

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 15 February 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
 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, 10 February 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, Arnott (Substitute), 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 - 4)
The Minutes of the meeting of the Planning Committee held on 18 January 2023 are attached for Members' approval.
- 6 RES/350225/22 Land off Knowls Lane, Lees (Pages 5 - 22)
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 (Revised scheme to previous approval of Reserved Matters RES/347759/21)
- 7 FUL/349445/22 Park Bridge, Medlock Valley, Oldham (Pages 23 - 38)
Construction of a new 127.5m long pedestrian and cyclist bridge across the Medlock Valley at Park Bridge, including upgrading and creation of foot and cycle links from bridge landing points to NCN Route 626.
- 8 FUL/350209/22 298 Moston Lane East, Manchester, M40 3HZ (Pages 39 - 50)
Change of use from dwelling (use class C3) to transitional social care (use class C2). Erection of single storey side and rear extensions and first-floor rear extension.



- 9 FUL/349317/22 Police Station, Broadgate, Chadderton, Oldham. (Pages 51 - 56)
Retrospective application for design changes to the car park layout and external areas plus minor additions to planning consent PA/340926/17, including non-material amendment NMA/343706/19.
- 10 Appeals Update (Pages 57 - 60)

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PLANNING COMMITTEE
18/01/2023 at 6.00 pm

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

Also in Attendance:

Emma Breheny	Senior Planning Officer
Laila Chowdhury	Constitutional Services
Alan Evans	Group Solicitor
Martyn Leigh	Development Management Team Leader
Kaidy McCann	Constitutional Services
Wendy Moorhouse	Principal Transport Officer
Peter Richards	Head of Planning
Matthew Taylor	Development Control

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Councillor Al Hamdani declared a personal interest at item 8 of the agenda.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the Minutes of the Meeting held on 7th December 2022 be approved as a correct record.

6 **PA/345054/20 - THE BARNES, CLOUGH LANE,
GRASSCROFT**

APPLICATION NUMBER: PA/345054/20

APPLICANT: Mr Alan Davies

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

It was MOVED by Councillor Woodvine and SECONDED by Councillor Lancaster that the application be REFUSED (against Officer recommendations).



On being put to the vote 2 VOTES were cast IN FAVOUR OF REFUSAL and 11 VOTES were cast AGAINST with 1 ABSTENTIONS.

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

On being put to the vote 12 VOTES were cast IN FAVOUR OF APPROVAL and 2 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report and in the late list and the following additional condition:

“Prior to commencement of any phase of development a construction management plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of: - Details of on-site storage facilities; - Details of measures to be taken to control the times and size of vehicle delivering materials to site; and - Details of contractor and construction worker car parking. The development shall be carried out in accordance with the approved construction management plan. REASON - In the interest of highway safety and amenity, in accordance with Policies 5, 9 and 20 of the Local Plan.”

NOTES:

1. That an Objector and 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 10.

7

FUL/349677/22 - LAND TO THE NORTH OF ASHTON ROAD WEST, FAILSWORTH

APPLICATION NUMBER: FUL/349677/22

APPLICANT: McCarthy Stone Retirement Lifestyle Ltd

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

It was MOVED by Councillor Surjan and SECONDED by Councillor Islam 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 conditions as outlined in the report and in the Late List.

NOTES:

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 10.

8 **HOU/350022/22 - 1 SLACK HALL, THORPE LANE, AUSTERLANDS**

APPLICATION NUMBER: HOU/350022/22

APPLICANT: Mrs Georgina Brownridge

PROPOSAL: First floor side extension and single storey side extension

LOCATION: 1 Slack Hall, Thorpe Lane, Austerlands, Oldham, OL4 3QE

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

On being put to the vote 13 VOTES were cast IN FAVOUR OF APPROVAL and 1 VOTES were cast AGAINST with 0 ABSTENTIONS.

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

9 **APPEALS UPDATE**

RESOLVED that the Appeals Update be noted.

10 **LATE LIST**

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

The meeting started at 18.00pm and ended at 18.40pm

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APPLICATION REPORT - RES/350225/22 Planning Committee 15th February 2023

Registration Date: 30th November 2022
Ward: Saddleworth West and Lees

Application Reference: RES/350225/22
Type of Application: Reserved Matters

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 (Revised scheme to previous approval of Reserved Matters RES/347759/21)

Location: Land off Knowls Lane, Lees

Case Officer: Graham Dickman
Applicant: Russell Homes UK Ltd
Agent: Mr Dan Ingram

INTRODUCTION

This application is presented to Planning Committee as a Major development.

RECOMMENDATION

It is recommended that the application is approved subject to the conditions below.

THE SITE

The site comprises an irregular shaped area of land on the south-eastern edge of Lees surrounded primarily by existing development to the west, north, and east. Knowls Lane and Thornley Lane demark the southern boundary with open land and scattered development to the south-east.

Most of the site to which this application specifically relates comprises vacant open grassland which was historically used for agricultural purposes.

The wooded valley of Thornley Brook runs through the north of the site, alongside which runs public footpath 26 OLDH. Further public footpaths 25 OLDH and 27 OLDH also traverse the site north to south.

Part of the wider site to the north of the proposed residential development area has been designated by Natural England as Ancient Woodland. However, this does not include the development area to which this application relates.

THE PROPOSAL

Background

A Hybrid Planning Application (PA/343269/19) comprising a Full Planning Application for the development of a new link road between Knowls Lane and Ashbrook Road and associated works, and an Outline Planning Application for the development of up to 265 dwellings, open space, and landscaping, with all matters reserved except for access was approved on 5th December 2019. An application for amendment to conditions attached to that approval (MMA/344723/20) was approved on 23rd April 2021.

A subsequent application for the approval of Reserved Matters (RES/347759/21) was granted on 7th July 2022.

In addition, before the development can proceed, conditions associated with the Hybrid application must be discharged. An application for discharge of those conditions is presently under consideration. The present Reserved Matters application must however be determined on its own merits in accordance with national Planning Practice Guidance.

Present application

The present application seeks approval for an alternative scheme of Reserved Matters to RES/347759/22. This comprises Appearance, Landscaping, Layout, and Scale only in respect of the Outline part of the Hybrid planning approval. The present proposals relate specifically to the area of the site identified for residential development.

As previously, the proposals envisage the construction of 234 dwellings, 53 of which are designated as affordable properties. The layout largely follows the approved pattern of development.

The development includes a mix of 3, 4, and 5 bedroom detached houses, 3 bedroom semi-detached properties, and 4 bedroom townhouses.

Environmental Impact Assessment

The proposal represents “Schedule 2” development as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. That fact does not imply that an Environmental Impact Assessment is invariably required, but that the proposal must be screened under the selection criteria in Schedule 3 of the Regulations.

A screening opinion has been issued in respect of the application. This confirms the Local Planning Authority’s opinion that Environmental Impact Assessment is not required. This confirmation reflects previous determinations, including that issued by the Planning Inspectorate on 15th May 2019 that in the opinion of the Secretary of State “whilst there may be some impact on the surrounding area as a result of this development, the proposal would not be of a scale and nature likely to result in significant environmental impact. EIA is not required”

As with the previous applications MMA/344723/20 and RES/347759/21, the latest Screening Opinion takes into consideration the subsequent designation by Natural England of part of the wider site as Ancient Woodland. The proposed residential layout set out in this application does not specifically impinge on those areas.

Taking all these material factors into consideration; it is concluded that the development continues not to require submission of an Environmental Impact Assessment in line with previous determinations by the Council and the Secretary of State.

RELEVANT PLANNING HISTORY

CND/348316/22 - Discharge of conditions 2 (culvert/ river corridor details), 3 (embanked road/culvert details), (Landscape and Ecological Management Plan), 5 (Invasive Species), 6 (Bat and Badger Surveys), 7 (Construction Environmental Management Plan), 8 (Surface Water), 10 (Gas Risk), 11 (Contamination) and 13 (Archaeology) relating to app no. MMA/344723/20. Partial discharge 11th October 2022

CND/348141/21 - Discharge of condition no's 5 (Invasive Species), 6 (Bat and Badger Surveys), 7 (Construction Environment Management Plan), 9 (Foul and Surface Water), 10 (Gas Risk), 11 (Site Investigation and Access), 13 (Archaeology), and 14 (Landscape Management Plan) relating to app no. MMA/344723/20. Pending determination

RES/347759/21 - Reserved Matters application for the erection of 234 dwellings, with associated vehicular access and parking, private amenity space and landscaping pursuant to hybrid planning application MMA/344723/20. Approved 7th July 2022

MMA/344723/20 - Section 73 application. Variation of Conditions 8 (landscaping management) and amendments to approved plans within condition 13 (link road plans) to PA/343269/19 for up to 265 new homes (outline) and new link road between Knowls Lane and Ashbrook Road (full). Changes sought are: Condition 8 to be separated into two conditions one relating to the link road and one the outline residential development. Amendments to condition 13 to provide indicative location of speed tables provided within the proposed link road, and the inclusion of a separate cycleway and footway along the route of the proposed link road (no changes to alignment width or gradient of the proposed highway). Approved 23rd April 2021

Hybrid Planning Application (PA/343269/19) comprised of "Part A - Full Planning Application for the development of a new link road between Knowls Lane and Ashbrook Road and associated works, and Part B - Outline Planning Application for the development of up to 265 dwellings, open space and landscaping, with all matters reserved except for access." Approved 5th December 2019 subject to a Section 106 legal agreement, following a determination by Planning Committee at its meeting on 1st July 2019.

That decision was subject to a legal challenge on the grounds that officers wrongly advised Planning Committee of the weight to be afforded to landscape harm and the status of the Council's 'Other Protected Open Land' (OPOL) policy; a failure to have regard to the statutory duty in respect of impact on heritage assets; and a failure to have regard to the Council's policy in respect of Energy (Policy 18).

On all grounds, Mr Justice Julian Knowles rejected the challenges, thereby upholding the planning approval. The period for further legal challenge to the permission has now passed.

A Hybrid Planning Application (PA/340887/17) comprising of "Part A - Full Planning Application for the development of a new link road between Knowls Lane and Ashbrook Road and associated works, and Part B - Outline Planning Application for the development of up to 265

dwellings, open space and landscaping, with all matters reserved except for access.” Refused on 7th December 2018 following determination by Planning Committee.

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 western part of the site is allocated as Phase 2 Housing land. The eastern parcel of the site is identified as Other Protected Open Land (OPOL) on the Council’s development proposals map.

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

- Policy 1 - Climate Change and Sustainable Development;
- Policy 2 – Communities;
- Policy 3 - An Address of Choice;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 6 - Green Infrastructure;
- Policy 9 - Local Environment;
- Policy 10 - Affordable Housing;
- Policy 11 – Housing;
- Policy 18 – Energy;
- Policy 19 - Water and Flooding;
- Policy 20 – Design;
- Policy 21 - Protecting Environmental Assets Natural;
- Policy 22 - Protecting Open Land;
- Policy 23 - Open Spaces and Sports;
- Policy 24 - Historic Environment; and,
- Policy 25 - Developer Contributions

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

CONSULTATIONS

- | | |
|-----------------------|--|
| Highway Engineer: | No objection to the revised layout plan, subject to conditions as recommended on the previous application. Formal diversion orders will be required for the changes to existing Rights of Way across the site. |
| Environmental Health: | No objection or conditions in relation to the Reserved Matters application. |
| Ramblers: | Recommend a slight move to the revised route of public footpath 25 OLDH away from the adjacent drive. The existing paths should not be closed until construction in those areas commences. |

United Utilities:	Request that a revised full foul and surface water drainage scheme is submitted for approval under condition discharge application CND/348141/21.
Environment Agency:	No objections in principle. The Landscape Ecological Management Plan should be updated to align with the Landscape Structure Plans, Invasive Species Management Plan and river improvement plans.
G M Ecology Unit:	The revisions to the previous approval do not substantively alter the biodiversity considerations which can be satisfactorily dealt with by means of planning conditions.
G M Police:	Recommend that, where feasible, the development should be designed to accord with the recommendations as set out in the submitted Crime Impact Statement.
Trees Officer:	The proposed replacement and additional planting scheme is acceptable. Measures will need to be implemented to protect retained trees during construction.
Coal Authority:	Following submission of additional information demonstrating proposed measures to adequately mitigate any instability associated with the adjacent mine shaft, the earlier objection has been withdrawn.
Conservation Officer:	No objections

REPRESENTATIONS

The application has been advertised by press notice, site notice and direct notification letters to adjacent neighbours and those who commented on the previous application.

5 separate objections have been received.

The following comments relate to the present Reserved Matters application.

- The proposed dwelling mix focusses on large properties and does not reflect the house needs in the area as identified in the Council's figures;
- Committee had previously been told the house mix could not be changed at this stage to address objections, notwithstanding the officer's report at outline stage, but now a revision has been submitted by the developer
- Further improvements to the revised footpath routes are possible
- The layout doesn't follow the Council's Residential Design Guide
- The siting of some plots prevents the possibility of a future junction improvement
- The use of gas boilers does not satisfy the Future Homes Standard and PV should be incorporated into the roof covering
- The required Design Code is inadequate
- All properties should satisfy the National Space Standards

- There is no lighting design as required under Outline condition 19
- Inadequate community engagement
- Insufficient car parking for visitors
- There has been no resolution to the issue of proximity of houses to a mine shaft.
- The developer has carried out unauthorised works.

Saddleworth Parish Council – No comments received.

Other general comments received relate to the principle of the residential development, impact on ecology and woodlands, flood risk, drainage, and disturbance during construction.

These matters of principle have been considered in assessment of the previous Hybrid/Outline approval. They are not therefore directly pertinent to the consideration of the present application.

The Hybrid/Outline approval was also granted subject to a number of conditions. These include ecological mitigation, submission of updated ecological surveys, a Landscape and Ecological Management Plan, a Construction Management Plan, drainage details, and land contamination/gas investigations.

These matters will be dealt with under the separate condition discharge approval process. This process must be completed before development can commence and consideration of those applications is presently on-going. These are not specific Reserved Matters for the present application's consideration.

PLANNING CONSIDERATIONS

Principle of the development

The application relates to submission of the Reserved Matters of the previously approved outline residential development site only. Consideration is therefore limited to those matters.

The Hybrid/Outline approval allowed up to 265 houses to be constructed. The indicative layout demonstrated that the development would deliver larger family housing and higher-value housing to meet local needs and aspirations.

A Reserved Matters application for a scheme of 234 houses has subsequently been approved.

The present layout similarly includes a reduction to 234 houses. This includes a pro rata provision of affordable housing in accordance with the terms of the previous legal agreement which will allow for these properties to be secured.

The location of the proposed affordable housing units as required under the Section 106 agreement which accompanies the Hybrid/Outline application are shown on the Affordable Housing Plan. These are to be located throughout the layout to ensure an inclusive character within the development, with the design of properties not distinguished by tenure.

The applicant has indicated that due to funding requirements, and at by the request of the registered providers, the delivery of the affordable housing has been brought forward in the

delivery programme than that already approved under Reserved Matters Approval (Ref: RES/347759/21).

On this basis 42 of the 53 (79%) of the total affordable housing units will be constructed and offered to the appointed registered providers ahead of the occupation of the 102nd open market dwelling. This compares with the previous RM app which had 26 of the 53 (50%) of the affordable housing dwellings will be constructed and offered to the appointed registered providers ahead of the occupation of the 117th open market dwelling.

The principle of the development is not open for further determination. Similarly, matters of principle or conditional requirements which go beyond those which are specifically included at Outline stage cannot be imposed, unless directly related to the Reserved Matters.

National Planning Practice Guidance states that *“The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters. Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted”*

Furthermore, conditions imposed on the Hybrid/Outline application do not need to be reimposed at the Reserved Matters stage.

Nor are matters associated with the detailed planning approval for the proposed link road pertinent to the assessment of the present application.

The reserved matters for which approval is sought are focussed on the acceptability of the layout and design of the properties. This includes the spatial aspects of the layout and scale of buildings and their relationships within and external to the site, along with the appearance of buildings and landscaping of the development in the context of its setting.

Layout

The residential development site is largely located to the east of the previously approved link road extending across to the valley formed by Thornley Brook which adjoins the eastern boundary.

Although primarily comprising a gently undulating landscape, this is also cut through by a north-south tributary of the brook. Consequently, the proposed layout splits into two main sections either side of the tributary. This divide forms an important feature within the site.

This larger eastern area of the development site is served by a single access road emerging from the previously approved link road leading to a mix of cul-de-sacs and an internal circular route within the easternmost portion. Properties are designed to largely provide active principal frontages onto the street scene, and where buildings turn corners, dual aspects are used to avoid prominent blank elevations. The layout avoids lengthy straight runs of properties. Landscaping is incorporated along street frontages and to the site boundaries.

The access road configuration and siting of properties ensures the avoidance of monotonous street scenes and is appropriate to the form of development proposed.

Properties are largely orientated to face out across the retained and adjacent open spaces from where open public views are obtained. This also avoids views into the site being dominated by

tall screen fencing. Along the north-western boundary, properties present gable walls to the site boundary. However, in these areas, public views are restricted by established tree cover.

The proposed diverted public footpaths through the site follow the edges of the watercourse valleys providing a sense of openness to users.

A small number of properties are located to the west of the link road served by a single cul-de-sac. Existing and proposed tree planting adjoins these areas.

With the exception of a small group of properties fronting Knowls Lane between existing built frontages, green spaces demarcate the main site boundaries and provide a visual break to existing built development. The properties fronting Knowls Lane are sited in accordance with the previous indicative layout for the site and therefore do not conflict with the established principles for the development area defined in the Hybrid/Outline application.

In this overall context, the proposed layout ensures satisfactory relationship between properties within, and in the vicinity of, the site, and with the character of neighbouring properties in the local area. It ensures consistency with the illustrative layout included on the outline application, the Design Framework, and with Local Plan Policies 9 and 20.

Scale and appearance

The surrounding residential area contains a wide range of house types, ages, styles, and finishes. There is therefore no established vernacular which it is necessary to replicate.

A range of 16 house types are included which reflect styles of the more modern properties that exist in the vicinity. Whilst there is a clear prevalence of larger family dwellings in the plans, adopted local and national planning policies do not require a specific mix on all individual sites, nor was this specified within the conditions of the Hybrid/Outline approval. It cannot therefore be imposed at this stage.

Properties extend to two or two-and-a-half storey, which is an appropriate scale for the setting of the site.

The designs, scale, density, and layout of the development secures satisfactory relationships between properties both within the layout and to the small number of neighbouring dwellings, ensuring suitable outlook and levels of privacy. All properties contain areas of private amenity space as well as ready access to the public open space and footpath routes in the immediate surroundings.

Furthermore, the layout incorporates areas of landscaped public open space which assist in softening the impact of the development and providing visual relief, in addition to the valleys of the natural watercourses which cross or adjoin the site.

Where properties are located on corner plots, the houses are designed to include window openings to break up the elevations. Where rear gardens adjoin highway frontages, matching brick walls are used in place of timber fencing to improve the appearance.

Overall, the layout is reflective of existing built development in the local area, and the dwellings are of an appropriate scale and density.

Facing materials are split between red brick and split-face brown reconstituted stones with red or grey roof tiles. Integrated PV roof panels will be utilised throughout the development, and where this is applied, the roof coverings will be amended accordingly.

A 'Materials Layout' has been submitted which illustrates how the finishes will be mixed within the layout, with an emphasis on reconstituted stone finishes closer to the more historic stone-finished buildings on Knowls Lane.

In the context of the site and surrounding area, the use of reconstituted stone for the properties would not be incongruous, and there is adequate separation from any listed buildings to avoid adverse impact on their settings.

As with the proposed layout, the incorporated designs of the scheme ensure appropriate consistency with the illustrative designs included on the Hybrid/Outline application, the Design Framework, and Local Plan Policies 9 and 20.

Amenity standards

The 'Technical housing standards – nationally described space standard' (NSSS) provides guidance to local planning authorities on the minimum standards expected to be achieved in new and converted residential developments.

Formal adoption of the standard is subject to inclusion within a local plan policy based on evidenced local need. It is anticipated that the new Local Plan for Oldham (currently in preparation) will incorporate this requirement. However, at the current time there is no local plan policy that formally adopts this standard for new development in the borough.

The applicant has provided details which show that in terms of overall floorspace, all dwelling types exceed the NSSS guidelines.

In the case of Type J (11 properties), the fourth bedroom is below the standard; however, all other bedrooms are in excess.

In the case of Type R (15 properties), the third bedroom is slightly below the standard size.

In 6 house types, built in storage is below the standard.

Whilst the Council encourages compliance across the standards, the NSSS is not a mandatorily required statutory document unless it is specified in a local plan policy which, as referenced above, it is not currently so in Oldham. However, the NSSS represents an authoritative guide to what standards would secure a satisfactory degree of amenity for future residents. It is therefore necessary to assess whether any provision below those standards would result in failure to secure satisfactory amenity

In that context, although a small number of bedrooms and storage areas do not comply with the individual room sizes, this is a result of the internal configuration of rooms, rather than a deficiency in the overall level of accommodation.

Consequently, it can be concluded that a satisfactory standard of amenity would be achieved and therefore there would not be sustainable grounds to determine that a sub-standard degree of amenity would exist for future residents.

Highways and parking provision

The principle of the vehicular access to the site from the surrounding highway network and the need for improved connectivity by means of the provision of the previously approved link road have already been determined and considered to be acceptable.

Phasing of the development is required under Condition 20 of the Hybrid/Outline approval, and a Phasing Plan has been submitted. In addition, the previously submitted Highway Phasing Technical Note has provided an appraisal of the traffic related effects associated with the proposed initial delivery of up to 45 dwellings at the site, prior to completion of the proposed new link road.

Provision of the link road will however be required for any additional dwellings beyond this figure.

The Highways Engineer has sought amendments to the proposed road layout of the development during the processing of the application; and is satisfied that the presently proposed arrangements ensure adequate space on the adopted highways for manoeuvring of residents' and visitors' vehicles.

Private accessways are not designed to the same adoptable standard. However, such arrangements are not an uncommon feature in residential areas. They nevertheless allow for appropriate servicing by larger vehicles as required. It is not unusual, for instance, for refuse vehicles to reverse along short stretches of such accessways where necessary.

Vehicular access to Knowls Lane will be obtained via the new link road, with the exception of a group of eight properties which will be served via a single driveway. This shared driveway to these properties has been designed to ensure satisfactory space for vehicle manoeuvring and visibility splays whilst allowing for the retention of the existing stone wall to the frontage for most of its length.

A new footway will be provided on the site frontage to allow for safe pedestrian access to the dwellings. At present there is no footway on the northern side of Knowls Lane in this area. The new footway will also link to the existing footways at either end providing an additional improved public benefit, including improved access to the school.

In respect of car parking provision, the Council does not operate any specific parking standards and each case must be assessed on its own circumstances. Although some households may contain more than two vehicles, this is not universally the case. Where additional space is subsequently required, experience shows that this will be provided by the owners in due course and adequate space would be available within individual curtilages as required.

Furthermore, there is a clear balance between providing additional on-site spaces upfront, where they may not ultimately be required, and the resultant loss of landscaping to soften the appearance of a development, whilst also seeking to encourage alternative and sustainable means of travel.

There is no requirement in relevant local or national policies for additional visitor parking to be required where on-site facilities are available. The highway widths and configurations are

designed to accommodate temporary visitor parking. In this context, there is no requirement for a specific facility.

A representation that the layout should allow for future road widening at the link road and Knowls Lane junction. The configuration of the link road was determined on the Hybrid/Outline application. No requirement for future road widening has been identified by the Local Highway Authority and consequently there is no requirement for the applicant to make such provision available.

Impact on public rights of way and pedestrian access

The residential development site is crossed by two public footpaths. Both enter the site from the north, where they are linked to an adjacent footpath network, before crossing Thornley Brook and rising steeply to cross the residential development site in a south-westerly (25 OLDH) and south-easterly (27 OLDH) direction, before emerging onto Knowls Lane/ Thornley Lane respectively.

As initially proposed under the previous Reserved Matters application, the footpaths would have been re-routed through the residential layout. 25 OLDH would have been segregated from vehicular traffic within a narrow, landscaped corridor, whilst 27 OLDH would have followed the line of one of the new estate roads.

Following discussions with the applicant, and representations from the public and Ramblers, revised arrangements were submitted.

25 OLDH now follows a line at the western edge of the tributary which crosses the site, providing an improved sense of openness for users of the path. South of the proposed estate road, users will have the option to utilise the existing route to Knowls Lane, or to utilise a new dedicated route directly south. This additional route will also allow improved access to St Agnes School.

The path will be physically separate from the carriageway of the drive to avoid conflict with pedestrians. A suggestion that a further degree of separation between the footpath route and adjacent drive has been considered. However, due to the adjacent fall in land levels towards the tributary brook, this would not be feasible.

27 OLDH has been completely re-configured to now occupy a fully segregated route within the valley side alongside Thornley Brook. This creates a significantly more conducive and verdant recreational route. Sections through this footpath have been provided to illustrate its relationship with the residential development.

The new footpath routes have been designed to ensure equality of access for a wide range of users. In this regard, the new footpaths will include increased widths and bound surfaces. The routes mitigate changes in levels where possible, taking the topography of the land into consideration.

Given the above, the two proposed routes ensure improved accessibility for members of the public. 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.

Landscaping and ecology

The application is accompanied by an updated Landscape Management Plan, and by Landscape and Open Space Structure Plans and detailed planting specifications. This includes new tree planting within residential plots and along street frontages, along with the enhancement of retained open spaces around the site boundaries.

The Trees Officer has assessed the proposals and considers that whilst a small number of trees which presently exist within the residential development site will need to be removed, there will be appropriate replacement and addition in line with the 3 for 1 requirement of saved UDP Policy D1.5.

Provision of up-to-date protective species surveys are required as part of the Condition Discharge process.

The proposals will ensure that the development has due regard to its setting, including maintaining direct views towards the adjoining open area from within the development site, whilst protecting and enhancing the adjacent open areas.

Open space/ play area

Matters regarding the provision of communal facilities were dealt with at the Hybrid/Outline application stage. Condition 19 of the approval requires the submission of details of the public open space for the development to be provided. The principle of this provision was agreed through the Hybrid/Outline permission and there are no requirements for additional formal facilities across all age ranges.

The submitted Parameters Plan (referenced in the Hybrid/Outline Condition 19) indicated the provision of a Local Equipped Area for Play (LEAP) in a central area of the site, close to footpath 25 OLDH.

The proposed details comprise an area of play equipment including slides, swings, steps, climbers, and inclusive roundabout, set within 0.9m high bow top fencing and self-closing gates.

The site is set within an area of landscaped open space providing a direct link to the replacement public footpath network. Some of the proposed properties face the site providing an element of informal supervision.

Consequently, the proposed area is deemed acceptable in terms of its location and facilities. Long term maintenance is secured through the Section 106 legal agreement accompanying the Hybrid/Outline approval.

The formal play facilities are accompanied by the informal recreational spaces and footpath routes provided within the overall layout. Improvements to these routes will provide ready access to a wider range of users, including cycling facilities along the new link road.

Energy

Within the proposed design and layout, the submitted Design Framework takes account of the requirements to ensure sustainable development; in particular to attain compliance with Local Plan Policy 18 which requires new development to ensure a 15% increase on Part L for domestic and non-domestic buildings.

Whilst the Council can seek to encourage the developer to adopt specific measures, including those to 'future proof' sustainability, this is not a matter that is mandated through local or national planning policies.

It is noted that revisions to the presently required energy efficiency measures are proposed to be introduced by government by means of the Future Homes Standard which will come into force by 2025, including prevention of the use of fossil fuels for new homes. Given the scale of the proposed development and likely timescale for completion, it is likely that the presently proposed methods of compliance will need to adapt accordingly.

Any dwelling not commenced by that date (2025) will need to comply with the required standards under Building Regulations legislation then in force. More imminently, an initial uplift of the standards was introduced in June 2022, to which all houses constructed within this development will need to comply as a minimum.

The developer is aware of the implications thereof and, notwithstanding compliance with the Council's Local Plan Policy, will need to ensure compliance with the building regulations and any Future Homes Standard where those Local Plan standards are themselves exceeded.

At present, it is proposed that the use of photovoltaic panels will form a focus of the measures to be introduced in order to meet the present targets with installations on all properties. This will take the form of an integrated roof system which will sit flush with the roof structure rather than above a roof tile layer.

Furthermore, the developer has confirmed that each new dwelling will have an electric vehicle charging point installed, and this will be facilitated by means of a recommended planning condition.

Compliance will be achieved through discharge of the recommended condition which requires the details to demonstrate that each property within each Phase will achieve a 15% reduction in carbon emissions against Part L of the Building Regulations 2013 to be approved prior to the construction of any properties within each Phase.

Other matters

It has been suggested that some works have commenced without the necessary consent. However, this matter has been investigated and the activity in question relates to site exploration works which are necessary to ensure pre-commencement conditions can be addressed.

The Hybrid/ Outline approval MMA/344723/20 included a number of planning conditions.

Procedurally Conditions 15 and 17 require submission of specified Reserved Matters by 4th December 2022, following which the scheme is required to be implemented within two years of such final approval. The present application was registered on 30th November 2022.

Conditions 18, 19, and 20 require that any Reserved Matters submission is accompanied by a Landscape Environmental Management Plan (LEMP), a Design Framework, and a Phasing plan respectively. These documents accompany the present submission and have been taken into consideration in assessment of the application.

Other matters are to be dealt with under the separate Condition Discharge process. They are required to be approved in addition to the present Reserved Matters application. Consequently, there is no need for them to be replicated in assessing the present application. This covers the following matters:

Conditions 5 and 6 require approval of invasive species protection and bat/badger surveys respectively prior to each phase of development. Given the likely timeframe of development, it is imperative that such matters reflect the up-to-date circumstances at the site and may need further revision as works progress.

Condition 7 requires submission of a Construction Management Plan.

Condition 9 requires submission of a drainage scheme for the residential site.

Conditions 10 and 11 require approval in respect of landfill gas and land contamination risks.

Reference has also been made to the proximity of proposed dwellings to an identified coal mine shaft. This is a feature which has previously been identified as part of the submitted Geo-environmental Site Assessment. The applicant has presented a methodology for dealing with this feature, for which the separate consent of the Coal Authority will also be required.

Although approval of 'Layout' is sought at this stage, National Planning Practice Guidance advises that this assessment should relate to "the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development".

The suitability of ground conditions in relation to the proposed layout is a matter which is required to be resolved through the Condition Discharge process of the Hybrid/Outline approval, and the Coal Authority's own permitting regime. The granting of Reserved Matters consent does not remove the requirement to comply with the conditions of that application.

Nevertheless, the Coal Authority has now indicated that it is satisfied that mitigation measures can be employed to alleviate any risk of development within the theoretical zone of influence of the identified mine shaft adjacent to the northern boundary. It remains a requirement for the applicant to obtain approval under the condition discharge process for these measures prior to the commencement of development on the affected properties.

CONCLUSION

In terms of overall layout, the proposed development largely reflects that approved under the previous Reserved Matters application, with alterations relating to the range of house types and alterations to driveways to improve fire access.

Taking all material planning factors into consideration; it is concluded that the proposed application should be approved. Implementation of the development remains subject to satisfactory discharge of relevant conditions attached to the Hybrid/ Outline approval and the Section 106 legal agreement to which the permission will continue to be bound.

RECOMMENDED CONDITIONS

1. 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.

2. Prior to the construction of any above ground works in respect proposed properties within each Phase, as indicated on the approved Phasing Plan Rev. F, the details for demonstrating that each property within that Phase 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 property shall be first occupied until the approved measures have been fully implemented for that property.

REASON - In order to secure a sustainable form of development having regard to Policies 1 and 18 of the Oldham Local Plan.

3. No individual property shall be first occupied unless the design has incorporated the provision for on-site electric vehicle charging and such provision has been implemented into the building fabric.

REASON - In order to secure a sustainable form of development having regard to Policy 1 of the Oldham Local Plan.

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

REASON - To protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

5. A replacement natural stone wall shall be provided along the frontage of the site between Plots 128 and 134 and Knowls Lane prior to first occupation of any of those properties. The wall shall be retained at all times thereafter.

REASON - In the interests of the visual amenity of the area and highway safety having regard to Policies 9 and 20 of the Oldham Local Plan.

6. No dwelling shall be occupied until the access to 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.

7. No dwelling served by a private access road shall be occupied until the means of preventing through traffic along those access roads has been constructed in accordance with details which shall have been previously 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 adequate highway standards are met having regard to Policies 5 and 9 of the Oldham Local Plan.

8. No use of any highway, driveway or footway/footpath shall commence until a form of protection has been provided around the perimeter of the site in those areas where there is a level difference in accordance with details which shall have been previously 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 drivers, cyclists and pedestrians are protected from a fall from height so that adequate highway standards are met having regard to Policies 5 and 9 of the Oldham Local Plan.

9. The existing routes of public footpaths 25 OLDH and 27 OLDH shall not be obstructed or closed until such time as development commences within that Phase of the site within which the existing footpath is located as indicated on the approved Phasing Plan Rev F.

REASON - In order to ensure rights of way are satisfactorily protected during the course of the development having regard to Policy 5 of the Oldham Local Plan.

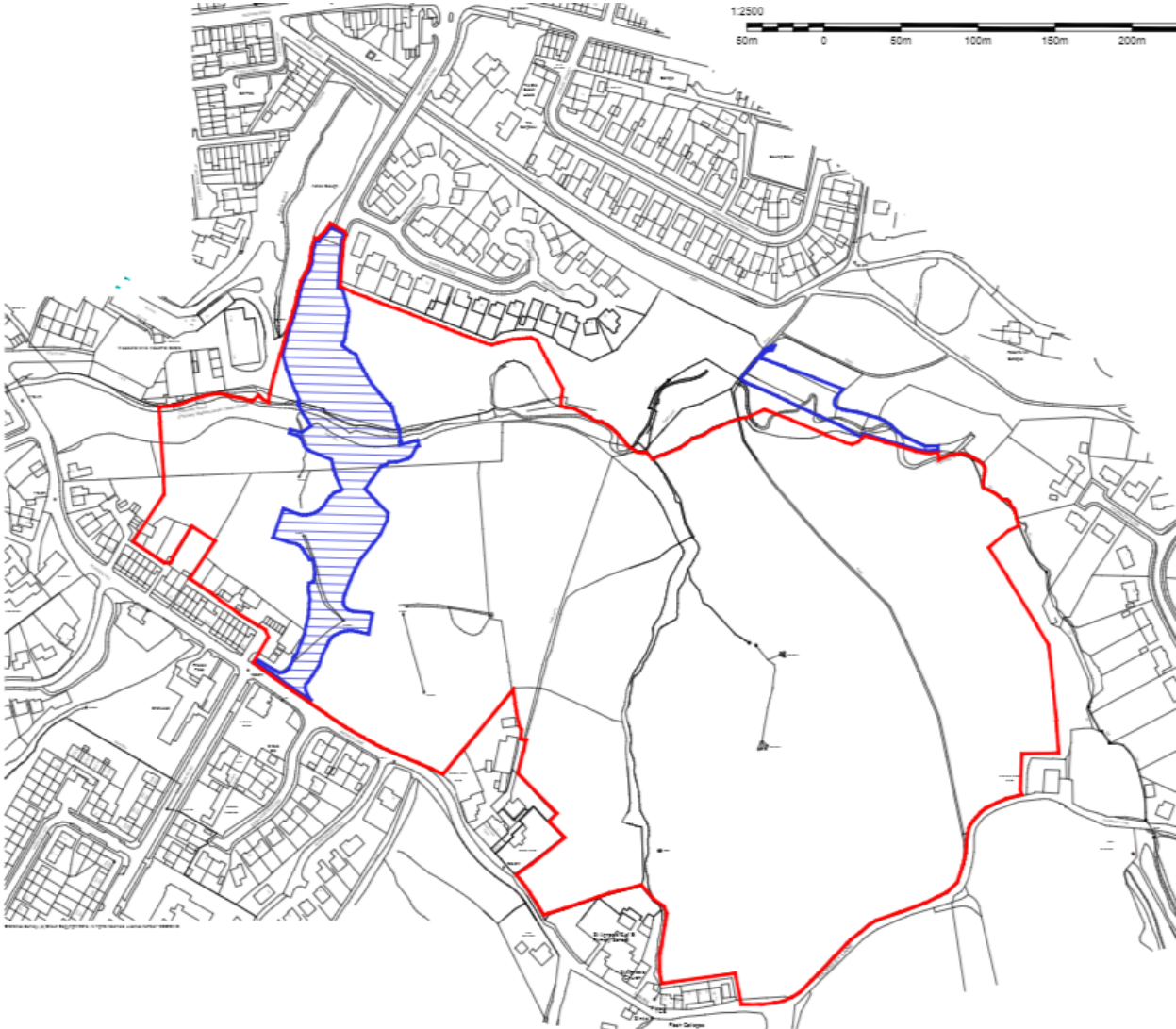
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A, AA, or E of Part 1; of Schedule 2 in respect of Plots 30 to 43 (inclusive) and 57 to 59 (inclusive) shall be carried out unless permission is granted by the Local Planning Authority.

REASON - In order to ensure that satisfactory prior investigation is undertaken to ensure the development can be safely undertaken within the theoretical zone of influence of the nearby mine shaft having regard to Policy 9 of the Oldham Local Plan.

11. Prior to the commencement of the erection of any dwelling within an individual Phase as identified on the approved Phasing Plan Rev F, a statement shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how the proposal will be designed and constructed with regard to Section 7 of the submitted Crime Impact Statement.

REASON – In order to secure a safe form of development having regard to Policies 9 and 20 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



APPLICATION REPORT - FUL/349445/22 Planning Committee – 15th February 2023

Registration Date: 18th July 2022
Ward: Medlock Vale

Application Reference: FUL/349445/22
Type of Application: Full Application

Proposal: Construction of a new 127.5m long pedestrian and cyclist bridge across the Medlock Valley at Park Bridge, including upgrading and creation of foot and cycle links from bridge landing points to NCN Route 626

Location: Park Bridge, Medlock Valley, Oldham

Case Officer: Graham Dickman
Applicant: Oldham Council
Agent: AECOM

INTRODUCTION

The application is presented to Planning Committee as it has been submitted by the Council as applicant and objections have been received.

RECOMMENDATION

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

THE SITE

The application site crosses the valley of the River Medlock and Waggon Road between the existing footpaths situated on higher ground to the north (in Oldham) and to the south (in Tameside). The route follows the line of the former railway viaduct which was demolished in 1971.

The River Medlock runs west to east along the valley bottom, with Waggon Road running adjacent it on the south side. The valley sides have steep slopes with a 1:2.5 gradient falling approximately 27m.

Alongside the site there are the standing remains of the industrial buildings of the former iron works. The remains of the railway viaduct are present at the base of the valley. The immediately adjacent landscape is largely dominated by woodland.

A residential property, Station House, is located adjacent to the application site (in Tameside) on the eastern side of the southern bridge landing. The nearest residential properties to the site on the north (Oldham) side are on Dingle Terrace (Tameside) to the east.

THE PROPOSAL

The application is for construction of a 127.5m long foot and cycle bridge across the valley. It will be partly located with both Oldham and Tameside Council areas, and a related application has been submitted to Tameside Council.

The composite steel bridge deck will be supported on two slim piers dug into the valley sides which will be faced in brickwork. The deck itself will have a width of 5m and be adjoined to either side by a 2.4m high parapet, the full detailed specification for which will be required for approval by means of condition.

Lighting will be provided to the bridge deck and will be designed to ensure adequate safety for users, whilst minimising any light spillage into the surrounding woodland.

In addition, it is proposed to upgrade and pave an existing section of the Oldham Bardsley RR10 Recreation Route, approximately 200m in length from the northern bridge landing point to the existing path to the north, and upgrade and paving of the existing pathway approximately 100m to the east, to connect with NCN Route 601.

Within Tameside to the south, it is proposed to create a new foot and cycle path, approximately 200m in length, from the southern bridge landing point to existing NCN Route 626 to the south.

RELEVANT PLANNING HISTORY

None in Oldham.

Relevant applications within Tameside

22/00780/FUL - Full planning application for the construction of a new pedestrian and cyclist bridge across the Medlock Valley at Park Bridge, including the following works:

- Construction of a 127.5m long foot and cycle bridge across Medlock Valley at Park Bridge.
- Upgrade and paving of an existing part of the Oldham Bardsley RR10 Recreation Route, approximately 200m in length from the northern bridge landing point to the existing path to the north, and upgrade and paving of the existing pathway approximately 100m to the east, to connect with NCN Route 601; and
- Creation of new foot and cycle path, approximately 200m in length, from the southern bridge landing point to existing NCN Route 626 to the south (within Tameside Metropolitan Borough Council).

Pending determination. It is presently anticipated that the application will be considered at Tameside's Speakers' Panel (Planning) on 22nd February 2023.

21/01216/FUL - Extension to Park Bridge Heritage Centre to form an extended cafe, shared use of public car park, bin storage and proposed outside dining area. Approved 12th September 2022

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 designated as Green Belt on the Proposals Map.

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 Choices;
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; and,
Policy 24 – Historic Environment

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

CONSULTATIONS

Highways Officer:	No objections subject to submission of measures to upgrade or segregate existing footpath routes providing links from the bridge to the National Cycle Network.
Ramblers:	Request measures to ensure separation of cyclists and walkers when using the bridge and associated paths.
Environmental Health:	No objection or recommended conditions.
Trees Officer:	No objections subject to the implementation of on and off-site tree planting to comply with the 3 for 1 replacement policy.
G M Ecology Unit:	No objection subject to measures in relation to updated bat and badger surveys, submission of a lighting scheme, compensation for any biodiversity loss resulting from the development, and a scheme to deal with invasive species.
Environment Agency:	No objections in principle, subject to a condition that should any contamination not previously identified be found, no further work shall take place until details of a remediation strategy are approved.
Coal Authority:	Recommends that a scheme of intrusive investigations should be undertaken before development is commenced.

G M Police: Recommend implementation of measures within the submitted Crime Impact Statement.

G M Archaeological Unit: Require submission for approval and implementation of a programme of archaeological works.

REPRESENTATIONS

The application has been publicised by Press Notice, Site Notices, and individual notification.

6 letters of objection have been received. These comments raise the following (summarised) issues:

- The proposal will lead to additional traffic in the area;
- There will be increased anti-social behaviour;
- The bridge could result in loss of life;
- The raising of the bridge parapet to 2.4m would increase the visual impact;
- The costs could be better spent elsewhere;
- A new tram link would be preferable;
- Loss of privacy due to overlooking of Dingle Terrace;
- Adverse impact on wildlife, including light intrusion; and,
- Visually incongruous in the river valley.

Two letters of support have been received on the grounds of enhancement of cycle infrastructure and views which will be obtained from the bridge.

PLANNING CONSIDERATIONS

Principle of development

The proposal forms part of the Greater Manchester Combined Authority's (GMCA) delivery of the Bee Network, a plan to create a city-region-wide cycling and walking network which connects all 10 boroughs and includes more than 1,800 miles of routes as part of the largest planned walking and cycling network in the UK.

The intention is to provide improved cycling and walking conditions for users which supports a modal shift in travel behaviour, in turn reducing pressures on the surrounding road network.

Current walking and cycling routes between Oldham and Ashton-under-Lyne via National Cycle Network (NCN) Route 626 and Route 601 do not meet Bee Network standards due to users having to take a poorly defined and steep 1km diversionary route through the Medlock Valley that includes climbing / descending gradients of up to 1 in 7 across the valley sides. This route is not accessible to everyday cyclists or those with a buggy or mobility issues.

The proposed bridge seeks to improve access between Oldham and Ashton by providing a new, more accessible bridge link which simplifies the existing route.

Green Belt

NPPF Paragraph 150 states that local transport infrastructure which can demonstrate a requirement for a Green Belt location can be considered 'appropriate' development in the Green Belt subject to preservation of the Green Belt's openness, and that it does not conflict with the purposes of including land within it.

Of the five stated purposes of the Green Belt in NPPF paragraph 138, "*to assist in safeguarding the countryside from encroachment*" is of particular significance.

It is inevitable that the creation of a large bridge structure will involve some built encroachment, and similarly, this will impact on the Green Belt's openness to some degree. Recent case law has confirmed that 'openness' can have both a spatial and visual impact as relevant to the specific context of the site.

In this regard it is worth noting that the historic context of the surrounding landscape until the 1970s was one of substantial industrial architecture. This included the former railway viaduct which was supported on multiple piers.

Although the structure is of significant size, it has been designed to have a minimal impact. The design of the parapets allows through views. Furthermore, the structure would be largely set against the backdrop of the presently wooded valley sides allowing the continued appreciation of the surrounding landscape character.

Taking these factors into consideration, the introduction of the structure would not result in significant harm to the Green Belt's openness.

Furthermore, any identified harm must be weighed alongside the benefits of improved access by sustainable means of transport in line with the need that "*opportunities to promote walking, cycling and public transport use are identified and pursued*" in NPPF paragraph 104.

The proposed development serves a site-specific purpose which, as noted above, provides an opportunity to improve sustainability and recreational access in the immediate and wider area. There are no feasible alternative solutions which could achieve the necessary improvements to cycling and walking connectivity between Oldham and Ashton.

It will also form part of initiatives in the vicinity of the site. This includes providing improved access to the 'Northern Roots' eco-park and Bike Hub being developed to the north, as approved by Planning Committee recently, and proposals for the former Park Bridge Heritage Centre to be converted into a cafe, which will increase the attractiveness of the area for local residents and visitors.

Consequently, it is concluded that very special circumstances exist to outweigh any limited harm to the purposes and openness of the Green Belt.

Landscape & Visual Impact

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). The LVIA has identified 8 viewpoint locations and considers the impact on landscape character and visual amenity arising during the construction activity phase, 1 year post construction and 15 years post-construction.

The design of the bridge uses materials, forms, finishes and colour that seek to address the character of the surrounding area and its industrial history and features. Visual clutter has been avoided in the choice of a simple, uncomplicated, light-looking structure.

The weathering of the chosen materials has also been considered to maintain the design quality over time, whilst the red brick clad piers and weathered steel would complement the industrial heritage of the area.

The assessment of landscape effects concludes that there would only be significant adverse effects on one of the landscape receptors (trees and woodland) during the construction stage of the development, with no other significant adverse effects on other landscape receptors. Once the development site is operational and the proposed landscaping has matured, beneficial landscape effects are anticipated given the widened recreational routes and the reconnection of the north and south valley sides.

Once the site is operational and established, the LVIA advises that the development would be assimilated within the landscape and views.

Having regard to the assessment, the overall landscape impacts will be minimised over time, whilst the bridge itself will provide improved opportunities to appreciate the visual attractions of the surrounding wooded valley environment.

Ecology and Trees

The Medlock Valley is an important corridor both for people and wildlife and supports extensive areas of important broadleaved woodland. Although parts of the Valley are assumed to support the original tree cover and may constitute Ancient Woodland, much of the woodland in the vicinity of the site has grown since the replanting of the 1960s and subsequent removal of former industrial buildings, and comprises a mix of self-sown trees and planted trees,

An Ecological Assessment has been submitted which considers the ecological implications of the proposal and recommends mitigation measures where appropriate. It concludes that there should be no impact on any European Designated Site or Site of Special Scientific Importance (SSSI).

However, parts of the site are included within the Bankfield Clough Grade B Site of Biological Importance (SBI) to the north of the river. The southern landing of the bridge and connecting footpath/cycleway (within Tameside) are adjacent to the Rocher Vale Local Nature Reserve (LNR) and Site of Biological Importance (SBI), designated for its varied habitats and geological features.

Much of the existing woodland of the site is substantial and would be retained. However, areas of woodland and vegetation clearance are required for the bridge landings, and to accommodate the construction compound, crane and lifting requirements, and to allow construction access along the existing footpaths which are proposed for improvement.

An Arboricultural Impact Assessment (AIA) has been submitted.

The proposed works will require the removal of 54 individual trees, seven groups, three partial woodlands and eight partial groups. These trees vary in quality with 18 tree features classed as

moderate quality (Category B) and 44 tree features classified as low quality (Category C). In addition, 10 individual trees of very low quality (Category U) are also recommended for removal.

It is noted that where part of a group of trees is to be removed, the final extent of tree loss must be determined on site by an arboriculturist to allow an assessment of the suitability and stability of retained trees and to identify any additional tree works as appropriate.

The tree removal will be mitigated with a scheme of new tree planting and associated landscaping works which are shown on the submitted Landscape Layout Plans. These include a total of 277 replacement trees to satisfy the 3:1 replacement requirement of saved UDP Policy D1.5, as far as is possible within the constraints of the immediate site.

The Council's Trees Officer has accepted the findings and has raised no objections subject to appropriate protection of retained specimens and replacement planting for those trees based on the proposed replacement ratio.

In respect of wider ecological impacts, the Preliminary Bat Roost Assessment Report found that there were no granted European Protected Species Mitigation Licences for bats listed within 2km of the scheme. Within a GMEU 2021 report, there were 8 bat roosts identified within 1km of the site, and one record of bat activity. A further survey was then commissioned to undertake a further survey of bats in April 2022.

Following this preliminary bat roost assessment, one tree (T1), a semi mature sycamore located on the edge of the area identified for tree clearance and which is intended to be protected, was identified as having moderate suitability to support roosting bats. The remaining trees within the survey area had negligible bat roost suitability. Should further tree removal be subsequently identified, further surveys will be required.

The woodland could be enhanced in the short-term for roosting bats by creating artificial roost provisions, particular as there are currently limited potential roost features. This could include the provision of 5-10 tree mounted bat boxes.

It is recommended that that tree works and scrub clearance should not be undertaken in the main bird breeding season (March-August inclusive), unless nesting birds have found to be absent, by a suitably qualified person.

For security and safety reasons, lighting will be installed along the new bridge. At present there is no lighting within the woodland, existing footpaths and around the River Medlock. Additional lighting will be required to the bridge deck for safety and security purposes. A Lighting Proposal Report has been submitted, taking into account relevant guidance on lighting in sensitive ecological settings. The scheme will therefore need to be designed to minimise disturbance to bats and other nocturnal species, and a full specification will be required for submission by means of planning condition.

As a precautionary measure it is recommended that any excavations which are created on the site, should not be left open overnight, or should be covered or fitted with a ramp to prevent any mammals from becoming trapped. All excavations should also be checked each morning prior to any works commencing.

Concerns have been expressed by GMEU in respect of lighting on bats. Some form of lighting is deemed necessary to ensure the safe use of the bridge outside clear daylight hours. The use of

handrail lighting and photocell/PIR sensor usage is therefore welcomed. A detailed specification has not been identified at this stage, and therefore, this detail will be approved by means of a planning condition.

GM Ecology Unit has also recommended that compensation for impacts on biodiversity at the site should be provided, which could include bat and bird boxes.

With the recommended mitigation measures, it is considered that the ecological impacts of the proposed development would be acceptable and in accordance with relevant national and local plan policies.

Due to the potential timescales for implementation of the development; an up-to-date survey of invasive species has not been undertaken. GMEU has expressed concerns that although a condition requiring a survey and implementation of mitigation measures is capable of being imposed, this would allow any invasive species to further develop in the meantime.

Whilst the concerns of GMEU are noted, planning conditions cannot be used to resolve existing problems; only to ensure any adverse impacts of the development can be appropriately mitigated. As a precise timeframe for implementation of the development is not known at this stage, it would therefore fail the test of reasonableness to impose such a restriction. Nevertheless, a full survey and mitigation strategy will be required before work can commence.

Highways and Access

The Highways Officer has recommended that any planning permission should require approval of those parts of the route that are currently designated as Footpaths to either have been segregated from use by cyclists, or the appropriate Order be granted that will allow the combined use by pedestrians and cyclists. This aspect will be dealt with by means of a separate Footpath Order.

Furthermore, as there are existing public rights of way (Definitive Footpaths 1A and 10 Oldham) which pass near the site, statutory obligations exist to ensure that the developer maintains free passage of the public along the right of way. The rights of way shall not be temporarily removed unless a Temporary Footpath Closure Order has been granted.

Representations have been expressing concern about traffic generated as a result of the proposed development.

The bridge will be provided to enhance the existing cycle and pedestrian routes in the area. Whilst there may be some additional traffic generated as a result of an increase in cyclists and pedestrians using the bridge, it is not anticipated that it will lead to any significant level of traffic generation that would be detrimental to highway safety.

Visitors will be able to enter the pedestrian and cycle route network from a number of locations spread across Oldham and Tameside, thereby dispersing the effect of traffic generation and demand for car parking. Nor will there be an absolute reliance on on-street parking, as there are car parks available at Alexandra Park, Northern Roots and the Heritage Centre.

Consequently, there would be no significant adverse impacts on the highway network which would be outweighed by the public benefits associated with the provision of the proposed new infrastructure.

Heritage and Archaeology

The application is accompanied by a Heritage Statement in accordance with NPPF paragraph 194. It is noted that historically a large brick arch railway viaduct crossed the Medlock Valley in this location.

The crossing would be situated within, and be a key feature of, the Park Bridge Heritage area, connecting the site's industrial history with its modern function as a tourism and leisure destination. In addition to increased connectivity, the proposed development will also form a new landmark within the valley and will provide a new vantage point from which to view the Medlock Valley and Park Bridge landscape.

There are no designated heritage assets recorded within the site boundary. Two Grade II listed buildings (Fairbottom Farmhouse and Ten Houses) are located approximately 470m north-east of the site.

The settings of designated assets within 500m of the Site have been assessed as part of the submitted heritage statement. No impacts upon the setting and significance of any designated heritage assets have been identified in relation to the proposed development.

There are two known non-designated assets within the site boundary, the site of the original Park Bridge packhorse bridge and the site of Park Bridge Railway Station.

The proposed bridge will clearly have an impact on the setting of these assets. However, it is considered that the proposal would lead to 'less than substantial harm'. It must therefore be weighed alongside any public benefits.

NPPF paragraph 206 of the NPPF states that *"proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably"*.

Furthermore, in addition to the previously identified benefits in relation to transport sustainability and improved cycling/walking infrastructure, it is considered that the proposal will offer positive heritage and historic landscape public benefits through reinstating a historic access across the valley and offering a new vantage point from which to view and appreciate the heritage significance of the surrounding standing and buried industrial remains.

NPPF Paragraph 205 directs local authorities to require developers to record and advance understanding of heritage assets affected by development. Submission for approval of a programme of archaeological works has consequently been recommended by the GM Archaeological Advisory Unit, and this will form a condition of any approval.

Amenity issues

There are no residential properties within the Oldham borough on which the proposals will have a direct amenity impact.

Although Dingle Terrace is located within Tameside; these residential properties are sited to the east of the main bridge structure which is to be assessed within this application. The bridge structure will be a minimum of 100m from the neighbouring properties. Whilst glimpsed views towards the houses may be available from the bridge deck, the intervening distance and

presence of tree cover, particularly during the summer months, should ensure that no significant privacy impacts are likely to arise.

Similarly, the degree of separation should ensure that the introduction of the structure should not appear as an overbearing presence when viewed from these properties.

Station House is located adjacent to the section of the proposed bridge within Tameside; and is being assessed as part of that Authority's linked application.

It is, nevertheless, anticipated that a Construction Environmental Management Plan will be secured by condition to ensure that potential construction impacts are mitigated as far as reasonably practicable.

The fear of anti-social behaviour is an important concern. However, to be a material planning consideration, there must be genuine evidence to support such suppositions. In this instance, the measures to be put in place, including the prevention of unauthorised vehicular access, within recommended Condition 5 will ensure that any potential impacts would be minimised.

The proposed development has been assessed against the principles of 'Crime Prevention Through Environmental Design' (CPTED) to reduce the opportunities for crime and the fear of crime. The submitted Crime Impact Assessment confirms the proposal is not considered to be a development which will generate significant levels of crime.

Measures have similarly been incorporated to enclose the parapets of the bridge in response to concerns raised during the consultation process.

Due to the height of the structure, and the pedestrian and vehicular use of the area below the span, the proposed development has been designed to reduce the risk of falls and objects being dropped from the bridge deck. Anti-slip surfaces have been incorporated along the deck and paving along the route. Lighting provision has also been accounted for to help enhance feelings of pedestrian and cyclist safety.

Flood risk

The proposed bridge crosses above the River Medlock and its associated flood zones. However, the development spans Flood Zones 2 or 3 rather than being located within them.

A drainage system will be incorporated to capture bridge deck surface water run-off and full details will be required by planning condition.

In order to protect the water environment, the Environment Agency has requested a condition that if any contamination is identified during the development, work should cease until a satisfactory remediation strategy has been approved and implemented.

Ground conditions

A Ground Investigation Report has been submitted which does not identify any ground contamination, although it is recommended that a piled foundation solution is utilised.

The site is located within a defined Coal Mining Development High Risk Area where historic unrecorded coal mining may have taken place at shallow depth. A Preliminary Sources Study

Report has been submitted. The submitted report considers that recorded underground mine workings are unlikely to pose a risk to the footbridge. However, it concludes that there exists the potential for shallow workable coal seams beneath the site, and that the unrecorded mining of these seams may pose a moderate risk to the proposed development.

On this basis, the Coal Authority has recommended that a scheme of intrusive investigations should be undertaken before development is commenced.

CONCLUSION

The proposed development represents a significant investment in improving sustainable transport and enhancing outdoor recreational facilities as part of the wider Bee Network and local initiatives, including Northern Roots.

The network of cycling and walking routes is projected to significantly increase the proportion of trips made by active means, with benefits including traffic reductions, air quality improvements and positive contributions to mental and physical health outcomes.

The proposals will deliver a landmark bridge structure across the valley designed to complement the historic landscape and surroundings.

Whilst impacts in relation to Green Belt openness and ecology have been identified, it is concluded that satisfactory mitigation will be incorporated into the development to outweigh any adverse impacts.

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 above ground development shall take place until a design and specification for the materials to be used in the construction of the external surfaces of the bridge, including the anti-climb parapet, has been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

REASON - To ensure that the appearance of the development is acceptable and to minimise the potential for anti-social behaviour having regard to Policies 9 and 20 of the Oldham Local Plan.

4. No development shall be commenced until a scheme in the form of a Construction Environmental Management Plan (CEMP), including details of construction vehicle access routes, identification of works compounds, storage of machinery, materials and spoils, pollution prevention measures and construction surface water management (particularly on cleared steep slopes on thin soils), construction lighting measures, and measures to protect wildlife from uncovered excavations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also 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 ecological value of the site and the amenities of the area having regard to Policies 9 and 21 of the Oldham Local Plan.

5. Prior to the commencement of the construction of the bridge structure, a scheme to mitigate any impact of crime and anti-social behaviour, including measures to prevent access to the bridge by unauthorised motor vehicles, and safety lighting, shall be submitted to and approved in writing by the Local Planning Authority. The proposed measures shall be implemented before the bridge is first brought into use and 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.

6. No development shall commence until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and,
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Prior to the bridge being brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm 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.

REASON - To ensure that risks to the development have been adequately assessed in the interests of public safety, having regard to Policy 9 of the Oldham Local Plan.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation

strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON - For the ongoing protection of the Water Environment from risks arising from land contamination, and 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 accordance with Policy 9 of the Oldham Local Plan.

8. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:
 1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:
 - i. an archaeological watching brief
 - ii. informed by the above, further archaeological investigation and recording
 2. A programme for post investigation assessment to include:
 - i. analysis of the site investigations records and finds
 - ii. production of a final report on the investigation results.
 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
 4. Dissemination of the results commensurate with their significance.
 5. Provision for archive deposition of the report and records of the site investigation.
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

REASON - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible in accordance with Policy 24 of the Oldham Local Plan.

9. No development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site shall commence until a detailed survey of the site for the presence of invasive plant species has been undertaken and a method statement for removing or for setting out the long-term management / control of the identified species on the site has been 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.

10. No development shall be commenced, until a scheme and timetable showing how the development 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.

11. All hard and soft landscape works shall be carried out in accordance with the approved plan Ref: 60653222-ACM-00-01-SE-0001 P04, 0002 P04 and 0003 P04 prior to the first use of the bridge 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.

12. Prior to the commencement of any development the following information shall be submitted to and approved in writing by the Local Planning Authority.
 - a) an updated bat survey
 - b) a scheme for the provision of lighting to the bridge deck.

The development shall be implemented in accordance with the subsequently approved lighting scheme, and no additional lighting shall be added to the bridge structure or deck without the prior written approval of the Local Planning Authority.

REASON - To ensure the protection of protected species having regard to Policy 21 of the Oldham Local Plan.

13. Prior to the commencement of any development an updated badger survey shall be submitted to and approved in writing by the Local Planning Authority. This survey should be undertaken in the period 3 months prior to the planned commencement of works and should encompass an area 30m from any active clearance, haul road, crane platform, or works compound, and details of working methodology and RAMS (Reasonable Avoidance Measures) even where no setts are located within this footprint. If evidence of badger setts is found then the Report will need to include details of restrictive working methods and consideration of the need for a Natural England licence to close/temporary disturbance.

REASON - To ensure the protection of protected species having regard to Policy 21 of the Oldham Local Plan.

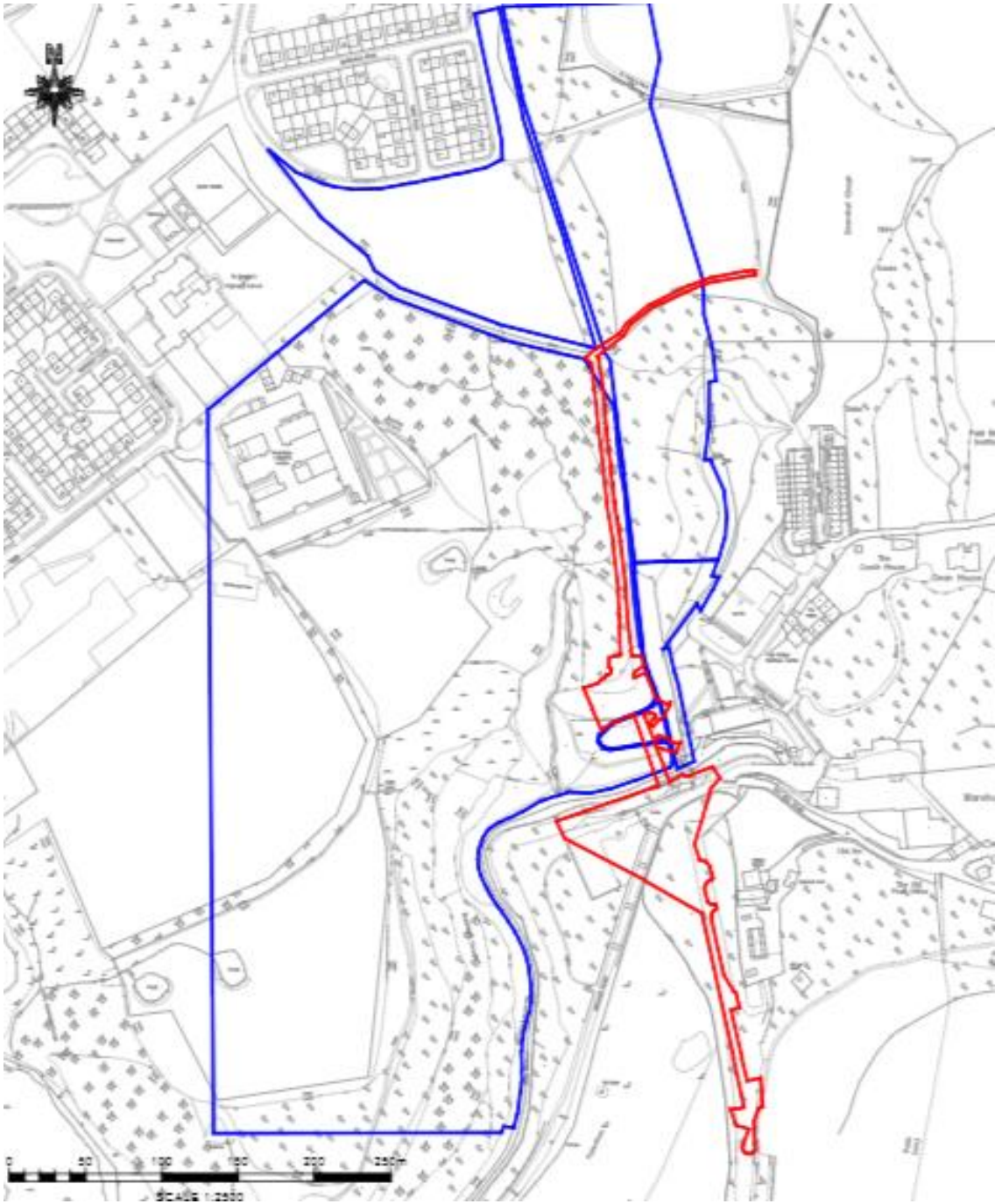
14. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has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

15. Prior to the commencement of construction of the bridge hereby approved, a specification for the provision of a drainage system for the disposal of surface water from the bridge deck shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON - In order to ensure a satisfactory form of drainage in the interests of the amenity of the area having regard to Policies 9, 19 and 21 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT - FUL/350209/22 Planning Committee 15th February 2023

Registration Date: 12th December 2022
Ward: Chadderton South

Application Reference: FUL/350209/22
Type of Application: Full

Proposal: Change of use from dwelling (use class C3) to transitional social care (use class C2). Erection of single storey side and rear extensions and first-floor rear extension

Location: 298 Moston Lane East, Manchester, M40 3HZ

Case Officer: Emma Breheny
Applicant: Mr M Naheem
Agent: Mr N Howard

INTRODUCTION

The application is referred to Planning Committee given it proposes an amendment to an application previously refused by the committee against officer recommendation (FUL/347100/21). The application was considered by the committee at their meeting in September 2021 and Members will recall it was refused for five reasons which are covered in more detail below.

The decision to refuse the previous application was the subject of an appeal to the Planning Inspectorate. The appeal was dismissed but only on one ground which related to the size of the single storey extension alongside the boundary with 296 Moston Lane East and the resultant impact on residential amenity. Three of the refusal reasons were considered by the Planning Inspector to be unreasonable, therefore amounted to unreasonable behaviour, and resulted in an award of costs against the Council.

This application is identical to the previous application except for the depth of the single storey rear extension having been reduced by 25% from 4 metres to 3 metres.

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 semi-detached residential property in a predominately residential area in Chadderton. The property is one of a group of similarly designed detached and semi-detached residential properties on Moston Lane East. It has previously been significantly extended with a large single storey rear extension parallel to the boundary with No.296 Moston Lane East. There is a two storey rear extension adjoining a single storey rear extension which is unauthorised. The property is currently vacant.

THE PROPOSAL

For the avoidance of doubt the application seeks planning permission for the change of use of the property to a residential institution (Use Class C2) together with an extension to the existing single storey rear extension parallel to no.296 Moston Lane East. A first-floor rear extension, single storey side extension, and a single storey rear extension (adjacent to no.300 Moston Lane East) are also proposed.

As previously described, a notable amendment to the previously refused application is the reduction in the projection of the single storey rear extension alongside the boundary with no.300 Moston Lane East from 4 metres to 3 metres.

The Design & Access Statement submitted with the application states:

'The proposal seeks to offer 24-hour support to people within a home environment within their own personal spaces. During the night, this support can consist of waking support workers to supervise and provide support, depending on the needs of the clients. The services provided will be for people with complex challenges who have a diagnosis of mental health and/ learning disability aged 18 years and over, who require additional support to re-integrate them into society and to live Independently'

and,

'The residents will have their own 'Support / Care Package', which is tailored to meet their individual needs. Great emphasis is placed on social inclusion and the development of living skills, whilst at the same time promoting independence and self-confidence whilst they are resident.'

Eight full time residents would occupy the property. The development would create 6 to 8 full time staff with two staff at the property at all times and no shift changes at night.

RELEVANT PLANNING HISTORY

FUL/347100/21 - Change of use of residential dwelling (Class C3) to residential institution (Class C2), single storey and first floor rear extensions. Refused for the following reasons:

1. The proposed single storey extension adjacent to the boundary with the adjoining No. 300 Moston Lane East would, in combination with the existing single storey outrigger at No.300, create a significant 'tunnelling effect' when viewed from the rear facing patio doors of the adjoining property which will have an oppressive impact and result in a significant loss of light. As such the proposal would fail to accord with Joint Development Plan Policy 9 of the Oldham Local Plan.
2. The scale and nature of the proposed extensions to the existing rearward projection alongside the boundary with 296 Moston Lane East is disproportionate in size and would be out of character within a residential setting to the detriment of residential amenity. This is an impact exacerbated by its proximity to the boundaries of the application site. As such the proposal would fail to accord with Joint Development Plan Policy 9 of the Oldham Local Plan.
3. The application has failed to make adequate provision for the storage and collection of waste (including recycling) that would appropriately cater for the proposed use. As such the proposal would fail to accord with Joint Development Plan Policy 9 of the

Oldham Local Plan which, amongst other matters, requires that development does not cause significant harm to the visual appearance of the area.

4. The proposed C2 use would result in the loss of a large family home at a time when the Council is unable to demonstrate a five-year housing land supply. Furthermore, as a result of the scale of the proposed use, it would not make a positive contribution towards creating sustainable communities and promoting community cohesion across the borough. As such the proposal is contrary to the requirements of Joint Development Plan Policies 2 and 11 of the Oldham Local Plan.
5. The proposed use of the property as a Residential Institution would, given the scale of the accommodation proposed and the likely increase in activity and movements associated with the use when compared with a Dwellinghouse, result in additional noise and disturbance to surrounding residents. This would cause significant harm to the amenity of surrounding residents which would conflict with the requirements of Joint Development Plan Policy 9 of the Oldham Local Plan and paragraph 185 in the National Planning Policy Framework.

PA/344668/20 - 1) Change of use from dwelling (use class C3) to institution (use class C2). 2) erection of single storey side and rear extensions. 3) Erection of a first-floor rear extension. Refused for the following reasons:

1. It is proposed that there will be up to 9 residents on site and 6 members of staff at the property at any one time. In addition to this, it is likely visitors would be attending the site. The concentration of people on site and the coming and going of visitors to and from the site are likely to cause significant increased levels of activity and unacceptable noise disturbance to the occupiers of neighbouring properties, contrary to Policy 9 of the Oldham Local Plan.
2. The proposed single storey extension adjacent to the boundary with the adjoining No. 300 Moston Lane East would in combination with the existing single storey outrigger at No.300 create a significant 'tunnelling effect' when viewed from the rear facing patio doors of the adjoining property which will have an oppressive impact and result in a significant loss of light. As such the proposal would fail to accord with Policy 9 of the Oldham Local Plan.

HOU/345998/20 - Erection of single storey side and rear extensions and erection of a first-floor rear extension. Refused for the following reason:

1. The proposed single storey extension adjacent to the boundary with the adjoining No. 300 Moston Lane East would in combination with the existing single storey outrigger at No.300 create a significant 'tunnelling effect' when viewed from the rear facing patio doors of the adjoining property which will have an oppressive impact and result in a significant loss of light. As such the proposal would fail to accord with Policy 9 of the Oldham Local Plan.

RELEVANT PLANNING POLICIES

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

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

Policy 1 - Climate Change and Sustainable Development;
Policy 2 – Communities;
Policy 3 – An Address of Choice;
Policy 5 – Promoting Accessibility and Sustainable Transport Choices;
Policy 9 – Local Environment;
Policy 11 – Housing; and,
Policy 20 – Design.

CONSULTATIONS

Highways Engineer: Requested additional plans detailing the parking provision for the premises, however the proposed parking provision remains as the previous two applications, to which the Highways Engineer raised no objections. A condition will be imposed requiring cycle store provision.

Environmental Health: No objections

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters and a site notice. In response 23 representations have been received raising the following (summarised) issues:

- Increase in traffic;
- Overdevelopment of site;
- Parking;
- Design unacceptable;
- Flooding;
- Pollution;
- Waste storage;
- Noise;
- Development taking place without planning permission;
- Anti social behaviour; and,
- Devaluation of property

PLANNING CONSIDERATIONS

The main issues to consider are:

1. Whether the principal of the development is acceptable;
2. The impact on residential amenity;
3. The design and appearance of the proposed extensions;
4. Parking and Highway safety;
5. Waste storage; and,
6. Other issues.

Principle

Policy 2 of the Oldham Local Plan states that the Council will support appropriate development that contributes towards creating sustainable communities and promotes

community cohesion across the borough, supports the transformation of education and skills, and contributes to improved health and well-being of people in Oldham.

Paragraph 5.32 accompanying the policy indicates that supported accommodation, such as that proposed, constitutes a community facility. The policy states it will support proposals for new and improved community facilities that meet an identified need. The Council's Local Housing Need Assessment (2019) indicates that between 2019 and 2030 there will be an increase in the number of adults with disabilities in the borough and more specifically an increase in the number of both older people and other adults with learning disabilities. There will also be an increased need for residential (C2) care for older people within the borough. As such, it is considered that there is an identified need, which this development would contribute towards thus complying with the requirements of Policy 2.

Policy 5 states as a minimum, new minor development should achieve 'low accessibility'. This is defined as being within approximately 400 metres of a bus route with a service, or combination of services. The proposed development would be a short walk from multiple bus stops and is considered to be a sustainable location thus meeting the requirements of this policy.

Policy 11 stipulates that all residential developments must deliver a mix of appropriate housing types, sizes and tenures that meet the needs and demands of the borough's urban and rural communities. Whilst the policy does indicate the need to build dwellings which are three bedrooms and there is an identified housing need in the borough, the policy does not restrict the change of use of existing residential properties to other uses.

Given the nature of the development, and its sustainable location, it is considered that the principle of the proposed development is acceptable.

Residential Amenity

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

In this case, it is extremely important to give substantial weight to the recent appeal decisions in respect of previous applications on the site which are relevant as a *material planning considerations*.

Appeal Decision 2020 Application:

Planning application PA/344668/20 proposed a change of use of the building to a residential institution (Use Class C2) with extensions to the property to accommodate it. That application was refused on 25 November 2020 on the basis that the use would be associated with activities resulting in noise disturbance for local residents and that the scale of the proposed single storey extension would cause an oppressive impact and cause loss of light to the occupiers of no.300 Moston Lane East.

The decision was then the subject of an appeal to the Planning Inspectorate (APP/W4223/W/20/3264993). Although the appeal was dismissed the Inspector made the following comments in her report:

"Given the appeal property is located on a relatively busy through road, and there are a variety of commercial uses that attract customers in the vicinity, during the day at least noise and disturbance from traffic is significant. As a result, whilst the proposal may create more noise and disturbance than if the property were used as a dwelling, I am not persuaded that this would adversely affect the living conditions of nearby residents."

and,

“I consider that the proposed development would not have a detrimental impact on the living conditions of nearby residents with regard to noise and disturbance.”

In coming to their judgement, the Planning Inspector, within their report, indicated that movements to and from the development are likely to be largely within daytime hours and stated that the development ‘*would be an appropriate use within a residential area*’.

and,

“although there would be up to 8 residents in the property, I am satisfied that the use of the garden would not create significantly more noise than if the property were to be occupied as a family home.”

Appeal Decision 2021 Application:

The most recent application on the site (i.e., application reference FUL/347100/21) was for a change of use to a Class C2 residential institution, single storey rear extensions and a first floor rear extension. The proposed single storey rear extension was located directly adjacent the boundary with 300 Moston Lane East and was proposed to project 4 metres. It is this application that was refused by the Planning Committee in September 2021.

In summary, the Planning Inspector concluded:

1. The proposed change of use would not have an unacceptable impact on the living conditions of nearby residents in terms of noise and disturbance;
2. That the proposed change of use to a C2 care home would be an acceptable form of development;
3. That the extension to the existing single storey rear extension adjacent the boundary with 296 Moston Lane East would not have an unduly harmful effect on the character of the area; and,
4. That the first floor rear extension was acceptable.

However, the Inspector did consider the single storey rear extension projection of 4 metres adjacent to the common boundary with 300 Moston Lane East would have an overbearing impact on this property, and was out of character, and the appeal was dismissed for this reason alone.

Council’s Assessment on Amenity:

The previous application included a single storey extension adjacent to the shared boundary with no.300 Moston Lane East which projected 4 metres. The Inspector commented on this in her report as follows:

“the height of the proposed extension, which would appear as a solid feature above the boundary fence, its length and proximity to the boundary would combine to result in a dominant and overbearing feature when seen from the patio doors of no. 300.”

and,

“In conjunction with the existing projection to the rear of this property, the proposed extension would further create a tunnelling effect, which would restrict outlook from the patio doors, and reduce the light reaching them particularly in the early part of the day. It would make the room gloomier and increase the sense of enclosure, which would significantly detract from its use and enjoyment.”

This was the sole reason that the Inspector dismissed the appeal.

No. 300 Moston Lane East has patio doors that are close to the common boundary. These serve a habitable room and are the only windows serving the room. To the other side of these is a single storey outrigger. At present a high fence is located along the common boundary between the No 300 and No 298.

The single storey extension now proposed adjacent to the boundary with no.300 would project 3 metres from the rear elevation of the house. Extensions of this size attached to the rear elevations of dwellings do not usually require planning permission due to the provisions made by 'permitted development' rights which is a factor that must be considered. Whilst it is acknowledged that the proposed extension would cause some loss of light during the very earliest part of the day, it is considered that the proposed 25% reduction in the projection of the single storey rear extension fully addresses the concerns raised by the Planning Inspector.

The proposed single storey element located close to the boundary with 296 Moston Lane East would have a size similar to that of the existing extension. By virtue of its height and the distance of separation between the two properties, it remains to be considered that this element of the development would not have an overbearing impact upon or result in a significant loss of light to the occupiers of the neighbouring property. Furthermore, by virtue of its design, and the distance of separation between it and neighbouring dwellings, it is considered that the first floor extension proposed would not cause an unacceptable loss of light or privacy to nearby dwellings.

External lighting can be important within the grounds of a residential institution to ensure safe use of the site by residents. In a residential area of this density, poorly designed external lighting has the potential to disturb residents, illuminating bedrooms in the evening. Whilst details of external lighting have not been submitted a condition is attached to the recommendation requiring details of lighting to be submitted to and agreed by the local planning authority prior to their installation.

However, there remains a concern that vehicles arriving and leaving the site during the night may disturb neighbouring residents. To prevent this, a condition is attached to the recommendation restricting staff shift changeovers so that they do not occur between the hours of 10pm to 8am. Subject to the imposition of this condition it is considered that the development would accord with the residential amenity aims of Policy 9.

Having regard to the appeal decisions referenced above, which have **substantial** weight as material planning considerations, it is considered that the proposed development would not have such a detrimental impact upon the living conditions of nearby residents in regard to noise and disturbance as to justify refusal of the application. Furthermore, the concerns raised by the Planning Inspector about the size of the single storey rear extension adjacent to No.300 Moston Lane East have been fully addressed through a 25% reduction.

Design and Appearance

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.

Whilst the proposed extensions would be of a substantial size they would be situated towards the rear of the application property and would not feature prominently in the street scene. The single storey elements would be built with a flat roof which would not be in keeping with the application property. However, they would not appear as prominent additions by virtue of their height and siting. The first floor extension would be constructed with a hipped roof mirroring that of the application property.

A substantial area of amenity space would remain for the recreational use of occupants.

In summary, it is considered that the proposed development would appear of appropriate scale and design that would accord with the visual amenity aims of DPD policies 9 and 20.

Highways

DPD Policy 9 indicates that development should protect and improve local environmental quality and amenity by ensuring that development will minimise traffic levels and do not harm the safety of road users. Paragraph 111 of the National Planning Policy Framework states:

“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Given the nature of the development it is not expected that the car ownership of the residents will be high. The agent has confirmed that is likely to be a maximum of eight full time members of staff employed, working shifts which will include overnight. The current parking arrangements will not change with three spaces provided. The development is located in a highly sustainable location being approximately 360m from Moston Train Station and a short walk from bus stops on four separate bus routes. It is considered that given the nature and scale of the development and the high sustainability of the location the on-site parking provision proposed is adequate.

Whilst some vehicles associated with the development may be parked on the highway, given the scale of the development, it is considered that the level of on-street parking would be similar to that of a domestic property and the development would not have a significant impact upon the on-street parking available to nearby residents.

Given that parking arrangements would not change as a result of the development, it is not expected that vehicles manoeuvring to leave and enter the development would pose any greater risk to the safety of pedestrians and highway traffic.

The Highways Engineer requested a site plan to demonstrate the proposed parking layout, however this was not requested in either of the previous applications, and as such, Members are advised that as with the previous appeal decisions, the introduction of new issues is likely to result in a decision of unreasonable behaviour by the Council, which may lead to further costs being awarded against the Council.

In relation to the 2020 application, the Highways Engineer’s comments advised that:

“The proposed development is located in a sustainable location with links to public transport. I do not expect the car ownership of the residents to be high. The Applicant/Agent has confirmed that is likely to be a maximum of five FTE members of staff on site, working shifts which will include overnight. The current parking arrangements will not change. Three

spaces will be provided and I consider this adequate given the type of use and location. I do not consider that there will be any significant additional traffic generated by the proposed development and I do not therefore object to planning permission being granted for highway safety reasons”

A condition requiring secure cycle parking was recommended and will be imposed, should Members resolve to grant planning permission.

Given the scale of development it is not considered that the development would have an unacceptable impact upon highway safety nor would the impacts upon the highway network be severe. As such, in accordance with paragraph 111 of the National Planning Policy Framework, it is considered that the application could not reasonably be refused on highways grounds.

Waste Storage

Poorly designed waste storage facilities can produce unpleasant smells, attract vermin and have an adverse visual impact upon the character of an area, failing to accord with policies 9 and 20 of the Oldham Local Plan.

The plans submitted indicate that there would be ample room for the storage of waste bins, stored outside public view not immediately abutting windows of adjacent properties. As such, it is considered that the waste storage area on site would be sufficient and would not result in neighbouring properties being adversely impacted upon by waste odours. As such the development would accord with the aims of policy 9 and 20 of the Oldham Local Plan.

Other Matters

Drainage:

Given the scale of the development, and its location in an area considered to have a low susceptibility to surface water flooding.

Anti Social Behaviour:

The proposal is for an assisted living facility supporting those with mental health concerns and learning disabilities. It is not considered that there is reasonable evidence to suggest that the proposed use would adversely impact upon local residents in terms of anti social behaviour.

Devaluation of Property:

This is not a material planning consideration and cannot be afforded weight in the decision making process.

CONCLUSION

It is considered that this revised planning application fully addresses the concerns raised by the Planning Inspector who independently appraised the refusal of the previous planning application. This must be regarded as a material planning consideration in the assessment of the current application and be afforded significant weight alongside the planning policies in the Local Plan and the guidance in the National Planning Policy Framework.

Altogether, it is considered that the benefits of the development outweigh any harm caused and the development accords with the Oldham Local Plan and the National Planning Policy Framework. As such, it is recommended that the application is approved subject to the imposition of the conditions referenced below.

RECOMMENDATION

It is recommended that the application be 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 those used in the existing building. REASON - To ensure that the appearance of the existing building is acceptable having regard to Policy 20 of the Oldham Local Plan.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, prior to the installation of any external lighting, a detailed scheme showing all external lighting proposed shall be submitted to and approved in writing by the Local Planning Authority. No additional lighting shall be erected without the prior approval of the Local Planning Authority. REASON - To protect neighbouring residential properties from unacceptable levels of light pollution which may have an adverse effect upon their amenity.
5. No more than eight residents shall live at the application property at any one time. REASON: To ensure the intensity of the use of the site does not result in any unacceptable disturbance of nearby residents.
6. No staff shifts shall start or end between the hours of 2200 and 0800 on any day. REASON - To ensure neighbouring residents are not unacceptably disturbed during night-time hours by the development in accord and with policy 9 of the Oldham Local Plan.
7. 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.
8. Prior to the first occupation of the care facility hereby approved, full details of waste storage arrangements shall be submitted to and approved in writing by the Local Planning Authority and the screened waste store fully implemented. The waste storage arrangements shall thereafter be retained at all times. REASON - In order to ensure waste bins are stored in a screened location in order to protect the

appearance of the street scene having regard to Policies 9 and 20 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



APPLICATION REPORT - FUL/349317/22 Planning Committee 15th February 2023

Registration Date: 28th June 2022
Ward: Chadderton Central

Application Reference: FUL/349317/22
Type of Application: Full Application

Proposal: Retrospective application for design changes to the car park layout and external areas plus minor additions to planning consent PA/340926/17, including non-material amendment NMA/343706/19.

Location: Police Station, Broadgate, Chadderton, Oldham.

Case Officer: Matthew Taylor
Applicant: Mr Jeremy Fryer
Agent: Ms Victoria Skinner

INTRODUCTION

The application is referred to Planning Committee for determination as the application site is over 1 ha in area, in accordance with the Council's Scheme of Delegation.

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 is approximately 1.17ha, triangular in shape and is bounded to the northeast by the Rochdale Canal, Gateway Crescent to the west and Broadgate to the south.

The site currently comprises the existing Chadderton Police Station, a part two storey and part single storey building occupying the southern area with parking in the northern section. Access to the site is attained from the northeast leading from Gateway Crescent.

THE PROPOSAL

Retrospective planning permission is sought for design changes to the car park layout and external areas plus minor additions to the planning permission granted under application reference PA/340926/17 and the subsequent non-material amendment application considered under reference number NMA/343706/19. The changes are as follows:

- Drop Off/delivery area reconfigured to provide fully screened parking area;
- Site roadway route revised to reflect existing route and to suit new Drop Off area;
- Parking layout has been amended to retain more of the existing parking, as operational vehicle spaces reassigned as general parking, whilst additional spaces provided near the entrance (total increase of 18 spaces from previously approved), motorcycle parking bays repositioned;
- Mini roundabout and lay-by added to car parking layout previously approved;
- Ground floor and first floor minor internal layout alterations;
- The external door arrangements of Ancillary Building 2 has been altered;
- The height of Ancillary Building 1 has been reduction, it had been approved to be raised by 2.24 metres, however, it will now only be increased by 1.430 metres above existing; and,
- Alteration to the boiler flue and 2 No. extract flues.

REPRESENTATIONS

This application has been publicised by means of a site notice and neighbour notification letters. No representations have been received.

RELEVANT PLANNING HISTORY

PA/340926/17 - 1) Partial demolition of the existing single storey rear element of the station 2) Two storey extension to the north of the site 3) Changes to the landscaping adjacent to the extension plus 4) Vehicle entrance from Gateway Crescent 5) Associated works (Re-submission of PA/338984/16) – Granted 22.12.2017.

NMA/343706/19 - Non-material amendment to PA/340926/17 for various external alterations to elevations/landscaping – Granted 08.11.2019.

RELEVANT PLANNING POLICIES

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

The site is 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 13 - Employment Areas;
 Policy 14 – Supporting Oldham's Economy; and,
 Policy 20 - Design

National Policy/ Guidance:

National Planning Policy Framework (NPPF)

Statutory and Internal Consultees:

Highways
Engineer: No objection.

Tree
Consultations: No objection following the submission of the planting methodology to support the new landscape scheme.

Environmental
Health: No objection.

PLANNING CONSIDERATIONS

The main planning issues to consider are:

- Land use;
- Impact of the proposal on the character of the area;
- Effect on Amenity; and
- Highway Considerations.

Land Use

Policy 1 seeks to promote economic prosperity by meeting the needs of existing and new businesses by providing employment land in accessible locations. Policy 13 states that the Council has designated employment areas across the borough to provide a broad and diverse range of 'appropriate' employment generating uses. These are designated strategically to respond to the changing local economy and will provide opportunities for investment from new businesses and existing firms. Policy 14 outlines the permitted uses within employment areas.

Having regard to the original approval (ref: PA/340926/17) it is clear the development has allowed the creation of additional office space to complement the original use. As such, given the current proposal will continue to enhance and support the Business and Employment Area designation of the site and will serve an existing business, the proposal is considered compliant with Policies 1, 13 and 14 of the Local Plan. As such, the principle of development is considered acceptable.

Design and Impact on the character of the area

Policy 9 of the Local Development Framework provides that the Council will protect and improve local environmental quality by ensuring that development does not have a significant, adverse impact on the visual amenity of the surrounding area, including local landscape and townscape. Policy 20 provides that development proposals must meet a set of design principles, including local character. The proposed alterations are not considered to be of a scale that would materially alter the approved scheme or lead to any adverse impact on the character of the area.

Having regard to the overall package of amendments to the previously approved development it is not considered that the proposal would lead to any significant adverse impact on either the

existing site or the local character. As such, it is considered to comply with the requirements of Policies 9 and 20.

Effect on Amenity

Policy 9 requires that development does not cause significant harm to the amenity of 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.

In the context of this application, the site is located at the edge of an existing commercial area. As such, it is considered that the proposed development would be acceptable in this location and would have a negligible impact on the level of amenity currently enjoyed by neighbouring land uses.

Highway Considerations

Policy 9 indicates that development should protect and improve local environmental quality and amenity by ensuring that development will minimise traffic levels and do not harm the safety of road users. Paragraph 111 of the National Planning Policy Framework states:

“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

The current proposal has been considered by the Council’s Highway Engineer and it is considered it would not lead to any materially different highway issues beyond what the original scheme would generate. As such, the proposals remain acceptable against the requirements of Policy 9 from highway safety and capacity perspectives.

CONCLUSION

The proposed scheme is not considered to be of a scale that would impact on the character of the area neither would they lead to any severe highway issues and accords with the Local Plan. As such, it is recommended that the application is approved subject to the imposition of the conditions referenced 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.

The landscaping works shown on the approved plans [Drawing No. P18042/0110 Rev P1 P18042-CTG-SP-Combined Specification_C2_Landscaping Extracted dated 01.02.23] shall be carried out in accordance with the approved details within the first planting season following final occupation of the development hereby permitted. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted. Reason - To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policy 9, 20 and 21 of the Oldham LDF Joint DPD and the National Planning Policy Framework.

SITE LOCATION PLAN (NOT TO SCALE):



Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

15 February 2023

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 18 January 2023. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals since 10 January 2023 (until 6 February 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	Dismissed, 18/01/2023	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	Dismissed, 11/01/2023	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

				other matters reserved.
LBC/347521/21	1A Lower Tunstead, Greenfield	Ongoing	12/08/2022	Single and two storey rear extensions
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	Ongoing	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	Ongoing	06/12/2022	Two storey side extension.
HOU/349475/22	6 Poplar Avenue Oldham	Ongoing	05/01/2023	Front porch and canopy
HOU/349583/22	9 Honey Hill Lees Oldham OL4 5DP	Ongoing	19/12/2022	Erection of a first floor rear extension.
FUL/348900/22	119 Broadbent Road, Oldham, OL1 4HY	NEW		Change of use from C3 dwelling to C2 residential institution
HOU/349861/22	8 Fernlea Avenue, Chadderton, Oldham, OL1 2QH	NEW		Raising of roof to accommodate a new rear dormer.
HOU/349862/22	6 Fernlea Avenue, Chadderton, Oldham, OL1 2QH	NEW		Raising roof to accommodate rear dormer 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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