA/Drainage: | Comments to be reported on the late list. |
| Trees: | No objection, subject to condition requiring the provision of replacement planting. |

PLANNING CONSIDERATIONS

The main issues to consider are:

1. The principle of the development;
2. Design and impact on the historic environment;
3. Residential amenity;
4. Highway safety;
5. Impact on trees; and
6. Ecology.

Principle

Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings and development on 'previously developed land' prior to the use of greenfield sites - an approach echoed by Policies 3 and 11. Policy 1 also seeks to meet Oldham's housing needs and demands by focusing residential development in sustainable and accessible locations.

The application site is a dilapidated building within an existing residential area, as such the principle is considered acceptable, as the change of use would bring an existing building back into use.

Sustainable location:

Policy 3 gives preference to the use of previously developed sites for residential development and the availability of such land, both in the locality and borough wide, as assessed by the Council's monitoring arrangements, will be the first consideration when considering

applications on greenfield sites. It also clarifies the Council's aims to promote development in sustainable locations and on previously developed sites.

Policy 3 acknowledges the contribution that residential development on non-allocated sites can make to the housing market providing they are in sustainable locations. It specifically states that residential development (for 'minor' category proposals such as this) should be within 480m or a ten-minute walk of at least three 'key services'. In this regard both the Farrars Arms, and Friezland Primary School, are within a ten minute walk of the application site.

DPD Policy 5 requires minor development to achieve 'low accessibility' as a minimum which is defined as being within approximately 400m of a bus route with a service or combination of services running less frequently than the medium accessibility. The nearest bus stop is approximately 100m from the application site. Therefore, it is considered reasonable to suggest that the site is well placed in terms of access to bus routes.

Having regard to the above it is considered that the principle of the proposal is acceptable, and the site is in a sustainable location.

Design and historic environment

Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

Policy 24 states that development within or affecting the setting of a conservation area, including views in or out, must serve to preserve or enhance the character or appearance of the area. Proposals for all new development, including alterations and extensions to buildings and their re-use, must have a sensitive and appropriate response to context and good attention to detail. Proposals must not adversely affect important architectural or historic features or distinctive local features or structures unless it can be demonstrated that the development brings substantial benefits to the community.

NPPF Paragraph 194 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.

Paragraph 197 of the NPPF requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and the desirability of new development making a positive contribution to local character and distinctiveness.

Having considered the amended extensions and alterations to the elevations of the existing building against both those previously approved, and their relationship with the surrounding properties it is considered they would have a positive impact on the Conservation Area and the setting of the adjacent listed buildings. The proposed development would secure the active reuse of the building in the heart of the Grasscroft Conservation Area and the additions would be compatible with its character.

To this end, it is considered the proposed use and alterations are considered both sympathetic and appropriate, and that the proposed development would have a positive impact on the host building, the Grasscroft Conservation Area, the setting of the Grade II listed buildings adjacent, and the wider street scene.

To this end, it is considered the amended proposal will both preserve and enhance the Grasscroft Conservation Area and complies with the provisions of Development Management Policies 9, 20 and 24 and Chapter 16 of the NPPF.

Residential amenity

Policy 9 requires that new development proposals must not have a significant adverse impact upon the amenities of neighbouring properties.

Impact on No. 3 Clough Lane:

The most impacted property is No. 3 Clough Lane, given the separation distance from the buildings side elevation to this neighbouring property's front elevation. However, as the proposed windows facing this neighbouring dwelling are all either secondary window or serve non habitable rooms, it is considered a condition to secure they be provided as obscure glazing will mitigate against any harm.

Impact on other neighbouring properties:

In regards the other neighbouring dwellings, it is noted they are set sufficient distance from the building, so that the proposal would not have a significantly greater impact in terms of loss of light, outlook or privacy to the occupiers of the neighbouring properties.

Impact on the Future Occupiers:

Policy 9 of the Oldham LDF states that the council will ensure development does not cause significant harm to the amenity of the occupants and future occupants of the development. To this end, the development has been assessed against the 'Technical housing standard-nationally described space standards', March 2015.

The proposed floor space of the scheme complies with these standards and it is concluded that the development will be provided appropriate living space for the future occupants of the development as the additional windows proposed would give the occupiers a good level of amenity.

Given the above, it is considered that the development has no significant impact on residential amenity, in accordance with DPD Policy 9.

Highway safety

The Highway Engineer raised concerns about the original layout in terms of the orientation of the car parking spaces and the effect that manoeuvring into and out of them would have on highway safety. However, an amended site layout drawing has been submitted and the concerns have been fully addressed by amending the orientation of the parking to serve Unit No's. 1 and 2.

Therefore, it is considered the amended scheme does not conflict with the requirements of Policy 9 or Paragraph 111 in the National Planning Policy Framework in respect of highway safety.

Trees

Saved UDP Policy D1.5 'Protection of Trees on Development Sites', states:

“In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:

- a) the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and*
- b) development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas.*

In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission for the development.”

There were previously three Ash trees to the rear of the site that would be impacted by the previously approved development. At the time of considering this current application it is clear that only one Ash tree remains on site. Having consulted the Council's Arboricultural Officer, it is clear the removal of this tree would ordinarily warrant an objection, unless it could be shown that those works could be undertaken whilst ensuring the protection and retention of the trees.

However, it must be noted that the Ash tree is currently showing symptoms of Ash die back, and as a result it is almost inevitable it will need to be felled in the near future as a matter of health and safety. Therefore, it is considered, in this instance, appropriate and reasonable to allow the removal of remaining Ash tree subject to an appropriately worded planning condition requiring the provision of replacement trees on site at a ratio of 3:1, which is the requirements of saved UDP Policy D1.5.

Ecology

Policy 21 of the Oldham LDF Joint DPD is concerned with protecting, conserving and enhancing our local natural environments.

It is noted the previously approved scheme (ref: PA/340653/17) required a bat activity and monitoring survey be undertaken prior to the development starting on site. An application was made to discharge this condition but given that the alteration of the building was not fully implemented it is considered appropriate the same condition be attached to this application.

Furthermore, it is likely that nesting birds use these buildings and if active nests are found during work they must be left undisturbed until the young have fledged. Avoiding the nesting season (March to August) will avoid this potential problem. A condition is attached to the recommendation requiring this.

CONCLUSION

It is considered that the proposed dwellings would not have a harmful effect on neighbour amenity nor have a detrimental impact on the character of the street scene or conservation area. Essentially, it is considered that the proposals comply with Development Management Policies 1, 3, 5, 9, 11, 20, 21, 22 and 24 of the Local Plan and is consequently recommended for approval, subject to the imposition of conditions listed below.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of 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 alterations to the external appearance of the building shall take place unless and until samples of the materials to be used on all external elevations, including the roof, external doors, windows, and rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples. Reason - To ensure that the existing building is not detrimentally affected by the proposed development.
4. 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 plan 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.
5. The proposed windows shown on the approved plan in the north elevation of the building shall be provided with and permanently glazed in Pilkington Level 3 obscure glass. No further windows or other openings shall be formed in that elevation without the prior written approval of the Local Planning Authority. Reason - To protect the amenities of occupiers of the neighbouring property having regard to Policy 9 of the Oldham Local Plan.
6. No development shall take place until a report concerning the use of the site by bats, prepared by a suitably qualified person, has been submitted to and approved in writing by the local planning authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be undertaken in accordance with a timetable to be approved in writing by the Local Planning Authority. Reason - To ensure the protection of bats, which are protected species under the Wildlife and Countryside Act 1981, and their habitats, having regard to Policy 21 of the Oldham Local Plan
7. No works to trees or shrubs shall occur or demolition commence 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 birds

8. No development 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 replacement trees (three at minimum). 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.

SITE LOCATION PLAN (NOT TO SCALE):



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APPLICATION REPORT – FUL/349677/22 Planning Committee 18th January 2023

Registration Date: 22nd August 2022
Ward: Failsworth West

Application Reference: FUL/349677/22
Type of Application: Full

Proposal: Erection of a 51 no. apartment retirement living development (Use Class C3), landscaping, car parking and all associated works

Location: Land to the North of Ashton Road West Failsworth Oldham

Case Officer: Emma Breheny
Applicant: McCarthy Stone Retirement Lifestyle Ltd.
Agent: Planning Potential

INTRODUCTION

This application is referred to Planning Committee in accordance with the Council's Scheme of Delegation, given it is a major residential development proposing in excess of 20 dwellings.

RECOMMENDATION

That the application be approved subject to the imposition of 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 unallocated within the Local Plan and was once occupied by the former Failsworth Mill. It now forms a vacant parcel of land located between the Tesco supermarket to the east and a residential development on Whitekirk Drive to the west. The northern boundary of the site borders the Rochdale Canal which is a Site of Special Scientific Interest (SSSI).

THE PROPOSAL

The applicant seeks planning permission to erect a three storey apartment block comprising 51no. apartments. The applicant states that the development will provide accommodation for those aged 50 or above. Parking provision would be accommodated to the front of the site in a private car park. There will be an area of soft landscaping to provide external amenity space for residents.

RELEVANT PLANNING HISTORY

There is no relevant planning application history to the current site other than application reference DM/335282/14 which was a notification of the demolition of the mill buildings which once occupied the site.

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Core Strategy and Development Management Policies Development Plan Document (referred to as the Local Plan) for Oldham. The site is unallocated in the Proposals Map associated with this document and is situated within the defined urban 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 9 | – | Local Environment; |
| Policy 11 | – | Housing; |
| Policy 19 | – | Water and Flooding ; |
| Policy 14 | – | Supporting Oldham's Economy; |
| Policy 20 | – | Design; and, |
| Policy 21 | – | Protecting Natural Environmental Assets. |

CONSULTATIONS

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| Highways Engineer: | No objections subject to conditions relating to the access and car parking on site being installed, cycle storage being provided, and highway improvement works carried out including the reinstatement of the footpath to the front of the site and traffic calming measures on Ashton Road West. |
| Environmental Health: | No objection subject to the submission of a ventilation scheme accompanied by a noise assessment to ensure that the flats can be ventilated whilst being protected from noise from the adjacent Tesco supermarket and Ashton Road West. A condition relating to land contamination is also required. |
| GMEU: | No objection subject to a detailed Construction Environmental Management Plan being submitted to ensure that dust and debris does not encroach onto the SSSI and that hedgehogs are protected during site clearance works. A CEMP has been submitted and it is suggested that this forms part of the conditions on the application. |
| Natural England: | No objections on the basis that the Habitats Regulations Assessment is accepted by the Local Planning Authority. GMEU act as the Ecologist for the Local Planning Authority. |
| Canal and River Trust: | No objections on the basis that the development is carried out in accordance with the submitted CEMP. |

Lead Local Flood Authority: To be reported on the Late List.

Environment Agency: Require a condition relating to substantial ground conditions assessments to ensure no pollution to the water environment. The Environment Agency consider the condition necessary as a pre-commencement condition due to the proximity of the Rochdale Canal.

Tree Officer: No objection subject to a tree replacement plan, which is shown on the proposed landscaping scheme.

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters, site notices and a press notice. No letters of representation were received as a result of this publicity.

PLANNING CONSIDERATIONS

Principle

Policy 1 of the Oldham Local Plan echoes the National Planning Policy Framework (NPPF) in stating that when considering development proposals, a positive approach that reflects the presumption in favour of sustainable development will be taken. Planning applications that accord with the policies in the Local Plan will be approved without delay unless material considerations indicate otherwise. The proposed redevelopment of this site complies with the strategic policy aims set out above and represents a sustainable development that accords with the objectives of the NPPF.

Policy 11 seeks to ensure there is sufficient housing in the borough and a choice of housing provision to meet people's needs and support a good quality of life. The application site is a brownfield site (i.e., is Previously Developed Land) which is the preferred location for all new developments, in accordance with National and local policies. At present, the Authority is not able to demonstrate a 5 year housing land supply, and the proposal would make a notable contribution towards delivery of new housing in Oldham which further supports the principle of the proposed development.

In this instance, the application site is unallocated by the Proposals Map associated with the Development Plan. It is sited between a Tesco superstore and a residential development, with a Public House opposite (The Millgate). The site is sustainably located in respect of access to services and public transport options and the development will also contribute to the supply of housing. In view of the above matters, it is concluded that a residential development of this nature is acceptable in principle, subject to other material planning considerations.

Viability

Having regard to the requirements of Development Management Policies 10 (Affordable Housing), 23 (Open Spaces and Sports), and 25 (Developer Contributions), the applicant has submitted a viability appraisal seeking to demonstrate that if any such contributions are required this would make the scheme unviable and therefore undeliverable. This has been assessed on behalf of the Local Planning Authority by independent viability assessors (CP Viability Ltd) who support the conclusions reached.

Although no financial contributions can be achieved in this instance, the provision of accommodation for later living and retirement accommodation would help achieve the goals of Policy 11 which seeks to ensure there are options for mixed housing stock to widen the choice of housing available. It is considered that the provision of later living accommodation would help provide choice and contribute towards meeting the needs of the Borough's residents by utilising a previously developed site in a sustainable location. As such, the inability of the development to support such contributions is outweighed by these benefits.

Design and integration with local character

Development Management Policies 20 'Design' and 9 'Local Environment' are relevant in considering the design of the scheme and its impact on surrounding amenity.

The proposed apartment block would be a 3 storey design providing contrast with the adjacent residential development on Whitekirk Drive which comprise two storey semi-detached dwellings. The proposed development would match the height of the neighbouring residential development and the adjacent Tesco superstore. Given the site was previously occupied by a mill building, the proposed development would reflect the character of the area and strike a balance between the retail foodstore to the east and the residential development to the west.

Residential amenity

Policy 9 states it is necessary to consider how the proposal impacts on the amenity of the occupants of adjoining residential properties from the impacts likely to be associated with the proposal. Due to the interface distance between the proposed development and the neighbouring dwellings to the west, despite being three storeys in height, it is not considered that there would be any significant overlooking to the neighbouring dwellings.

It is also important to consider the amenity of future occupiers of the proposed development. In this regard, it is considered that all the units comply with the National Space Standards Document (DCLG, 2015) and are therefore considered to be a suitable size to be considered acceptable for the future occupiers having regard to the requirements of Policy 9.

The Council's Environmental Protection Officer has requested a condition to ensure that the flats can be adequately ventilated whilst being protected from noise breakout from Tesco and Ashton Road West. Such a condition is included within the recommendation.

Highways

The Council's highway engineer has been consulted on the proposals and raised no objections due to its location within an established residential area with good access to a wide range of amenities and public transport links. It is not envisaged that the proposal would give rise to any significant increase in traffic generation or any additional demand for on street parking.

However, the highway engineer considers that the existing access adjacent to the Tesco Supermarket service yard should be closed, and the footpath made good to ensure satisfactory access to the proposed car park and to allow for pedestrians to travel safely along Ashton Road West. A condition requiring this is attached to the recommendation.

Ecology

The site is located adjacent to the Rochdale Canal which is a Site of Special Scientific Interest (SSSI). As such, the developer was required to submit detailed ecological surveys and a detailed Construction Environmental Management Plan (CEMP) to ensure that the development would not harm the SSSI and the species which are located within.

Both the Greater Manchester Ecology Unit and Natural England have been consulted on the proposal and are satisfied that the development will not harm the adjacent SSSI providing detailed measures are put into place to prevent dust and debris from the development from encroaching into the SSSI. The developer has submitted a detailed CEMP which satisfies the Ecology Unit and therefore the development is acceptable in ecology terms.

CONCLUSION

The development proposed will bring back in to use a previously developed brownfield site within a prominent location within the established urban area of Failsworth. The site is sustainably located and the development respects the character of the surrounding area and provides an acceptable physical relationship with the neighbouring residential development on Whitekirk Drive. The proposal is consistent with the National Planning Policy Framework (2021) and the aims and objectives of the relevant policies contained within the Oldham Local Plan. It is therefore recommended that the application be approved subject to the imposition of conditions referenced below:

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 No development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
- 4 The development shall be carried out in full accordance with the Environmental and Construction Management Plan by Forge construction Management Limited received on 2nd November 2022. Reason - in order to protect the Rochdale Canal Special Area of Conservation from harm during construction works, in accordance with Policy 21 of the Oldham Local Plan
- 5 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
 1. Additional site investigation, based on the reporting already submitted, to provide

information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

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

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

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework

- 6 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. A piling risk assessment therefore needs to be put in place if piling is to be used during the proposed works. Reason - To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.
- 7 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Only with the completion of the remedial works and validation/verification against agreed target levels would the Environment Agency be able to recommend to the local planning authority the discharge of relevant planning conditions. Reason - To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.
- 8 Before any above ground works commence a ventilation scheme which allow the apartments to be ventilated in warm summer months in line with the guidance in Approved Document O shall be submitted to and approved in writing by the Local Planning Authority. This scheme must detail the noise levels from the ventilation system both internally and externally. The approved scheme must be installed before the apartments are occupied and retained thereafter. Reason - In order to ensure a satisfactory level of amenity for residents of the apartments, in accordance with Policy 9 of the Oldham Local Plan.
9. All hard and soft landscape works shall be carried out in accordance with a landscaping scheme to be submitted to and approved in writing by the local planning authority within 6 months of the date of this permission; the duly approved scheme shall be fully

implemented prior to the occupation of any part of the development 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 development being first brought into use, the existing access into the site adjacent Tesco service yard shall be closed and the footpath made good, as shown on the approved site plan. REASON: In the interests of highway safety and to protect the amenity of the area having regard to Policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT - HOU/350022/22 Planning Committee – 18th January 2023

Registration Date: 24th October 2022
Ward: Saddleworth North

Application Reference: HOU/350022/22
Type of Application: Householder

Proposal: First floor side extension and single storey side extension
Location: 1 Slack Hall, Thorpe Lane, Austerlands, Oldham, OL4 3QE

Case Officer: Ethan Smyth
Applicant: Mrs Georgina Brownridge
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 an employee of Oldham Council.

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

This application relates to a detached residential property, sited along Thorpe Lane, within a residential area of Austerlands. Due to land level discrepancies, the application site is elevated above Thorpe Lane, to the south.

THE PROPOSAL

Planning permission is sought for a first-floor side extension and a single storey side extension. The proposed first floor side extension would measure approximately 2.9m in width and 7.7m in length and would comprise of a pitched roof, retaining the ridge height of the existing dwelling. The proposed single storey side extension would essentially extend the existing side extension forward by 2.8m and the roof height and profile would alter as a result to match the pitch of the existing dwelling.

RELEVANT PLANNING HISTORY

HH/330776/11 - Single storey side extension following demolition of existing conservatory – Approved, with conditions, 30 August 2011.

RELEVANT PLANNING POLICIES

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

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

Joint Development Plan Document

Policy 09 - Local Environment

Policy 20 - Design

CONSULTATIONS

| | |
|---------------------------------|---|
| Highways Engineer | No Objections. |
| Natural England | No Comment Received. |
| Saddleworth Parish Council | Recommend refusal on the grounds of the potential impact on the amenities of neighbouring properties. |
| Greater Manchester Ecology Unit | No objections, although informative notes will be included on the decision notice (in the event the application is approved) relating to legislation concerning birds and bats. |

REPRESENTATIONS

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

PLANNING CONSIDERATIONS

The main material considerations are:

1. Design
2. Residential Amenity

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.

The proposed first-floor side extension would comprise of a pitched roof, which would complement the existing pitched roof of the dwelling. Whilst it is acknowledged that the proposed first-floor extension would retain the ridge height of the existing dwelling and would not appear a subservient addition in this regard, given that it is of a proportionate width, it would not be considered to cause any significant visual harm and would be deemed a sympathetic addition to the application property.

The proposed single storey side extension would comprise of a pitched roof, which would complement the pitched roof of the dwelling and the existing pitched roof side extension that is to be replaced. Due to its single storey nature, the proposed side extension would comprise of a considerably lower ridge height than the existing dwelling and would appear a subservient addition to the application property.

The proposed works would comprise of natural stone and a slate roof, both to match the existing dwelling, therefore ensuring visual assimilation. The proposed finishes would therefore not be considered to result in an unacceptable detrimental impact upon the character of the application property or the wider area. As such, this element of the proposal is considered acceptable in design terms.

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.

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 their size, design and siting in relation to the neighbouring dwellings, the proposed first-floor side extension and single storey side extension, would not cause an unacceptable loss of light or privacy to, nor would they have an oppressive impact upon the occupants of neighbouring properties.

Given the orientation of the site and the modest scale of the proposed works, no overbearing presence or loss of light would be anticipated to impact upon no.3 Slack Hall to the north-west. Similarly, due to the separation distance retained to the south, no detrimental impacts relating to an overbearing presence, or a loss of light would be anticipated to impact upon the neighbouring properties along Thorpe Lane and Huddersfield Road.

Additional windows are proposed to the front elevation, though given the considerable separation distance retained to the west, no adverse impacts relating to overlooking or a loss of privacy are foreseen. An additional window is proposed to the rear elevation, though given the orientation of the site and the existing habitable room windows which are present on this elevation, it would not be considered to exacerbate any existing detrimental impacts relating to overlooking or a loss of privacy upon the occupants of no.3 Slack Hall, to the north-west.

No additional windows are proposed to the north-facing side elevation, therefore no detrimental impacts upon residential amenity are foreseen in this regard. An additional window is proposed to the south-facing side elevation as part of the proposed single storey side extension, though given the separation distance retained to the south and the existing window it is to replace, no adverse impacts relating to overlooking or a loss of privacy are anticipated to impact upon the neighbouring properties to the south, located along Thorpe Lane and Huddersfield Road.

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

CONCLUSION

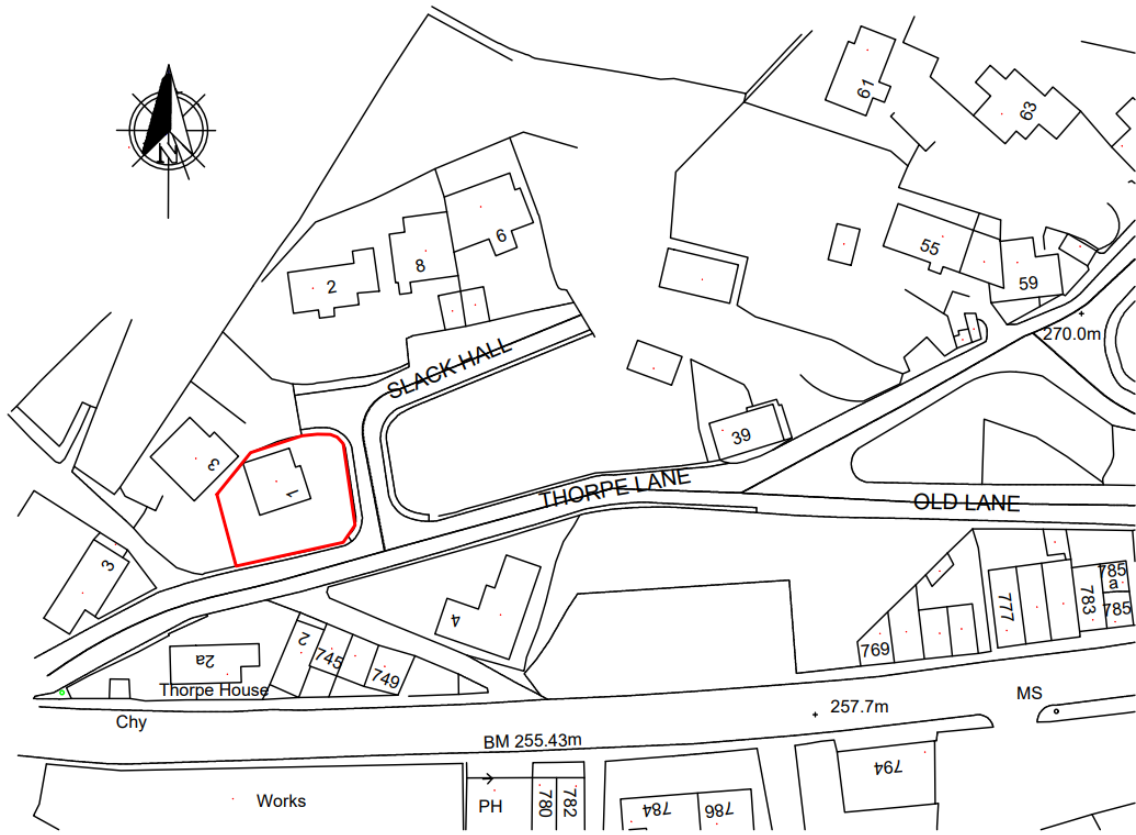
The proposal accords with the objectives of Policies 9 and 20 of the Local Plan and relevant policies contained within the National Planning Policy Framework. Therefore, the application is recommended for approval.

RECOMMENDATION

Granted, 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 the hereby approved plans and the application form submitted. 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)



LOCATION PLAN 1:1250

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Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

18 January 2023

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 7 December 2022. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals since 28 November 2022 (until 9 January 2023) which is to be noted by the Committee.

| Application No. | Site Address | Appeal Decision | Appeal Lodged Date | Description |
|-----------------|---|-----------------|--------------------|---|
| ADV/348447/22 | Land At 17/19 Huddersfield Road (A62) Oldham OL1 3LG | Ongoing | 20/10/2022 | Conversion of two existing advertising displays to a single digital advertising display |
| HOU/349173/22 | 1 Marfield Avenue Chadderton Oldham | Ongoing | 21/10/2022 | Two storey side and rear extension and single storey rear extension. |
| 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. |
| OUT/347311/21 | Land to the West of Healds Green, Chadderton | Ongoing | 17/08/2022 | Outline planning permission for up to 16no. dwellings, new access roads from Healds Green and Heights Lane, provision of community car parking (20 spaces), and double garage for no.33 Healds Green with extended curtilage. Access, Layout and Scale to be considered all |

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|---------------|--|-----------------------|------------|---|
| | | | | other matters reserved. |
| LBC/347521/21 | 1A Lower Tunstead, Greenfield | Ongoing | 12/08/2022 | Single and two storey rear extensions |
| VAR/348675/22 | 10 Sycamore Cottages, Treetop Close, Dobcross | Dismissed, 02/12/2022 | 15/08/2022 | Removal of Condition 2 - relating to planning permission PA/337483/15 which restricts occupation of the log cabin for purposes ancillary to the residential use of 10 Sycamore Cottages |
| FUL/347290/21 | Primrose Hill Land To The North Eastern Side Of Roebuck Lane Strinesdale | Dismissed, 02/12/2022 | 08/09/2022 | Erection of earth sheltered dwelling |
| HOU/347622/21 | Dolefield Barn Fur Lane Greenfield | Dismissed, 02/12/2022 | 12/09/2022 | New single storey extension to southwest corner of house |
| FUL/347882/21 | 56 Greenbridge Lane Greenfield | Dismissed, 21/12/2022 | 28/09/2022 | Demolition of existing retail unit to provide residential development of 4 flats. |
| HOU/348462/22 | Leonardin House Narrowgate Brow Shaw | Dismissed, 05/12/2022 | 13/09/2022 | Erection of garden home office on a prepared concrete base |
| PIP/348651/22 | Land Off Stockport Road Lydgate | Ongoing | 21/09/2022 | Proposed development for 3No. dwellings and associated works. |
| ADV/348554/22 | Middleton Road Mills Hill Bridge M24 2EH | NEW | 19/12/2022 | Replacement of an existing 96 panel static display with a smaller 48 panel "D-poster". |

| | | | | |
|---------------|---|-----|------------|---|
| HOU/349345/22 | 1 Sefton Close Oldham OL1 4PG | NEW | 06/12/2022 | Two storey side extension. |
| HOU/349475/22 | 6 Poplar Avenue Oldham | NEW | 05/01/2023 | Front porch and canopy |
| HOU/349583/22 | 9 Honey Hill Lees Oldham OL4 5DP | NEW | 19/12/2022 | Erection of a first floor rear 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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