

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 20 September 2023

Time 6.00 pm

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

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 or email Constitutional.Services@oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 15 September 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.

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

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:
Councillors Akhtar, S. Bashforth, Cosgrove, Davis, Fryer, H. Gloster,
Harkness, Hince, Hobin, Ibrahim (Vice-Chair), Iqbal, Lancaster, Surjan
(Chair) 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 - 2)
The Minutes of the meeting of the Planning Committee held on 23rd August 2023 are attached for Members' approval.
- 6 FUL/347760/21 - Bottom Field Farm, Medlock Road, Failsworth, Oldham, M35 9UA (Pages 3 - 24)
Demolition of existing buildings and erection of 27 no. dwellings
- 7 FUL/350924/23 - Bottom Field Farm, Medlock Road, Failsworth, Oldham, M35 9UA (Pages 25 - 32)
Pumping station
- 8 VAR/351244/23 - Greene's Bistro, King George V Playing Fields, Wade Row, Uppermill, OL3 6BF (Pages 33 - 42)
Variation of Condition 2 (approved plans) of application ref: FUL/348807/22. Amendments to approved odour extraction system, screen planters and increasing depth of fascia around the cafe.
- 9 FUL/351352/23 - Land to the north of Salmon Fields and south of Turf Lane, Royton (Pages 43 - 56)



Construction of a Community Diagnostics Village consisting of two, two-storey medical diagnostics buildings, a single storey PET CT Scanner, a mobile CT Scanner and making permanent the previously approved Community Diagnostics Hub Building (ref: FUL/347717/21) with associated landscaping and parking.

- 10 FUL/351243/23 - South-east part of Rock Street Car Park, junction of Rock Street and St Mary's Way. (Pages 57 - 64)

Change of use and associated development to create a new public open space

- 11 FUL/351431/23 - Alexandra Park Depot, Kings Road, Oldham OL8 2BN (Pages 65 - 78)

Variation of condition no. 9 (car parking spaces) to reflect phased development of the site, and variation of conditions 3 and 4 (remediation), 10 (cycles), 15 (birds), and 16 (security) to reflect additional information relating to app no. PA/344412/20

- 12 Appeals Report (Pages 79 - 82)

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PLANNING COMMITTEE
23/08/2023 at 6.00 pm

Present: Councillor Surjan (Chair)
Councillors Akhtar, Charters (Substitute), Davis, Fryer,
Harkness, Hobin, Ibrahim (Vice-Chair), Iqbal, Lancaster and
Woodvine

Also in Attendance:

Laila Chowdhury	Constitutional Services
Alan Evans	Group Solicitor
Abiola Labisi	Senior Planning Officer
Martyn Leigh	Development Management Team Leader
Kaidy McCann	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S.
Bashforth, Cosgrove and Gloster.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting of the Planning
Committee held on the 19th July 2023 be approved as a correct
record.

6 **VAR/350629/23 - ST. CUTHBERTS CHURCH, TANNERS
FOLD**

APPLICATION NUMBER: VAR/350629/23

APPLICANT: Mr. Jon Walker

PROPOSAL: Variation of condition No 4 (Landscaping) relating
to approved application RES/346214/21.

LOCATION: St. Cuthberts Church, Tanners Fold.

It was **MOVED** by Councillor Akhtar and **SECONDED** by
Councillor Hobin 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.

7 **FUL/350748/23 - LAND SOUTH OF GREENSIDE WAY,
GREENGATE INDUSTRIAL ESTATE, CHADDERTON**

APPLICATION NUMBER: FUL/350748/23

APPLICANT: Mandale Investments Limited

PROPOSAL: Erection of 3no. E(G)/B2/B8 blocks (comprising 24no. hybrid units) and formation of a new access onto Greenside Way, together with external works, landscaping, and creation of a substation and meter rooms

LOCATION: Land south of Greenside Way, Greengate Industrial Estate, Chadderton

It was MOVED by Councillor Davis and SECONDED by Councillor Hobin 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 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 9.

8 **APPEALS UPDATE**

RESOLVED that the Appeals Update report be noted.

9 **LATE LIST**

RESOLVED that the information as contained in the late list be noted.

The meeting started at 6.00 pm and ended at 6.12 pm

APPLICATION REPORT - FUL/347760/21 Planning Committee 20th September 2023

Registration Date: 20th October 2021
Ward: Failsworth East

Application Reference: FUL/347760/21
Type of Application: Full Application

Proposal: Demolition of existing buildings and erection of 27 no. dwellings
Location: Bottom Field Farm, Medlock Road, Failsworth, Oldham, M35 9UA,

Case Officer: Graham Dickman
Applicant: Sheridan Group Ltd
Agent: Mr Stephen Harris

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as it relates to a Major development of over 20 dwellings which if approved would presently involve a departure from the provisions of the Development Plan.

2. RECOMMENDATION

- 2.1 It is recommended that the application should be approved subject to:
1. The conditions set out in this report;
 2. The completion of a Section 106 agreement for a financial contribution of £300,000 towards affordable housing provision, and for a requirement for an additional payment should the development secure a profit for the developer above 20%; and,
 3. The Head of Planning to issue the decision following completion of the legal agreement.

3. THE SITE

- 3.1 This application relates to a roughly triangular site located amidst open fields to the south of the settlement of Woodhouses. Within the site there is a large two-storey farmhouse and a variety of single storey buildings of differing styles and sizes.
- 3.2 Vehicular access is obtained from Hartshead Crescent which leads from Medlock Road and is adopted to the point where it passes from the established housing development into the application site. The then private roadway forms a circular route within the site.

3.3 Public Footpath (48 FAILS) emerges from Hartshead Crescent at the same point and skirts the north-east boundary of the site.

4. THE PROPOSAL

4.1 This is a full application for the demolition of all existing buildings and the erection of 27 dwellings served via a cul-de-sac arrangement.

4.2 There is a mix of houses comprising:

2 no. three-bedroom semi-detached houses;
14 no. four-bedroom semi-detached houses;
7 no. four-bedroom detached houses; and,
4 no. five-bedroom detached houses.

4.3 The properties include a variety of designs, the majority of which comprise two storeys with additional roof space accommodation provided via a mix of small, pitched roof dormers and rooflights.

4.4 With the exception of the properties facing the access road at the entrance to the development, the rear of the dwellings generally face outwards across the adjacent fields, with rear gardens enclosed by solid timber boundary fencing.

5. RELEVANT HISTORY OF THE SITE

5.1 FUL/350924/23 – Pumping station. Pending determination.

5.2 PRCU/336057/14 – Prior approval for change of use from an agricultural building into 3 no. dwellings. Prior approval required and refused on the grounds that the building was not fully in agricultural use and therefore did not comply with the relevant regulations.19 November 2014

6. RELEVANT PLANNING POLICIES

6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as Green Belt. As such, the following policies are considered relevant to the determination of this application:

6.2 As such, the following policies are considered relevant to the determination of this application.

- Policy 1 – Climate Change and Sustainable Development;
- Policy 3 – An Address of Choice;
- Policy 5 – Promoting Accessibility and Sustainable Transport Choices;
- Policy 9 – Local Environment;
- Policy 18 – Energy;

- Policy 19 – Water and Flooding;
- Policy 20 – Design;
- Policy 21 – Protecting Natural Environmental Assets;
- Policy 22 – Protecting Open Land; and,
- Policy 25 – Developer Contributions.

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

7. CONSULTATIONS

Highways	No objections subject to conditions in relation to provision of the access and parking spaces, alteration to the public right of way, and for a Construction Management Plan.
Environmental Health	Recommend conditions in relation to disposal of waste, contaminated land/landfill gas investigations, and construction management.
Trees Officer	No objection in principle. However, mitigation for tree loss will be required.
G M Ecology Unit	Further assessment required in relation to bats and the pond and for an Environmental Management Plan. There is satisfactory opportunity for BNG Net Gain on the wider site within the applicant's control.
Natural England	No comments
Education	There is adequate provision of education places in the wider Failsworth/Hollinwood area.
Ramblers	No objections to the proposed diversion of Footpath 48
Health & Safety Executive	Do not advise against the application.
Cadent Gas	Recommend a holding objection whilst engineers assess the proposal and direct the Council to the HSE's Planning Advice Web App.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.

In response 10 objections and one neutral comment have been received. The representations include the following (summarised) comments:

- Impact on the Right of Way (para 13.4)
- Demolition of the barns will lead to a loss of that natural habitat for bats (para 15.8)
- Inadequate ecological report (para 15.7)
- Problems due to existing building work in the area (para 13.6)
- Access road along Hartshead Crescent and junction with Medlock Road is not designed for the increased amount of traffic (para 13.2)
- These are expensive properties similar to those under construction and would not support those getting on to the housing ladder (para 19.4)
- The properties are tall and not in character with the area (para 12.1)
- Further pressures on infrastructure, including local schools, shops, and doctors (para 17.5).
- Need to ensure no further intrusion into the countryside (para 11.15)
- Adverse drainage impacts (para 16.2)
- Prematurity in light of the current status of PfE (Section 9)
- Adverse impact on the Conservation Area (para 14.1)

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application proposes a development of 27 dwellings on a site historically occupied by agricultural buildings and an associated farmhouse. It is surrounded by largely open fields. It is spatially separated from the urban area of Woodhouses by approximately 50 metres to which it is linked by an access road.
- 9.2 The present character of the site and the existing buildings within bear little relationship to the neighbouring suburban style of residential development in the vicinity.
- 9.3 Although originally in agricultural use, at some unspecified time, uses associated with equestrian activities have increasingly proliferated. Evidence provided by the previous site owner, along with historical images of the site, indicate that, with the exception of a couple of buildings in the north-west corner, the site has been in active equestrian or ancillary residential use for at least 10 years.
- 9.4 Whilst aerial imagery is not conclusive, it is evident that by 2009 at the eastern side of the site a manege had been formed along with middens. This appears to support the assertion of non-agricultural use.
- 9.5 The Council does not have any definitive evidence to counter the previous owner's assertions, and it is noted that in the 2014 prior approval application referenced above, non-agricultural uses had been observed at the site.
- 9.6 In such circumstances, it is appropriate to consider the site to represent brownfield (previously developed) land. Nevertheless, even where so designated, the Glossary to the NPPF clarifies that "it should not be assumed that the whole of the curtilage should be developed".

- 9.7 At present the site is located entirely within the adopted Green Belt. NPPF paragraph 140 is clear that, once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans.
- 9.8 Therefore, the assessment of any development proposals must presently be in accordance with Local Plan Policy 22 and Part 13 of the NPPF. However, emerging policy is also a material planning consideration.
- 9.9 The site was initially proposed for removal from the Green Belt in the Greater Manchester Spatial Framework (GMSF). GMSF evolved into the Places for Everyone Joint Plan (PfE), and PfE, as currently proposed, includes this site as a residential allocation recommended for removal from the Green Belt.
- 9.10 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans. PfE is an emerging Plan which will form part of Oldham's development plan upon adoption.
- 9.11 Examination in Public of the Plan is largely complete. In June 2023 the Inspectors set out further suggested modifications considered necessary for soundness. Although some amendments to the allocation criteria have been proposed, the allocation itself will remain part of the plan. With PfE now at an advanced stage and with the Inspectors' initial findings having endorsed the inclusion of this site as an allocation to be removed from the Green Belt, this emerging allocation should hold substantial weight in the decision-making process.
- 9.12 The assessment below will consider the suitability of the development in light of both the extant Green Belt policy and the emerging allocation.

10. ASSESSMENT OF GREEN BELT

- 10.1 It is first necessary to consider the Green Belt aim and purposes.
- 10.2 NPPF paragraph 137 states that the fundamental aim of Green Belt policy is "*to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*".
- 10.3 In respect of the 5 purposes of the Green Belt in paragraph 138, the location of the site ensures the development will meet the tests of checking the sprawl of large built-up areas, preventing neighbouring towns from merging, and preserving the setting and special character of historic towns.
- 10.4 Although the proposed development footprint will extend beyond that of the existing buildings, it will nevertheless be contained within a clearly defined boundary within which the historic farm site is situated, and (with the exception of the pumping station – see report for FUL/350924/23 on this agenda) would not lead to encroachment into the surrounding countryside.
- 10.5 Whilst the proposal will make practical use of a largely previously developed site, it is not derelict and limited weight can be given to urban regeneration benefits.

- 10.6 With regard to existing national and local policies, NPPF paragraph 149 states that development in the Green Belt would not be inappropriate on previously developed 'brownfield' land where it would "not have a greater impact on the openness of the Green Belt than the existing development, or, not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority".
- 10.7 Consequently, it is important that assessment of the development in the context paragraph 149 is undertaken and the impact on openness therefore needs to be considered.
- 10.8 Case law has established that 'openness' can have spatial and visual aspects. Moreover, the assessment of weight to be given to those factors will be dependent on the circumstances in each case.
- 10.9 At present the site comprises a mix of buildings ranging from a traditional two storey farmhouse and a variety of single storey functional buildings, the majority of which are low lying with either pitched or flat roofs which help minimise their presence. Coverage is largely confined to the western half of the site.
- 10.10 The submitted Site Overlay Comparison Plan indicates the bulk of existing building coverage to be located in a central block. Here the bulk of the structure has a significantly low profile.
- 10.11 The Planning Statement indicates that the development will result in a -3.65% difference in volume, and -27.5% decrease in footprint. However, this in itself has no regard to height, visual prominence, or site coverage.
- 10.12 By contrast the proposed development sees the introduction throughout of buildings providing accommodation over two floors, with roof pitches designed to facilitate additional accommodation in the roof space. These properties are spread consistently across the whole site, in many cases much taller and in closer proximity to the site boundaries. Whilst the footprint of each dwelling is smaller than some existing buildings, no overall volumetric comparison has been provided.
- 10.13 Such a comparison is of course only one aspect of the spatial consideration, at which point there is overlap with visual considerations.
- 10.14 The submitted visual assessment states that "The changes arising from the proposed development on landscape character will be beneficial stemming from the replacement of a former farmstead that does not reflect local vernacular with a high quality residential development which is accompanied by a landscape strategy to enhance the GI of the site and the structure, pattern, condition and intactness of the surrounding farmland in the vicinity of the site to benefit the identified landscape receptors".
- 10.15 The existing buildings are in fact typical of those found at agricultural or similar rural settings, as is reflective of their original purpose. By contrast, other than the recent nearby development adjacent to Woodhouses Park undertaken by the applicant, there is

little local precedent for building of this contemporary design and scale proposed in the locality.

- 10.16 The submitted Design and Access Statement includes photomontages reflecting the proposed development taken from five vantage points. In each of those views there is a clear increase in the visual prominence of the development, both in terms of height of buildings and the spread across the site.
- 10.17 It is evident that prominent views of the site are available from both localised and distant receptors. As stated earlier, the present site character is one of functional agricultural style buildings of a type which are an established part of the urban fringe and rural landscape. The proposed development is an undeniably urban one of significant scale. To conclude that perception of the change in the site will be negligible in this context is clearly unsubstantiated.
- 10.18 Some weight can be given to the softening of the impact through landscaping, which would need to be beyond the application site boundary (given the close proximity of buildings), but on land within the applicant's control. In order to provide effective visual mitigation, given the height of the building, it would need to be substantive and would take a period of time to establish.
- 10.19 Whilst similar buildings have recently been approved on the nearby site, that site forms a contiguous visual link to the established built development. The more irregular setting of the application site, as a free-standing feature, provides contrast with any assessment of the visual impact on the Green Belt.
- 10.20 Consequently, it is considered that the present scheme would not wholly satisfy NPPF paragraph 149 (g). It is therefore necessary to establish whether any 'very special circumstances' exist to outweigh the identified harm to the Green Belt.
- 10.21 In the submitted Planning Statement, the applicant presents a case in favour of development on the following grounds:
- Very significant weight given to the persistent shortfall in housing land supply.
 - Significant weight to the regenerative benefits of using previously developed land.
 - Moderate weight to the achievement of at least 10% biodiversity net gain
 - Moderate weight to economic benefits from construction jobs and additional household spending
 - Moderate weight to enhancement to the character and appearance of the area through high-quality design and landscaping.
 - Limited weight to the lack of alternative sites to meet housing need in the local area.

11. EMERGING DEVELOPMENT PLAN POLICY

11.1 The proposed allocation (JP Allocation 13) stipulates that development of the site will be required to meet a number of criteria. These are considered in turn below.

11.2 Criterion 1.

“Deliver around 30 homes, providing a range of dwelling types and sizes to deliver inclusive neighbourhoods and meet local needs, including a mix of high-quality family housing and affordable homes in accordance with relevant local plan requirements”.

11.3 The proposal envisages the development of 27 properties and therefore falls within the general assessment of site density. The mix of properties does however lean heavily towards larger family housing.

11.4 The application is accompanied by a Viability Appraisal which concludes that the scheme cannot achieve viability for the provision of affordable housing. This Appraisal has been independently reviewed and subsequent discussions with the developer have concurred that a payment of £300,000 could be achieved., with remaining questions of additional potential contributions in light of the present uncertain housing market.

11.5 In light of the present uncertain housing market, the site has potential to achieve a greater return, and therefore it is also recommended that a provision is included that should the sales ultimately achieve greater viability, a further contribution shall accrue to reflect any additional profit. These aspects will be subject to a legal agreement.

11.6 Criterion 2.

“Make provision for other new and improved sustainable transport and highways infrastructure having regard to the indicative transport interventions set out in Appendix D in accordance with Policy JP-C7”.

11.7 This matter is addressed in the Highways section below.

11.8 Criterion 3.

“Reflect and respond to the special qualities and sensitivities of the key characteristics of the Incised Urban Fringe Valleys landscape character type in accordance with policy JP-G1”

11.9 This matter is addressed in the Landscape and Ecology section below.

11.10 Criterion 4.

“Provide further species surveys in accordance with the recommendations of an up-to-date Phase 1 Habitat Survey, having particular regard to further surveys that may be needed for amphibians, birds, and bats”.

11.11 This matter is addressed in the Landscape and Ecology section below.

11.12 Criterion 5.

“Define and/or strengthen the boundaries of the Green Belt around the site such that they will comprise physical features that are readily recognisable and likely to be permanent”.

11.13 Although the character of the existing developer site, comprising the former farmhouse, farm buildings, and hardstanding, is largely visually discerned from the surrounding fields, there is presently no formal delineated boundary.

11.14 The proposed external boundary treatments are primarily indicated to comprise solid treatments in the form of 2.4m high timber fencing. In other areas, low stock type fencing is proposed, albeit this does not relate to areas where private gardens adjoin or to the proposed access road. This will reduce the potential for future encroachment on the retained Green Belt.

11.15 Criterion 6.

“Provide for compensatory improvements to the environment quality and accessibility of remaining Green Belt in the vicinity of the site in accordance with policy JP-G2”.

11.16 This matter is addressed in the Landscape and Ecology section below.

11.17 Criterion 7.

“Consider the extraction of any viable mineral resources within Minerals Safeguarding Areas in accordance with Policy 8 of the Greater Manchester Joint Minerals Development plan (or any relevant policies in subsequent minerals plans)”.

11.18 The relevant policy states that proposals for non-mineral development within the Mineral Safeguarding Areas that do not allow for the prior extraction of minerals will only be permitted where:

1. The need for the development outweighs the need to extract the mineral; or
2. It can be clearly demonstrated that it is not environmentally acceptable or economically viable to extract the mineral prior to non-mineral development taking place; or;
3. It can be clearly demonstrated that the mineral is either not present or of no economic value or too deep to extract in relation to the proposed development; or;
4. The development is limited or temporary and would not prevent minerals extraction taking place in the future.

11.19 The Minerals & Waste Unit notes that the site lies on the outer boundary of the Minerals Safeguarding Area for coal and brick clay.

11.20 Given the site’s previously developed status, close proximity to established residential areas; the ecological value of the surrounding landscape; and the presence of the

high-pressure gas main, the site is unlikely to be deemed suitable for future mineral extraction.

12. LAYOUT AND DESIGN

- 12.1 During the assessment period for the application, amendments have been made to the layout and design/type of properties proposed. This has included a slight reduction in the height of the properties to lessen the visual impact.
- 12.2 Although in design terms the development will be distinct from the character of the closest neighbouring residential area, it is not considered that this would be unacceptable given the spatial separation therefrom.
- 12.3 Although the Council does not have adopted space standards, separation between habitable rooms would expect to achieve a minimum of 20m and habitable windows to blank/secondary elevations at 12m. In this context, adequate privacy would be achieved.
- 12.4 The dwelling types all exceed the overall space standards set out in the Nationally Described Space Standards document.
- 12.5 The proposed layout incorporates limited 'green areas', with in some cases plot coverage almost entirely devoted to buildings and hardstandings. Where planting is shown within the site this is often in close proximity to buildings and therefore severely limits the potential for significant arboricultural features to be accommodated effectively within the development site.
- 12.6 The dwelling frontages are dominated by hardstandings, which along with the height of the properties, creates an urban street scene.
- 12.7 Nevertheless, the wider land within the applicant's control offers significant opportunities for environmental enhancement.

13. HIGHWAY ISSUES

- 13.1 A Transport Technical Note has been submitted.
- 13.2 The Highways Officer has raised no objections to the principle of the development in terms of impact on road safety and the wider highway network from traffic associated with the proposed 27 dwellings.
- 13.3 At present Public Footpath 48 FAILS passes through the site in its north-east corner. There is presently no segregation from vehicles entering and leaving the site boundary which is shared with footpath users.
- 13.4 The proposals seek to relocate the path slightly beyond the site boundary creating a direct segregated route from the adopted section of Hartshead Close. The Ramblers have indicated no objections in principle to the change, which would need to be subject to a separate Footpath Diversion Order.

- 13.5 Alterations to the site entrance are proposed which would create a T-junction with traffic from Medlock Road and the wider highway network leading straight into the site from Hartshead Crescent. This change would be subject to a separate agreement with the Local Highway Authority.
- 13.6 As access to the development will be via an existing residential area, it will be necessary for the developer to submit a Construction Management Plan to demonstrate how building operations will be undertaken to minimise disruption.

14. HERITAGE MATTERS

- 14.1 Except where it extends into the area of recent housing development, the Conservation Area boundary is separated from the site by modern development. Therefore, the proposal would have a neutral impact on the character and appearance of the Conservation Area or other heritage assets.

15. LANDSCAPE AND ECOLOGY

- 15.1 The applicant has proposed a number of measures to enhance the surrounding landscape and ecological features. These include:
- historic hedgerow to be restored;
 - New planting to revised footpath route;
 - Tree and hedgerow planting on adjoining farmland;
 - Supplementary planting to hedgerow south of site;
 - New tree belt south of gas main;
 - Bat and bird boxes in houses;
 - Hedgerow planting to boundaries; and
 - Tree planting near Pike Avenue.
- 15.2 The application is accompanied by a Landscape and Visual Appraisal.
- 15.3 The site occupies part of the northern slope of the Medlock Valley. Although forming part of the wider open landscape, it is located close to the urban edge of Woodhouses beyond which the character changes significantly.
- 15.4 Distant and close proximity views are available from vantage points across the open land, including public footpath (47 FAILS) located approximately 160 metres to the east of the site linking Ashton Road in Woodhouses to Daisy Nook via a bridge across the M60, and 48 FAILS which presently links Hartshead Crescent to 47 FAILS passing through the application site.
- 15.5 Any impacts on the landscape character of the area will be limited to the increased visual presence of the proposed dwellings within the confines of the presently developer site. The submitted Comparison View information within the Design & Access Statement demonstrates that the development will result in an increased visual presence on the landscape, both in terms of the height of the proposed buildings and their spread across the site.

- 15.6 A proposed landscape strategy has been submitted showing enhancement of existing landscape features to include the restoration of historic hedgerows and new tree/hedgerow planting. This will serve to mitigate the additional visual impact.
- 15.7 The application is accompanied by an Extended Phase 1 Habitat Survey and Daytime Bat Survey. GMEU considers that reasonable effort has been used to survey the habitats on site and assess their ability to support protected and other important species.
- 15.8 Nevertheless, given the timeframe since submission of the report and implementation of any subsequently approved development, it is considered that further updated surveys in respect of bats, barn owl, great crested newt, and nesting birds, will be required prior to the commencement of the demolition of any existing building and subsequent redevelopment of the site.
- 15.9 The applicant has ownership of the adjacent fields, on which improvements to existing ecological and landscape features have been proposed. NPPF paragraph 174 (d) requires developments to minimise impacts on and provide net gains for biodiversity. This would similarly be a matter to be addressed by means of a planning condition, including those arrangements for the long-term management of such features.
- 15.10 A condition requiring the implementation of updated ecological surveys, which themselves will identify the existing biodiversity baseline and allow for improvements to both meet NPPF paragraph 174 and criteria 3, 4 and 6 of the PfE allocation will be required.
- 15.11 The Council's Trees Officer considers the proposal to be acceptable in principle. Although it is lacking in detail at this stage, the proposed replacement/additional planting is deemed to be significant and well-integrated into the existing site/treescape.
- 15.12 Further detail will be required including;
- A fully detailed Arboricultural Method Statement (AMS) to show that the existing trees to be retained are adequately protected throughout any periods of demolition and construction;
 - A full and detailed on-site planting plan and schedule; and,
 - A full and detailed wider site planting plan and schedule, or a combination of the two.
- 15.13 All of the above, once agreed, can be conditioned.
- 15.14 In respect of biodiversity impacts, NPPF paragraph 174 sets out that developments should aim at "minimising impacts on and providing net gains for biodiversity" In this regard there are significant opportunities for enhancement to be achieved, including in relation to habitat of protected species. Although the provisions of the Environment Act that 10% net gain is achieved are not yet in force, if this factor is considered to represent a significant benefit to the development, a minimum level of demonstrated improvement would be an appropriate requirement.

16. DRAINAGE

- 16.1 A Flood Risk Assessment & Drainage Strategy has been submitted which confirms that the site is within Flood Zone 1 at the lowest risk from flooding. An assessment of infiltration conditions will be required to confirm the suitability of soakaways. Discharge to an adjacent water course to the east would need to be subject to attenuation to an agreeable rate.
- 16.2 No objections have been raised in principle by United Utilities, subject to a condition requiring a detailed drainage scheme and subsequent management proposals.

17. GROUND CONDITIONS

- 17.1 A Phase II Site Investigation report has been submitted.
- 17.2 The Environmental Health Officer has assessed the findings and notes that site investigations are on-going. It is therefore recommended that any approval should be subject to condition requiring submission of those additional investigations.
- 17.3 The site is located within a Coal Authority Standing Advice area and a suitable informative will be included within any decision notice accordingly.

18. GAS PIPELINE

- 18.1 A high-pressure gas pipeline lies alongside the southern boundary to the site. As a consequence, it has been necessary to consult the Health & Safety Executive which has confirmed that less than 10% of the site and only gardens and landscaping proposed are within the inner zone. Therefore, the HSE has confirmed that it does not advise against the application.
- 18.2 A holding objection has been received from the pipeline operator, Cadent, to facilitate further investigation. However, the developer has previously been in contact with the company and details have been provided to the Council indicating that an investigation has already been undertaken. Further clarification from Cadent is presently being sought and will be reported to Committee.

19. PLANNING BALANCE

- 19.1 As noted above, the site is presently located within the Green Belt. Although the construction of new buildings would represent inappropriate development, the site would fall within one of the exception categories. This is however subject to the development not having a greater impact on the openness of the Green Belt.
- 19.2 The assessment of the proposal above draws the conclusion that the proposal would have a greater impact, and therefore, to be deemed acceptable, very special circumstances to outweigh any harm would need to apply.

- 19.3 These have been presented by the applicant in favour of development. These include a claimed persistent shortfall in housing land supply lack of alternative sites to meet housing need in the local area. In addition, benefits of the regeneration of previously developed land, achievement of at least 10% biodiversity net gain, enhancement to the character and appearance of the area through high-quality design and landscaping, and economic benefits from construction jobs and additional household spending
- 19.4 In terms of housing land supply, progress towards adoption of Places for Everyone (Pfe) would ensure significantly improved housing supply, albeit that achievement would be supported through development of the application site.
- 19.5 The proposals would ensure such development is brought to fruition. It is nevertheless noted that the choice of house types/sizes is limited and, for viability reasons, could not secure full policy attainment of affordable housing.
- 19.6 Nevertheless, the proposal involves redevelopment of a site which has been identified by the Council as suitable for removal from the Green Belt in order to assist in the provision of an adequate supply of readily available housing sites.
- 19.7 Although there will be some limited harm to Green Belt openness, this would be off-set by the provision of additional housing supply, and by biodiversity improvements at the site, which in addition to ecological benefits, would assist in mitigating any visual harm.

20. CONCLUSION

- 20.1 This development, having regard to local circumstances and planning policy considerations, requires a balanced judgement.
- 20.2 NPPF paragraph 8 notes that the achievement of sustainable development has economic, social, and environmental objectives.
- 20.3 In this instance, the productive re-use of a previously developed site will ensure a modest benefit in terms of temporary construction activity, and the contribution of new residents to the local economy.
- 20.4 In social terms, the scheme will secure the provision of new housing for which a local demand has been identified. Whilst the mix of properties is skewed towards the larger end of the market, these are aspirational properties, the uptake of which has the potential to bring to the market a wider range of properties vacated by the future residents of the development.
- 20.5 The Education Officer has confirmed that there are adequate school places within the catchment area. Similarly, there is no evidence to suggest that this introduction of 27 additional properties would adversely affect local services.
- 20.6 Improvements to the public footpath which presently passes through the site will also assist in improving access to open spaces.
- 20.7 In environmental terms, the developer's ownership of the adjacent land ensures the ability to facilitate significant biodiversity improvements.

21. RECOMMENDED CONDITIONS

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

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

- 2 The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice.

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

- 3 No development, other than demolition and site clearance, shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Foul and surface water shall be drained on separate systems. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies 9 and 19 of the Oldham Local Plan.

- 4 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

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

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

REASON - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policies 9 and 19 of the Oldham Local Plan.

- 5 No development comprising the erection of any external walls shall take place until a specification of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size, and texture with the approved details.

REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan

- 6 No construction of any dwellings hereby approved shall commence until a scheme and timetable for the achievement of Biodiversity Net Gain through the implementation of environmental and ecological improvements on site and to the adjacent land, including an Environmental Management Plan setting out arrangements for subsequent long-term site management, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and timescale.

REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and paragraph 174 of the NPPF.

- 7 No development shall commence unless and until a site investigation and assessment into landfill gas risk and ground contamination has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. The report shall include details of any necessary programmed remedial measures and a timetable for their implementation. The development shall be implemented fully in accordance with the approved measures and timetable. Prior to first occupation of the development, a satisfactory completion report shall be submitted to and approved in writing by the Local Planning Authority”.

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

8. Prior to the commencement of the construction of the access to the site, alterations to the Public Right of Way, and provision of parking spaces as indicated on the approved plan, a specification for the design, construction, levels

and drainage of those areas shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access to the site and car parking space for that dwelling have been provided in accordance with the approved details. Thereafter, those areas shall not be used for any purpose other than the parking and manoeuvring of vehicles.

REASON - To ensure adequate access and 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.

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 comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local plan Policy 18 and shall detail how (i) a target area has been determined; and (ii) how the development will meet this target. The development shall be carried out in accordance with the approved scheme phasing arrangements and retained as operational thereafter.

REASON - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

11. No development, including demolition and site clearance, shall be commenced until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the routing of construction vehicles onto the site, the means of preventing mud entering the highway, and the methods to be employed to control and monitor noise, dust and vibration impacts. The approved measures shall be maintained for the duration of the development works.

REASON - To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

12. No development hereby approved, including the demolition of buildings or site clearance, shall be carried out until follow-up ecological surveys to identify the

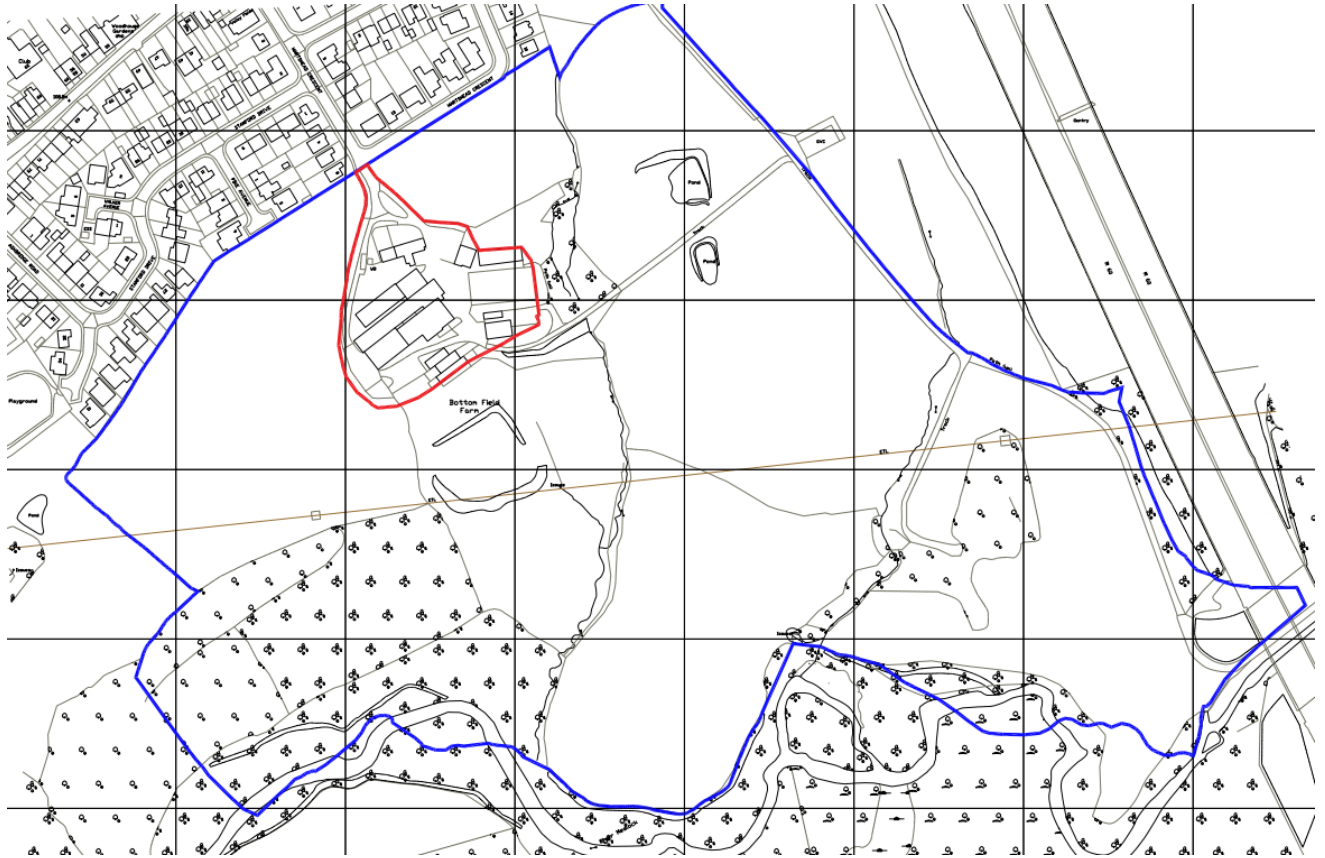
presence of bats, barn owl, and great crested newt have been undertaken by a suitably qualified ecologist and the results have been submitted to and approved in writing by the Local Planning Authority. Any necessary precautionary or enhancement measures identified shall be implemented in full in accordance with an agreed timeframe.

REASON – In order to ensure the protection of ecological interests having regard to Policy 21 of the Oldham Local Plan.

12. 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.

REASON – In order to ensure the protection of ecological interests having regard to Policy 21 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



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PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

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- Certificates relating to site ownership;
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- Technical reports identifying potential impacts and mitigation;
- Design and Access Statements and / or Planning Statements;
- Formal responses from internal and external statutory and non-statutory consultees; and,
- Correspondence and/or documents from received from interested parties.

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ADDITIONAL BACKGROUND PAPERS

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APPLICATION REPORT - FUL/350924/23
Planning Committee 20th September 2023

Registration Date: 3rd May 2023
Ward: Failsworth East

Application Reference: FUL/350924/23
Type of Application: Full Application

Proposal: Pumping station
Location: Bottom Field Farm, Medlock Road, Failsworth, Oldham, M35 9UA,

Case Officer: Graham Dickman
Applicant: Sheridan Group Ltd
Agent: Mr Stephen Harris

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as it relates directly to a development which is also included for determination on this agenda, and which would involve a departure from the policies of the development plan.

2. RECOMMENDATION

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

3. THE SITE

- 3.1 This application relates to a parcel of land located immediately to the east of the buildings associated with Bottom Field Farm, a previously developed site located amidst open fields to the south of the settlement of Woodhouses.
- 3.2 Public Footpath 48 FAILS passes immediately adjacent to the proposed site.

4. THE PROPOSAL

- 4.1 This is a full application for a pumping station to serve a proposed development of 27 dwellings on the site immediate to the west.
- 4.2 The installation primarily relates to works which will be underground.
- 4.3 The exception to this will be a 1.8 metre high palisade security fence, hardstanding, and kiosk measuring 2.55 metres by 0.6 metres with a height of 1.65 metres.

4.4 A maintenance access track and turning area will also be provided. This will link to an existing access used for servicing a nearby high-pressure gas pipeline.

5. RELEVANT HISTORY OF THE SITE

5.1 FUL/347760/21 – Demolition of existing buildings and erection of 27 no. dwellings. Pending determination.

6. RELEVANT PLANNING POLICIES

6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as Green Belt. As such, the following policies are considered relevant to the determination of this application:

- Policy 9 – Local Environment
- Policy 19 – Water and Flooding
- Policy 20 – Design
- Policy 21 – Protecting Natural Environmental Assets
- Policy 22 – Protecting Open Land

Highways	No objections
Environmental Health	No objections
United Utilities	No comments received

7. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

7.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.

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

7.3 2 representations have been received.

7.4 The representations state that the site is within the Green Belt outside the allocated development site (Section 8); it will cross sections of public footpath (Section 9); and there will be an impact on ecology (Section 10). It is questioned why it cannot be incorporated into the footprint of the main site (11.3).

ASSESSMENT OF THE PROPOSAL

8. PRINCIPLE OF DEVELOPMENT

- 8.1 The proposed pumping station is required in connection with an application for a development of 27 dwellings on an adjacent previously developed site which also appears on the agenda for this Committee.
- 8.2 The site is located within the Green Belt. NPPF paragraph 137 states that the fundamental aim of Green Belt policy is “to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.
- 8.3 Paragraph 148 continues that ‘Very special circumstances’ to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.4 In this instance, the proposals are necessary to facilitate a nearby proposed residential development. That development is recommended for approval elsewhere on this agenda. Should that development be approved, any identified harm would be considered against the benefits of securing additional residential development on a previously developed site.
- 8.5 The proposed development will have some impact on openness, albeit this will be limited to the proposed kiosk and security fencing. The creation of hardstanding would not of itself impinge on openness.
- 8.6 Any impact from vehicle parking would be limited to short periods where servicing of the equipment is required to take place. This would include traffic movements associated with the development. Such impact would therefore be minimal.

9. IMPACT ON THE PUBLIC FOOTPATH

- 9.1 As part of the related residential development application, it is proposed that the route of the existing public footpath is varied slightly, and associated improvements undertaken, including at the point where access is gained from Hartshead Crescent.
- 9.2 The diversion necessitated by the pumping station will not result in a route being created which was less attractive to use or caused difficulties for walkers.
- 9.3 Consequently, it is not considered that the development would adversely impact on use of the public right of way.

10. IMPACT ON ECOLOGY

- 10.1 The proposed site is located on a field boundary approximately 20 metres from the existing developed site. As part of the related residential development application, it is

proposed to undertake additional biodiversity and landscape works around the development site. This includes the reinstatement and enhancement of hedgerows.

- 10.2 These works would ensure no adverse impact on ecological interests and assist in screening the site from the surrounding landscape.

11. CONCLUSION

- 11.1 The proposed development would not satisfy any of the types of 'appropriate development' as set out in paragraphs 149 and 150 of the NPPF. Very special circumstances need to be demonstrated to outweigh any resultant identified harm to the Green Belt.
- 11.2 The proposal will result in some, albeit limited, impact on openness and involve development intruding onto an otherwise undeveloped area. However, in weighing up the associated benefits from new residential development, it is considered that such very special circumstances do exist to outweigh the identified harm.
- 11.3 Whilst it has been suggested that the pumping station could have been incorporated into the main development site, this would have limited the site's development potential and reduced its ability to achieve the proposed building density required as part of the proposed site allocation and could potentially therefore impact on its viability.

12. RECOMMENDED CONDITIONS

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

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

- 2 The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice.

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

- 3 No development shall take place until full details of soft landscape with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority. The planting shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

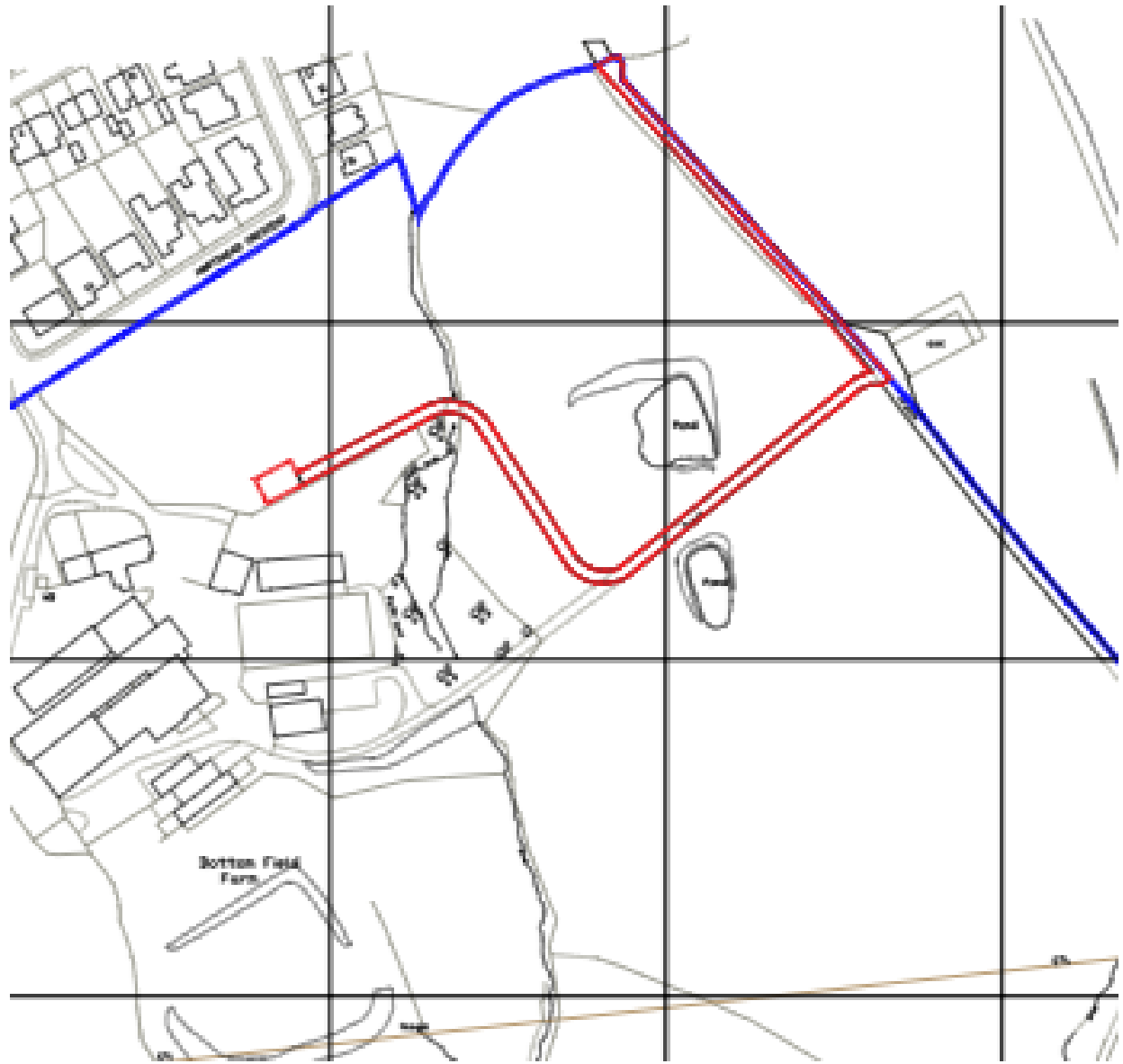
REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to

ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

4. 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.

SITE LOCATION PLAN (NOT TO SCALE)



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REPORT OF THE HEAD OF PLANNING

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APPLICATION REPORT – VAR/351244/23 Planning Committee 20th September 2023

Registration Date: 04/07/2023
Ward: Saddleworth South

Application Reference: VAR/351244/23
Type of Application: Full (Variation of condition)

Proposal: Variation of Condition 2 (approved plans) of application ref: FUL/348807/22. Amendments to approved odour extraction system, screen planters and increasing depth of fascia around the cafe.

Location: Greene's Bistro, King George V Playing Fields, Wade Row, Uppermill, OL3 6BF

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

1. INTRODUCTION

- 1.1 Having regard to the Council's Scheme of Delegation the application is referred to the Planning Committee for determination because the site is owned by Oldham Council and objections to the proposal have been received.

2. RECOMMENDATION

- 2.1 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.

3. SITE DESCRIPTION

- 3.1 The application site is located within King George V Playing Fields, also known as Uppermill Park. The development itself relates to a formerly vacant public toilet located close to the northernmost boundary of the park where it adjoins Wade Row. The building was closed to the public in 2018 but has since been brought into active use pursuant to the planning permission granted in August 2022 to incorporate the building into a new café and ancillary takeaway which has involved contemporary extensions and alterations (reference number FUL/348807/22). The River Tame is located on the edge of the park to the west.
- 3.2 There are residential properties on Wade Row to the north of the site and to the south of the site is St Chad's recreational ground. There are a number of residential and commercial units to the east of the site forming part of the Uppermill Village High Street.
- 3.3 The park is protected by Fields in Trust which is a charity that supports parks and green spaces by protecting them for people to enjoy in perpetuity.

4. THE PROPOSAL

- 4.1 The application relates to a variation of condition 2 (approved plans) of application ref: FUL/348807/22. The amendments proposed relate to the approved odour extraction system flue, the addition of screen planters around the flue, and increasing depth of fascia around the cafe. For the avoidance of doubt the application is made on a part retrospective basis since the extraction flue has already been erected.

5. PLANNING HISTORY

- 5.1 PA/039029/99 – Erection of public toilet block – Approved 10.11.1999
- 5.2 FUL/348807/22 - 1) Conversion of public toilet to café with ancillary takeaway 2) Provision of public toilet 3) External alterations to building including removal of pitched roof and replacement with green roof 4) Single storey glazed extension 5) Bin store – Approved 25.08.22

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is not allocated in the Proposals Map associated with this document. As such, the following policies are considered relevant to the determination of this application:

- Policy 06 – Green Infrastructure
- Policy 09 – Local Environment;
- Policy 16 – Local Services and Facilities;
- Policy 19 – Water and Flooding;
- Policy 20 – Design;
- Policy 21 – Protecting Natural Environmental Assets
- Policy 23 – Open Spaces and Sports;
- Policy 24 – Historic Environment; and,
- Saved UDP Policy D1.5 - Protection of Trees on Development Sites.

National Planning Policy Framework (NPPF, 2021).

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. No objection raised.
Saddleworth Parish Council	Formal response received. Comments Noted.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters, display of a site notice, and publication of a press notice.

- 8.2 In response, six representations have been received raising the following (summarised) issues:
- i. Impact on conservation area.
 - ii. Noise, disturbance, and odour.
 - iii. Not in accordance with the approval.
 - iv. The work has already been completed.
 - v. The sedum roof is now dead.
 - vi. There is no regard for following the rules.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application site is unallocated within the Proposals Map associated with the Joint Development Plan Document.
- 9.2 The application site forms part of the Uppermill Conservation Area, is located in Flood Zone 1 on the Environment Agency's Flood Risk Maps, and forms part of a Green Corridor/Link.
- 9.3 Significantly, following the grant of permission under FUL/348807/22, the site now accommodates a café, ancillary takeaway, and a public toilet. Having regard to these considerations the principle of development is acceptable.

10. RESIDENTIAL AMENITY

- 10.1 Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security, and noise.
- 10.2 The extraction system is sited on the roof of the building and the extended fascia boards will wrap around the building. In regard to amenity of residents opposite the site, the development is sufficiently spaced approximately 17.3m away from habitable windows to cause no impact on outlook or light.
- 10.3 A number of objections have been raised stating that the extraction system makes a loud noise constantly. Two site visits have been undertaken and no noise or odour was present on site. Environmental Health have been consulted on the application who have raised no concerns in regard to the development as built. However, extraction equipment can, if not maintained properly, result in elevated noise levels and should such issues be of concern to occupiers of nearby properties this can be reported to Environmental Health separately as a statutory noise/odour nuisance. As such, the development would not be contrary to the requirements of Policy 9 of the Oldham Local Plan.

11. DESIGN AND IMPACT ON CONSERVATION AREA

- 11.1 Policy 20 requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene. Policy 24 states that development within conservation areas must serve to preserve or enhance the character or appearance of the area, as an appropriate response to context.
- 11.2 Paragraph 194 of the NPPF (2021) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 11.3 When considering the impact of a proposed development on the significance of a designated heritage asset, Paragraph 199 of the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 11.4 The extraction system is larger than previously approved; however it remains central on the roof and matches in material and colour. Wooden planters are proposed around the base to screen the extraction pipe. When viewing from long distance views across the park and along Wade Row and Hopkinson Close, the extraction system does not appear unduly prominent. The screen planters would also provide some greenery to the roof to enable the development to blend in with the sedum roof and wider tree cover of the park.
- 11.5 The proposed fascia board around the building will result in a minimal addition to the building and would not give rise to any harm.
- 11.6 In this case it is considered that the extraction system represents 'less than substantial harm' to the heritage asset. The fascia boards and planters represent no harm. Paragraph 202 of the NPPF explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 11.7 The public benefits in allowing the extraction system will ensure the business can continue trading within the park with the required systems to ensure its safety. The previous application provided a range of benefits to this proposal upon the local economy of Uppermill and it is considered the extraction system is required to allow this business to continue. As such, the development complies with Policy 24 of the Oldham Local Plan and the provisions of the NPPF.

12. HIGHWAY SAFETY

- 12.1 The development would not lead to any impact upon highway safety.

13. CONCLUSION

- 13.1 The proposed amendment to the scheme approved under application ref. FUL/348807/22. would not lead to any significant adverse impact on the character and amenity of the local area, Uppermill Conservation area, neither would it impact adversely on the residential amenity of the occupiers of neighbouring properties.
- 13.2 As such, the variation would be in accordance with relevant provisions of Policies 9 and 20 of the Oldham Local Plan.

14. RECOMMENDED CONDITIONS

1. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on the decision notice relating to FUL/348807/22. except as modified by the Approved Details Schedule list attached to 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. 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 development shall be retained in accordance with the external materials details approved under planning ref. CND/350212/22. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
4. The use hereby permitted shall only be open to members of the public/customers during the following hours: 9:00 - 19:00 Monday to Sunday including Bank Holidays. REASON - To safeguard the amenity of the neighbouring occupiers having regard to Policy 9 of the Oldham Local Plan.
5. No deliveries shall take place before 08:00 or after 21:00 Monday to Saturday and no deliveries shall take place before 09:00 or after 20:00 on Sundays and Bank Holidays. REASON - To safeguard the amenity of the neighbouring occupiers having regard to Policy 9 of the Oldham Local Plan.
6. The development shall be retained in accordance with the bollard details approved under planning ref. CND/350212/22. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
7. The bin storage as shown on plan ref: 1004 Rev G and 1005 Rev D shall be retained thereafter for the life of the development. REASON - To ensure satisfactory storage of waste having regard to Policy 9 of the Oldham Local Plan.
8. The development hereby approved shall be undertaken in full accordance with the submitted details as specified within the Arboricultural Method Statement and Arboricultural Impact Assessment by Mulberry (ref: TRE/UPUO/RevB 29 May 2022). Six replacement trees shall be provided in the first available planting season following the completion of the development, in accordance with details first submitted to and approved in writing by the Local Planning Authority. All

replacement trees shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size. REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

9. The toilet as indicated on the submitted plan shall be made available for general public use at all times that the business is open to the public between the operating hours 09:00 to 19:00 Monday to Sunday including Bank Holidays. REASON - To provide a community facility having regard to Policy 2 of the Oldham Local Plan.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 2, Class A shall be carried out unless permission is first granted by the Local Planning Authority. REASON - In order to protect the openness and visual amenity of the park having regard to Policies 9, 20 and 23 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



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PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

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www.oldham.gov.uk

Responses from statutory and non-statutory consultees and correspondence/documents from interested parties can be requested by making contact with the Planning Service by telephone or email:

0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

1. The adopted Local Plan (the Joint Core Strategy and Development Management Policies Development Plan Document (Core Strategy))
2. 'Saved' policies from the Unitary Development Plan
3. The National Planning Policy Framework (NPPF)
4. Minutes of the meetings of Saddleworth Parish Council Planning Committee
5. Minutes of the meetings of Shaw and Crompton Parish Council Planning Committee

Guidance on how to access these documents is available by making contact with the Planning Service by telephone or email: 0161 770 4105 / Planning@oldham.gov.uk

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APPLICATION REPORT – FUL/351352/23 Planning Committee 20th September 2023

Registration Date 24th July 2023
Ward Royton South

Application Reference FUL/351352/23
Type of Application Full Application

Proposal Construction of a Community Diagnostics Village consisting of two, two-storey medical diagnostics buildings, a single storey PET CT Scanner, a mobile CT Scanner and making permanent the previously approved Community Diagnostics Hub Building (ref: FUL/347717/21) with associated landscaping and parking.

Location Land to the north of Salmon Fields and south of Turf Lane, Royton

Case Officer Graham Dickman
Applicant Northern Care Alliance NHS Foundation Trust
Agent Euan Connolly

1. INTRODUCTION

1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as a Major development which would involve a departure from the development plan.

2. RECOMMENDATION

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

3. SITE DESCRIPTION

3.1 This application relates to a site comprising largely vacant of land located between Salmon Fields to the south and Turf Lane to the north, with existing commercial buildings to either side.

3.2 The undeveloped portions of the site generally comprise unkempt grassland with tree cover to the external boundaries.

3.3 The south-western part of the site presently includes a Community Diagnostic Hub consisting of a hub building with three associated scanning units with associated access, car parking and landscaping. It was granted planning permission in December 2021 for a period of 5 years.

4. THE PROPOSAL

- 4.1 The proposal involves the permanent retention of the previously approved Main Hub building.
- 4.2 In addition, the remainder of the site will be developed with additional health facilities.
- 4.3 The new development will comprise:
- a) A modular CT Scanner linked directly into the main Community Diagnostics Hub.
 - b) An Endoscopy Unit which will largely provide single storey, with a first floor plant room. It will provide accommodation of a waiting room for around 20 people, 4 consultant rooms, 3 standard procedure rooms, 18 1st phase recovery area, 1 second stage recovery unit, ancillary accommodation, decontamination unit and an enclosed first floor plant room.
 - c) A PET CT Scanner comprising a PET CT Scanner, control room, uptake rooms and a Hot Lab. Part of this building will be surrounded by a 1.8m high fence set 2m away from the building to prevent access close to the building due to the radiation output of the scanner.
 - d) A Urology Unit will be a two-storey building comprising a waiting room for around 30 people, 4 standard procedure rooms, 1 enhanced procedure room, 1 lithotripter room, 6 consultant rooms, ancillary accommodation and first floor staff accommodation and internal plant room.

5. PLANNING HISTORY

- 5.1 FUL/347717/21 – The erection of a Community Diagnostic Hub consisting of a single storey hub building with three associated scanning units with associated access, car parking and landscape for a temporary period of up to five years. Approved 10 December 2021.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated within a Business and Employment Area on the Proposals Map associated with this document.
- 6.2 As such, the following policies are considered relevant to the determination of this application:

Policy 1 – Climate Change and Sustainable Development;
Policy 5 – Promoting Accessibility and Sustainable Transport Choices;
Policy 6 – Green Infrastructure;
Policy 9 – Local Environment;
Policy 19 – Water and Flooding;
Policy 20 – Design;
Policy 21 – Protecting Natural Environmental Assets;
Policy 23 – Open Spaces and Sports; and,
Policy 24 – Historic Environment

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Highways	No objections subject to conditions in respect of implementation of the access, parking and turning area, wheel cleaning equipment during construction, and a green travel plan.
TfGM	Recommend implementation of any necessary works including reinstatement of redundant access points and footway resurfacing, footways within the site, cycle parking and a travel plan.
Environmental Health	Recommend conditions in relation to the site investigation and landfill gas as a detailed remediation strategy is required.
Environment Agency	No comments received.
G M Ecology Unit	No objections as the scheme will achieve biodiversity net gain.
Trees Officer	It is noted that the site has been cleared. However, the submitted details of proposed replacement planting are acceptable.
United Utilities	No objections subject to implementation in accordance with the submitted drainage design.
Coal Authority	No objections
G M Police	No objections subject to the development being implemented in accordance with the submitted Crime Impact Statement.

8. PUBLICITY AND THIRD PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification, display of a site notice, and publication of a press notice.
- 8.2 In response, an existing business on Salmon Fields has submitted a comment that there has been a noticeable increase in traffic on Salmon fields since the initial facility opened leading to lengthy queues. Therefore, consideration should be given to changing the phasing at either end of Salmon Fields (10.5).

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

Impact on employment land

- 9.1 The application site is located within a designated Business and Employment Area (BEA7) which aims to assist the delivery of a range of sites to support the local economy.
- 9.2 Local Plan Policy 14 sets out the types of development which would be appropriate in such areas. However, this does not include development of the type proposed in this case. The Policy goes on to state that developments other than those listed will not be permitted unless one of the following can be demonstrated:
- (a) through a marketing exercise that there is no market for the uses listed above. The marketing exercise to be agreed with the council before commencing and be of a professional standard, or,
 - (b) through a viability exercise that the continued use/development of the site for the uses listed above is unviable; or
 - (c) that the development of the site for alternative uses would benefit the regeneration areas identified by the council as being in need of investment or would benefit the community of an area.
- 9.3 In this regard, similar factors apply to those in determining the Phase 1 application.
- 9.4 In respect of criterion (a), the Council has previously marketed the site through local agents. There was a lot of interest in the site and a number of bids were received, however, site disposal did not progress.
- 9.5 During this period, the initial enquiry for the current proposed use came forward and whilst it took some time for the preferred site to be formally selected, the site was temporarily held to help facilitate the project having regard to the importance of the development for the local community and to improve access to diagnostic facilities for the residents of Oldham and beyond.
- 9.6 Nevertheless, it has to be concluded that this criterion alone has not been satisfied.
- 9.7 In this regard, it is nevertheless noted that the development will generate employment opportunities (33FTE positions).
- 9.8 Criterion (b) is not applicable to this case.
- 9.9 With regard to criterion (c), alternative development can be considered appropriate where that development would benefit the community of an area.

Assessment of community benefit

- 9.10 Amongst the primary objectives of Local Plan Policy 2 is the improved health and well-being of the community, and in this regard the Council will support the development of new and improved health-related facilities.

- 9.11 NPPF paragraph 96 advises that local planning authorities should work proactively and positively to ensure faster delivery of public service infrastructure such as hospitals.
- 9.12 The following supporting information has been presented.
- 9.13 The proposals form part of the development of Community Diagnostic Hubs as a key focus of national NHS strategy, recognising the need for significant future expansion of diagnostic infrastructure and workforce to keep pace with forecast future demand and achieve comparable levels with other OECD countries.
- 9.14 Nationally it is recognised that the CT scanning capacity in the NHS in England needs to nearly double over the next 5 years. The national policy is clear that the vast majority of this diagnostic growth should take place away from main acute hospitals. It is considered that the current model is too hospital-centric, with unnecessary visits to acute hospital sites and a poor separation between scanning facilities for emergency patients/in-patients and planned out-patient scans. This causes delay and cancellation and often a poor patient experience.
- 9.15 The national policy reconciles very closely with the local diagnostic strategy of the Northern Care Alliance (NCA). In this there is a clear strategic ambition to:
1. Diagnose disease (e.g., cancers, cardio-respiratory) at an earlier stage where it is more treatable, with better outcomes.
 2. Improve access to patients, especially those from socio-economically disadvantaged groups.
 3. Improve patient experience and transform care pathways, with 'multiple tests on the same day' models of care.
 4. Reduce congestion, pollution, and unnecessary journeys to acute hospital sites.
 5. Achieve national performance standards.
- 9.16 The NCA is recognised to be at the forefront of thinking in Greater Manchester and the wider NHS and is in the first-wave of the 5-year national Community Diagnostic Hub programme. The CDH in Oldham will be therefore one of the first in the region, securing improvement in access, experience, and outcomes for the people of Oldham and the wider Pennine area.
- 9.17 The facility will provide diagnostic testing appointments including:
- Imaging – scans including X-Rays and ultrasounds
 - Cardiology – heart diagnostic tests such as echocardiograms
 - Respiratory – lung tests
 - Pathology – blood testing
 - Endoscopy – tests to look inside your body including colonoscopies
 - Ophthalmology – Eye tests including retinal imaging

- 9.18 The significant benefits of the development which have been identified include:
- Patients are able to have multiple tests on the same day in the same place, providing more convenient access to diagnostic tests.
 - Waiting times for appointments are shorter.
 - Disease can be diagnosed at an earlier stage of progression, improving the chances of successful treatment.
 - Local patients will have access to some of the most advanced diagnostic technology available to the NHS.
 - Earlier diagnosis of both cancer and cardio-respiratory disease, resulting in improved outcomes for patients.
- 9.19 In this context, it is clear that the development offers substantial community benefits whilst not undermining the employment objectives of the local plan.

10. HIGHWAY ISSUES

- 10.1 The application is accompanied by a robust Transport Assessment which considers the likely traffic generation and sustainability of the site, and explores the accessibility of the site, opportunities to travel by more sustainable modes of transport, and the likely effects of the development on the local highway network.
- 10.2 As part of the first phase works a new access to Salmon Fields has been constructed which was designed to be able to service the wider future development. No additional works to the access would be required at this stage.
- 10.3 On-site provision includes secure cycle parking, and provision of both accessible parking spaces and electric recharging facilities.
- 10.4 The Highways Officer has reviewed the submission and does not anticipate that the development will result in an adverse or significant impact on the network to the detriment of highway safety.
- 10.5 A representation has been received regarding the queuing that currently occurs at each end of Salmon Fields and the concern that the additional traffic associated with the proposed development will exacerbate this.
- 10.6 The Transport Assessment that was submitted with the application looked at existing conditions, the amount of traffic likely to be generated by the proposed development, and the effect that that would have on the highway network.
- 10.7 The expected level of traffic generation is low and it is unlikely that the proposed development will significantly adversely affect the existing conditions. The queuing that occurs now will be at its worst during traditional peak periods during the morning and evening. The traffic generated by the development will be spread throughout the day and any peaks in traffic generation are unlikely to coincide with the wider morning and evening peak periods.
- 10.8 The level at which intervention is considered is an additional thirty vehicles per hour. All of the predicted levels are below this. Mitigation measures are therefore not required as part of this planning application.
- 10.9 Transport for Greater Manchester have been consulted and did not raise any

concerns about the operation of either of the junctions.

11. ECOLOGICAL ISSUES AND BIODIVERSITY

- 11.1 The application is accompanied by an updated Extended Phase 1 Habitat Survey & Preliminary Ecological Impact Assessment.
- 11.2 The site is not subject to any statutory or local nature conservation designations and no on-site activity by protected species has been identified.
- 11.3 NPPF Paragraph 174(d) requires that development should minimise the impacts on and provide net gains for biodiversity.
- 11.4 Whilst GMEU had reservations about the baseline value of the site for the previous application, current draft guidance on net gain is that January 2020 is the cut off for determining this status. Therefore, it is considered that treating the site as brownfield is justified. Despite the present low ecological value of the site, this will be replaced primarily with buildings and hardstanding, with improved planting to the site margins.
- 11.5 80 trees are proposed around the site, 70 of which are native, along with small areas of ornamental shrubs, amenity grassland and hedges. An approximate BNG calculation has been carried out by GMEU based on the loss of 2.3ha of low ecological value habitat in poor condition with habitat creation restricted to 80 urban trees. If only small trees are planted and therefore none achieve medium size after 30 years, a significant net loss occurs. However, if 50% of the trees achieve medium size after 30 years, 10% net gain can be achieved. This would be feasible for the silver birch and wild cherry which are both relatively rapid growing species.
- 11.6 With regards to wildlife, currently the site has negligible value, but did have some value for nesting birds. It is therefore recommended that 6 bird boxes should be incorporated as mitigation/enhancement on the retained boundary trees.
- 11.7 Consequently, it is accepted that adequate mitigation and enhancement is feasible on the site and the details can be conditioned.
- 11.8 Furthermore, the Council's Trees Officer is satisfied that the submitted arboricultural details and the proposed landscaping/tree planting are all acceptable. These will be required to be implemented by means of planning condition.

12. DESIGN AND APPEARANCE

- 12.1 External public views towards the site are generally restricted to the access on Salmon Fields and from neighbouring commercial developments.
- 12.2 Both the frontage to the site and the rear boundary to Turf Lane are lined with significant nature tree planting which assists in screening the site from the surrounding area, particularly during the months when the trees are leaf.
- 12.3 In the context of neighbouring large industrial buildings, the proposed structures have a relatively low profile, rising to a maximum of two storey in height. Primary materials comprise a mix of buff brick slips and off-white cladding panels.
- 12.4 The external areas of the site will include a mix of soft landscaping and vehicle

parking/ manoeuvring areas.

- 12.5 In view of these factors and form of development is considered to be acceptable in this instance.

13. AMENITY ISSUES

- 13.1 The immediate environs have a predominantly commercial character.
- 13.2 The nearest residential properties are adjacent to Thomas Street to the north of the site at a minimum separation from the nearest proposed building (the PET CT Scanner) at a minimum distance of 50 metres.
- 13.3 Subject to conditions requiring details of the acoustic properties of plant and equipment, floodlighting, and measures to reduce potential disturbance during construction, all of which are capable of adequate mitigation, no adverse issues in respect of amenity are anticipated.

14. GROUND CONDITIONS

- 14.1 The Coal Authority (CA) has confirmed that the application site does not fall within the defined Development High Risk Coal Area and therefore there is no requirement for a Coal Mining Risk Assessment to be submitted. An informative note will be required to direct the developer to CA's Standing Advice.
- 14.2 The Environmental Health Officer has requested that additional landfill gas site investigation and assessment work should be undertaken as set out in the submitted Geo-environmental Appraisal. These matters are therefore subject to a planning condition.

15. DRAINAGE AND FLOODING

- 15.1 The site is identified as being situated within Flood Zone 1 on the Environment Agency's fluvial flood zone map. Similarly, the site is shown as having a low probability of pluvial (surface water) flooding.
- 15.2 A surface water drainage scheme has been submitted. This identifies feasible SUDS methods to ensure satisfactory discharge rates.
- 15.3 United Utilities is satisfied with the principles of the proposals. Therefore, there are no objections subject of approval of those details by condition.

16. CONCLUSION

- 16.1 The proposed development would involve a departure from the provisions of the development plan as it does not involve a form of development identified as appropriate within Business Employment Areas. It is nevertheless accepted that the proposal will provide substantial community benefits, whilst also providing some employment opportunities and securing the early development on the site.
- 16.2 Therefore, it is considered that the overall benefits outweigh any localised harm in

this instance.

17. 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 additional development shall commence, other than site clearance, until a site investigation and assessment in relation to ground contamination and landfill gas risk has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition. REASON - In order to protect public safety as the site is located within 250m of a former landfill site, having regard to Policy 9 of the Oldham Local Plan.
4. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. REASON - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety having regard to Policy 9 of the Oldham Local Plan.
5. The building and/or externally mounted plant and equipment shall be insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. Any work implementing the scheme shall be completed before use commences and shall be retained at all times thereafter. The level of insulation to be provided and/or noise permitted from externally mounted machinery shall aim to be such that the rated level of noise emitted from the development is below the existing background level by at least 10dB(A). REASON - To ensure the protection of nearby premises having regard to Policy 9 of the Oldham Local Plan.
6. Any floodlighting or security lights within the curtilage of the proposed development shall be positioned and operated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lights shall only be brought into use in accordance with the approved details. REASON - To protect the amenity of occupants of nearby premises having regard to Policy 9 of the Oldham Local Plan.
7. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water

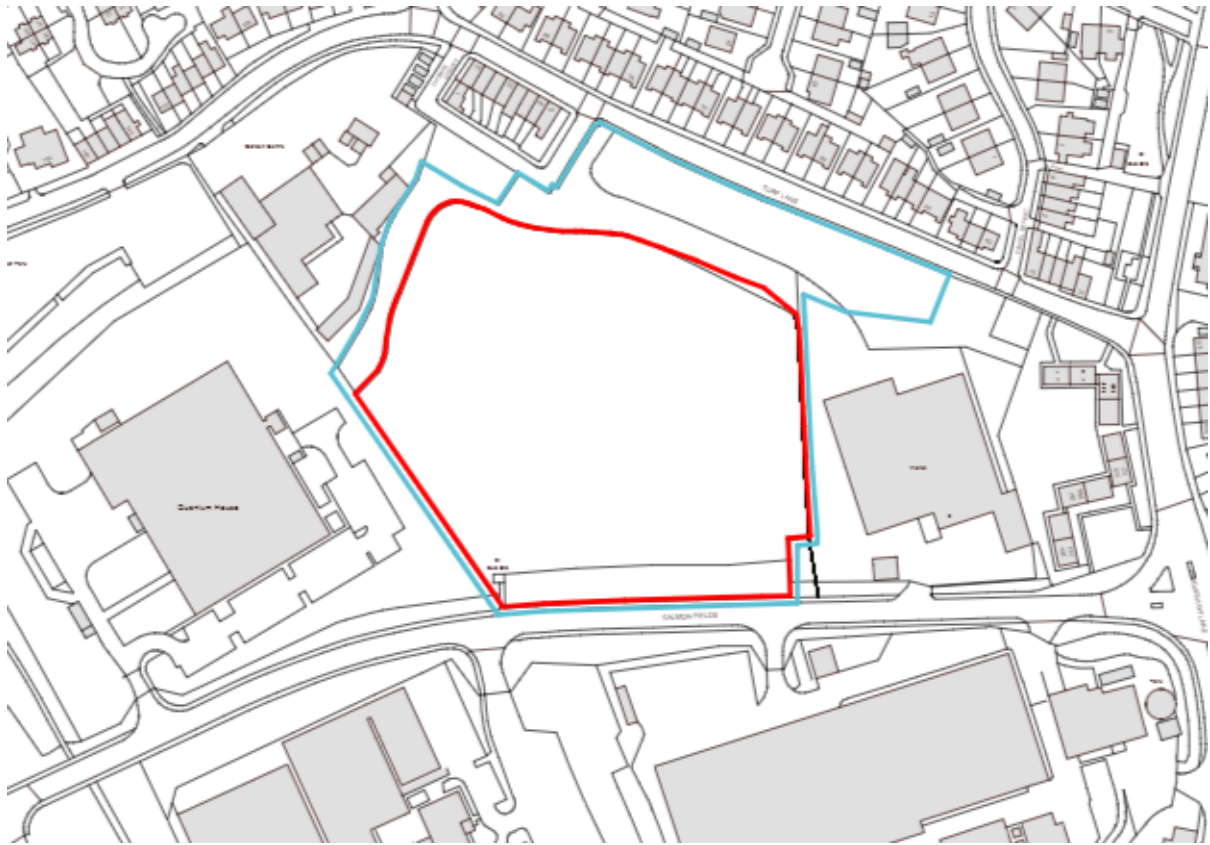
Drainage Design Drawing 22-2352- 0200, Rev P1- Dated 12/2022 which was prepared by CCS Consulting. For the avoidance of doubt surface water must drain at the restricted rate of 3.2l/s. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development. REASON - To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding having regard to Policy 19 of the Oldham Local Plan.

8. The development hereby approved shall not be brought into use until the access to the site, turning areas, and car parking spaces have been provided in accordance with the approved plan DAY-XX-XX-DR-A-05-20101 Rev H, 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.
9. The use of the development hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with the approved plan Ref: 20-0102 Rev L. The facility shall remain available for all 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.
10. Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan, the occupier shall submit their travel plan to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of first occupation of the development. REASON - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.
11. Prior to the commencement of the construction period, adequate wheel cleaning equipment, the details of which shall be submitted to and approved in writing by the Local Planning Authority, shall be installed on the site. Before leaving the site all vehicles, which have travelled over a non-tarmac surface, shall use the wheel cleaning equipment provided, such that they are in such a state of cleanliness that they do not foul the highway with mud or other material. The equipment shall, for the duration of the construction works, be maintained in good working order, and shall not be removed unless approved in writing by the Local Planning Authority. REASON - Prior approval is necessary since the facility is fundamental to the initial site preparation works in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.
12. The development hereby approved shall not be brought into use unless and until details of facilities for the storage and removal of refuse and waste materials have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been fully implemented. Thereafter approved facilities shall at all times remain available for use. REASON - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the

surrounding area having regard to Policy 9 of the Oldham Local Plan.

13. All hard and soft landscape works shall be carried out in accordance with the approved plan Ref: 7118.03 Rev C; prior to the occupation of any additional part of the development or in accordance with the programme agreed with the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.
14. Prior to the commencement of any part of the development hereby approved, 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 the site, 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 - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
15. 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.

SITE LOCATION PLAN (NOT TO SCALE)



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REPORT OF THE HEAD OF PLANNING

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0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

1. The adopted Local Plan (the Joint Core Strategy and Development Management Policies Development Plan Document (Core Strategy))
2. 'Saved' policies from the Unitary Development Plan
3. The National Planning Policy Framework (NPPF)
4. Minutes of the meetings of Saddleworth Parish Council Planning Committee
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APPLICATION REPORT – FUL/351243/23 Planning Committee 20th September 2023

Registration Date	4th July 2023
Ward	St Mary's
Application Reference	FUL/351243/23
Type of Application	Full Application
Proposal	Change of use and associated development to create a new public open space
Location	South-east part of Rock Street Car Park, junction of Rock Street and St Mary's Way.
Case Officer	Graham Dickman
Applicant	Oldham Council
Agent	Emma Norman

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as a development submitted by the Council on its own land.

2. RECOMMENDATION

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

3. SITE DESCRIPTION

- 3.1 The application site extends to 0.18 hectares and is located at the eastern end of the town centre. It is presently used as a public car park and adjoins St Mary's Way between the Rock Street and Egerton Street junctions.
- 3.2 Although largely hardstanding, there are a number of established trees and associated landscaped areas on the site.
- 3.3 Across Rock Street to the south are the grounds of the Grade II* listed Rochdale Parish Church (Church of St Mary and St Peter) and Oldham Town Centre Conservation Area.

4. THE PROPOSAL

- 4.1 The proposal will involve re-development of the site to create a new area of public open space. It will form the eastern extent of the new Jubilee Park to be created as part of the Council's Creating a Better Place plan to transform Oldham town centre.

- 4.2 Access to the site will be predominantly from a network of footpaths and footways connecting the site to the wider network. A new ramped footway will zig zag from the north-east of the site towards the south-western side of the site with a gradient of 1:21. This footway will then extend west running parallel to Rock Street towards Lord Street.
- 4.3 Further gravel footpaths will connect to this and provide access to an amenity area positioned in the middle of the site. To the north-east the footpath will connect to the junction improvement scheme at the St Marys Way / Egerton Street junction.
- 4.4 The area will incorporate soft landscaping in the form of shrub, tree, and grass planting.
- 4.5 Lighting on the site will consist of 12 street lighting columns along Rock Street, 3 lighting columns along the northern boundary of the site, and lighting bollards and floor lighting strips along the zig zag footway within the site. Pathways will be illuminated through bollards and lighting columns to improve the sense of safety.
- 4.6 Paths and dwell spaces are inter-connected providing natural passive surveillance that will help to provide a safe environment for users.

5. PLANNING HISTORY

- 5.1 PA/339572/17 - Extension to existing car park to provide an additional 172 spaces including formation of new access off Rock Street and provision of associated parking machines, lighting, safety barriers, landscaping and footpaths. Approved 20 April 2017

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is located within the Town Centre Inset on the Proposals Map associated with this document.
- 6.2 As such, the following policies are considered relevant to the determination of this application:

- Policy 1 – Climate Change and Sustainable Development
- Policy 5 – Promoting Accessibility and Sustainable Transport Choices
- Policy 6 – Green Infrastructure
- Policy 9 – Local Environment
- Policy 19 – Water and Flooding
- Policy 20 – Design
- Policy 21 – Protecting Natural Environmental Assets
- Policy 23 – Open Spaces and Sports
- Policy 24 – Historic Environment

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Highways	No objections
Environmental Health	Recommend an updated / revised site investigation report for the public open

	space end use for this part of the site to determine if any mitigation measures are required.
G M Ecology Unit	No objections in principle. Recommend a condition regarding tree removal during the bird nesting season and for addition of bird boxes.
Trees Officer	Although some trees will be removed as part of the proposals, adequate replacement will be provided as part of the wider Jubilee Park development.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as affecting the setting of a listed building by display of a site notice, and publication of a press notice.
- 8.2 In response, no representations have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 NPPF paragraph 98 notes that the health and well-being of communities can be enhanced by access to high quality open spaces, an approach reflected in Local Plan Policy 23.
- 9.2 The proposal forms part of a wider regeneration strategy for the town centre. It will function in providing a new attractive public realm and serve to improve sustainable access options into and from the town centre.
- 9.3 In this context the principle of the development is deemed acceptable.

10. HIGHWAY SAFETY

- 10.1 To proposal will facilitate an improved safe walking and cycling network along Rock Street.
- 10.2 The Highways Officer has no objections on the basis that the scheme will not result in additional traffic whilst ensuring the added benefit of more sustainable modes of travel being encouraged.

11. ECOLOGY AND LANDSCAPING

- 11.1 Although a number of trees will be removed to facilitate the works, including in order to create accessible site levels, the development's context as part of the wider Jubilee

Park improvements will ensure that there will be a beneficial contribution towards biodiversity across the site.

- 11.2 GMEU and the Council's Trees Officer are satisfied that the scheme can achieve positive ecological benefits.

12. DESIGN AND HERITAGE

- 12.1 The proposal will enhance the present condition of the site which is characterised largely by hard surfacing.
- 12.2 As the site lies within the setting of the Grade II* listed Rochdale Parish Church and adjacent to the Town Centre Conservation Area the impact on the heritage assets must be considered.
- 12.3 Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 state that in considering whether to grant planning permission for development that affects a listed building or its setting, or affects a Conservation Area, the local planning authority shall have special regard to the desirability of preserving the building or its setting and the desirability of preserving or enhancing the character or appearance of the area.
- 12.4 In this instance the proposals will significantly enhance the setting of the Grade II* listed church and its gardens along with views into the Conservation Area.
- 12.5 NPPF paragraph 202 sets out the approach to be taken in considering the potential impacts on heritage assets, and where it would lead to 'less than substantial harm' to those heritage features, any harm should be weighed against the public benefits of the proposal.
- 12.6 The present scheme will create an attractive public realm designed to enhance the local environment and provide opportunities for informal recreation close to the town centre. It will consequently produce a more appealing gateway into the town centre.
- 12.7 In this context, the proposal would enhance the setting and relationship with the heritage assets and ensure the Council's heritage protection obligations are met.

13. DRAINAGE AND GROUND CONDITIONS

- 13.1 Surface water within the park will be infiltrating into the soft landscaped areas within the site, whilst the cycle path areas will run into highways surface water drainage.
- 13.2 The Environmental Health Officer has assessed the submitted land contamination information which has confirmed that no elevated contaminants have been found. However, it has been recommended that further samples are taken from an earth bund on site to determine if the material is suitable for re-use and that a remediation strategy will be required in relation to the verification of imported soils.
- 13.3 As such, a condition requiring further details is recommended.

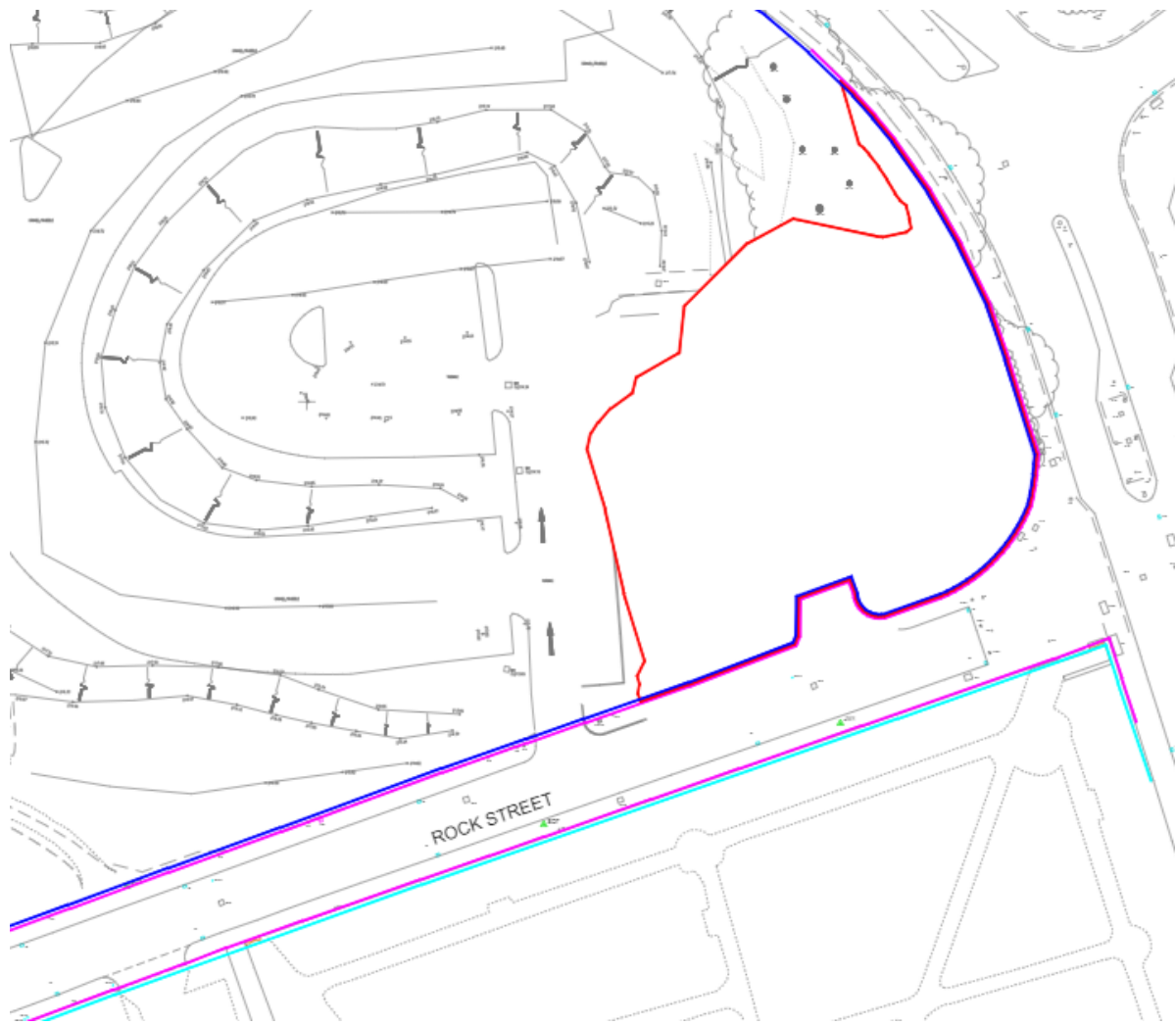
14. CONCLUSION

- 14.1 The proposal will make a valuable contribution towards improving accessibility by sustainable means of transport and enhance the green infrastructure and appearance of the town centre.
- 14.2 The scheme would therefore accord with the objective of relevant national and local planning policies.

15. 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. All hard and soft landscape works, including the installation of bird boxes, shall be carried out in accordance with the approved plans prior to the use of the site commencing. 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.
4. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition. REASON - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
5. 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.

SITE LOCATION PLAN (NOT TO SCALE):



PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

THE BACKGROUND PAPERS

The appropriate application file: This is an electronic file containing the same reference number as that shown on the Agenda for the application. It may contain the following documents:

- The application forms;
- Certificates relating to site ownership;
- Plans and/or documents detailing the proposed development;
- Technical reports identifying potential impacts and mitigation;
- Design and Access Statements and / or Planning Statements;
- Formal responses from internal and external statutory and non-statutory consultees; and,
- Correspondence and/or documents from received from interested parties.

The application forms (redacted), ownership certificate (redacted), plans showing the proposed development, technical reports, Design and Access Statements, and Planning Statements, where provided are available to view on the Council's website using the [Public Access platform](#).

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ADDITIONAL BACKGROUND PAPERS

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APPLICATION REPORT – FUL/351431/23 Planning Committee 20th September 2023

Registration Date	2 nd August 2023
Ward	Alexandra
Application Reference	FUL/351431/23
Type of Application	Variation of Condition
Proposal	Variation of condition no. 9 (car parking spaces) to reflect phased development of the site, and variation of conditions 3 and 4 (remediation), 10 (cycles), 15 (birds), and 16 (security) to reflect additional information relating to app no. PA/344412/20
Location	Alexandra Park Depot, Kings Road, Oldham OL8 2BN
Case Officer	Graham Dickman
Applicant	Brian Enright
Agent	Walker Simpson Architects

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as a Major development involving the Council as applicant / landowner.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the amended conditions set out in this report.

3. SITE DESCRIPTION

- 3.1 The proposal relates to the existing Oldham Council depot located in the south-east corner of Alexandra Park. The site accommodates a number of office buildings, glasshouses, an open-sided storage shed, shipping/storage containers and associated horticultural paraphernalia, service roads and vehicle parking areas and there is a community growing hub with raised beds and polytunnel.

4. THE PROPOSAL

- 4.1 The present proposal seeks approval for a variation to conditions associated with the previous approval for the comprehensive re-development of the site.
- 4.2 Since the original planning submission and subsequent granting of permission for the re-development, the funding arrangement for the project has been amended and it has been necessary to divide the works into a minimum of two phases. Only phase 1, comprising the construction of the new office building, which will be the first building to be completed and occupied, is to be implemented in the first phase.

- 4.3 Consequently, it is not possible to complete the approved car parking which the original condition requires to be implemented before any of the development can be occupied. This change is therefore primarily procedural and does not involve significant changes to the original approval.
- 4.4 In addition, it is proposed to update other conditions to reflect additional information which has subsequently been submitted and approved under separate Condition Discharge applications.

5. PLANNING HISTORY

- 5.1 CND/347587/21 - Discharge of condition no's 7 (Landscaping) and 8 (Earthworks) relating to app no. PA/344412/20. Discharged 10th November 2021
- 5.2 CND/347273/21 - Discharge of Conditions 6 (materials), 12 (badger survey), 14 (invasive species), 17 (energy statement for office), and 18 (surface water drainage scheme) relating to application PA/344412/20. Discharged 22nd September 2021
- 5.3 PA/344412/20 - Demolition of existing ancillary buildings and glasshouses with phased replacement of new facilities including erection of 2 storey office building (Use Class B1), new glasshouse structure (horticultural use), remodelling and extension of existing portal frame storage unit, hard and soft landscaping works and amended parking and servicing layout. Approved 22nd May 2020

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham.
- 6.2 The site falls within the Alexandra Park Conservation Area and is also a Registered Park and Garden and a Green Corridor and Link as identified on the Proposals Map pertaining to the Local Plan.
- 6.3 As such, the following policies are considered relevant to the determination of this application:

Policy 1 – Climate Change and Sustainable Development;
Policy 5 – Promoting Accessibility and Sustainable Transport Choices;
Policy 6 – Green Infrastructure;
Policy 9 – Local Environment;
Policy 19 – Water and Flooding;
Policy 20 – Design;
Policy 21 - Protecting Natural Environmental Assets; and,
Policy 24 - Historic Environment

7.1 CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Highways	No objections. Conditions to be imposed to reflect the phasing.
Environmental Health	No objection subject to submission of a validation report.
G M Ecology Unit	No objections to proposed bird box provision.

8. PUBLICITY AND THIRD PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by display of a site notice, and publication of a press notice.
- 8.2 In response, no representations have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The principle of the re-development of the site has been established through the 2020 re-development approval. Assessment at this stage is therefore limited to consideration of the revised and additional information submitted with the present application.

Condition 1

- 9.2 The condition requires commencement of development within 3 years and has been complied with. As the development has already been commenced and the proposed variation cannot change this date, the condition is not required to be re-imposed.

Condition 2

- 9.3 Sets out the approved plan and is required to be amended to reflect the proposed phasing of development.
- 9.4 At Phase 1 the layout provides the same number of car parking spaces anticipated in the original application, (94 standard spaces plus 6 accessible spaces), albeit they will be in a temporary arrangement which would be amended on completion of the later stages.
- 9.5 The Highways Officer is satisfied with these arrangements and the condition can be amended accordingly.

Condition 3

- 9.6 This condition relates to implementation of the approved Remediation Strategy and imposes a requirement for further assessment if unknown contaminants are found during the development operations.
- 9.7 The condition therefore needs to be re-imposed.

Condition 4

- 9.8 This condition relates submission of a verification plan prior to occupation of any part of the development.
- 9.9 Submission of a report to verify the implementation of the remediation measures in accordance with the approved scheme will continue to be required.

Condition 5

- 9.10 In accordance with the Flood Risk Assessment, the condition requires minimum floor levels.
- 9.11 The condition will continue to be imposed.

Condition 6

- 9.12 This condition relates to facing materials.
- 9.13 Finished materials for the office building have subsequently been approved and the condition wording will be amended accordingly.

Condition 7

- 9.14 The condition relates to the phasing and implementation of the proposed landscaping works.
- 9.15 The wording of the condition will be amended to reflect the proposed phasing.

Condition 8

- 9.16 The condition relates to proposed earthworks.
- 9.17 A Proposed Earthworks Drawing has subsequently been submitted and approved. The condition can be amended accordingly.

Condition 9

- 9.18 This condition relates to implementation of the car parking areas.
- 9.19 As proposed the condition can be amended to reflect the proposed phasing.

Condition 10

- 9.20 This condition relates to cycle parking.
- 9.21 Details of the provision has now been submitted and the condition wording can be

amended accordingly.

Condition 11

- 9.22 This condition requires an ecological survey prior to demolition of a building in the later phase of development. It will continue to apply as previously.

Condition 12

- 9.23 The condition relates to survey of badger.
- 9.24 An appropriate survey has been submitted and the condition previously discharged.

Condition 13

- 9.25 The condition relates to satisfactory prior checks for nests if trees are to be removed during the bird breeding season. The condition will continue to apply.

Condition 14

- 9.26 The condition relates to treatment of invasive plant species.
- 9.27 A scheme has subsequently been submitted and the development will be required to be implemented in accordance with the approved methodology.

Condition 15

- 9.28 This condition relates to the provision of bird boxes.
- 9.29 Details for the provision have been submitted and GMEU has confirmed that this is satisfactory. The condition can be amended accordingly.

Condition 16

- 9.30 The condition relates to measures set out in the Crime Impact Statement.
- 9.31 Additional details, including those related to lighting, have been submitted. The condition wording can be amended accordingly.

Condition 17

- 9.32 The condition relates to energy efficiency.
- 9.32 A detailed scheme has subsequently been submitted and the condition can be amended accordingly.

Condition 18

- 9.33 The condition relates to drainage proposals.
- 9.34 A detailed scheme has subsequently been submitted and the condition can be amended accordingly.
- 9.35 NB For practicality, the condition will be re-numbered 1 to avoid re-numbering of all conditions following deletion of original Condition 1.

10. CONCLUSION

- 10.1 The proposed conditional changes are required in order to implement the scheme on a phased basis.
- 10.2 The requirements of all the conditions will continue to apply, albeit amended to reflect the additional information which has subsequently been submitted.
- 10.3 There are no significant planning issues arising from the proposed phasing and therefore the changes are deemed acceptable.

11. RECOMMENDED CONDITIONS

1. The development shall be implemented in accordance with the submitted Proposed FW/SW Drainage drawing ref: 60614273-AP-C-050-001 P3.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

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

Location Plan (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1001-S4-P03)

Phase 1 Site Layout (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P02)

Phase 2 Site Layout (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1504-S0-P01)

Proposed Roof Plan (Office) (Drawing No. 0372-WSA-03-03-DR-A-1604 S4 P04)

Proposed Floor Plan (Office) (Drawing No. 0372-WSA-03-ZZ-DR-A-1603 S4 P05)

Proposed Elevations (Office) (Drawing No. 0372-WSA-03-ZZ-DR-A-1703 S4 P05)

Proposed Floor Plan (Portal Frame) (Drawing No. 0372-WSA-01-ZZ-DR-A-1601-S4-P04)

Proposed Elevations (Portal Frame) (Drawing No. 0372-WSA-01-ZZ-DR-A-1701-S4-P03)

Proposed Elevations (Glasshouse) (Drawing No. 0372-WSA-02-ZZ-DR-A-1702-S4-P03)

Proposed Floor Plan (Glasshouse) (Drawing No. 0372-WSA-02-ZZ-DR-A-1602-S4-P04)

Context Elevations (Proposed) (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1502-S4-P02)

Phase 1 Landscaping Planting Proposals (Drawing No. 2002_P_01_Rev E)

Landscaping Planting Proposals (Drawing No. 1705/P/01) – amended to reflect Phase 1

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

3. The development shall only be carried out in full accordance with the approved remediation proposals outlined in the 'Remediation Strategy & Verification Plan' dated 29 January 2020 (Report No. 3552/02 Issue 2). Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority, and the approved measures shall be implemented in full.

REASON - To protect the environment and prevent harm to human health having regard to Policy 9 of the Oldham Local Plan.

4. Prior to any part of the development hereby approved being occupied, a verification report demonstrating the completion of works set out in the 'Remediation Strategy & Verification Plan' dated 29 January 2020 (Report No. 3552/02 Issue 2) and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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

5. The development hereby approved shall be implemented in accordance with the conclusions and recommendations detailed in the flood risk assessment by WSP and dated January 2020. For the avoidance of doubt, the finished floor levels of the buildings shall be:
Glasshouse: 166.75 metres above ordnance datum (AOD)
Portal Frame Building: 167.22 metres AOD
Office: 166.09 metres AOD

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

6. The office building shall be constructed in accordance with the submitted Alexandra Park Building Materials Board. No development comprising the erection of any external walls of other proposed buildings shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

7. The Phase 1 landscape works indicated on drawing No. 2002_P_01_Rev E shall be carried out during the first planting season following completion of the Phase 1 development. The landscaping works indicated on the approved plan (Drawing No. 1705/p/01) as amended to reflect the Phase 1 revisions, shall be carried out during the first planting season following completion of the final development, or in accordance with a phasing programme that shall be agreed in writing with the local planning authority prior to the completion of the development. 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.

8. The development shall be implemented in accordance with the submitted Proposed Earthworks Drawing (Ref: 60614273-AP-C-600-002 P5).

REASON - To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to Policies 9 and 20 of the Oldham Local Plan.

9. The office building hereby approved shall not be first occupied until the car parking indicated on drawing ref: 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P02 has been implemented. The remainder of the development building shall not be occupied until the car parking indicated on drawing ref: 0372-WSA-ZZ-ZZ-DR-A-1504-S0-P01 has been implemented.

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.

10. Prior to the first occupation of any building hereby approved, the cycle parking shall be implemented in accordance with the details shown on drawings ref: 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P01 and '8 Bike Gated Eco Shelter'. 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.

11. Any demolition of building 7 as identified in the extended phase 1 Habitat Survey & Daytime Bat Survey by Rachel Hacking Ecology that would take place between the 1st March and 31st October in any year should be immediately preceded by precautionary bat emergence surveys, the findings of which shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition works.

REASON - To ensure the protection of species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.

12. The development shall be implemented in accordance with the reasonable avoidance measures set out in Appendix A of the submitted Badger Survey by Rachel Hacking Ecology.

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

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

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

14. The development shall be fully implemented in accordance with the submitted Proposed Method Statement for the Removal/Mitigation of Himalayan Balsam on Site by Stephen Martlew.

REASON - To prevent the spread of an invasive species having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.

15. The bird nesting provision shall be implemented in accordance with the details indicated on drawing 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P02 following the completion of the Phase 1 development.

REASON - To ensure the adequate provision of additional bird habitats having regard to Policy 21 of the Oldham Local Plan.

16. The development shall be implemented in accordance with the physical security specifications set out in the Crime Impact Statement dated 14 January 2020 (Report No. 2019/1057/CIS/01 Version A) and the following documents:

60614273-AP-C-600-001_C6 – Proposed levels,
A112977-WYG-03-00-DR-E-6800_C01 – Security and CCTV,
A114977-WYG-03-00-DR-E-6852_C03 – External Lighting Layout and,
A114977-WYG-03-XX-DR-E-6855_C04 – External CCTV Layout.

REASON - To create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion in accordance with Policy 20 of the Oldham Local Plan.

17. The development shall be implemented in accordance with the submitted Alexandra Park Energy Statement which demonstrates that the building would achieve a 43% improvement against Part L2A 2013 Target Emission Rate

REASON - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



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PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

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- Certificates relating to site ownership;
- Plans and/or documents detailing the proposed development;
- Technical reports identifying potential impacts and mitigation;
- Design and Access Statements and / or Planning Statements;
- Formal responses from internal and external statutory and non-statutory consultees; and,
- Correspondence and/or documents from received from interested parties.

The application forms (redacted), ownership certificate (redacted), plans showing the proposed development, technical reports, Design and Access Statements, and Planning Statements, where provided are available to view on the Council's website using the [Public Access platform](#).

www.oldham.gov.uk

Responses from statutory and non-statutory consultees and correspondence/documents from interested parties can be requested by making contact with the Planning Service by telephone or email:

0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

1. The adopted Local Plan (the Joint Core Strategy and Development Management Policies Development Plan Document (Core Strategy))
2. 'Saved' policies from the Unitary Development Plan
3. The National Planning Policy Framework (NPPF)
4. Minutes of the meetings of Saddleworth Parish Council Planning Committee
5. Minutes of the meetings of Shaw and Crompton Parish Council Planning Committee

Guidance on how to access these documents is available by making contact with the Planning Service by telephone or email: 0161 770 4105 / Planning@oldham.gov.uk

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Planning Appeals Update

Planning Committee Report of Head of Planning

DATE OF COMMITTEE
20 September 2023

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 23 August 2023. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between 29 July 2023 and 31 August 2023 which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
FUL/347294/21	Land adjacent to Maltby Court, Lees, Oldham	Dismissed, 21/08/2023	09/02/2023	Construction of 40 residential properties with associated access, landscaping and ancillary works
HOU/349758/22	97 Belgrave Road Oldham OL8 1LU	Ongoing	10/02/2023	Erection of a two storey rear extension, rear dormer (with Juliette balcony), and side dormer.
FUL/348150/21	Land Off Springmeadow Lane Uppermill OL3 6EP	Allowed, 09/08/2023	12/05/2023	Erection of one detached dwelling
HOU/349616/22	51 Parkway Chadderton Oldham	Allowed, 09/08/2023	19/06/2023	Two storey side extension and part two storey part single storey rear extension.
FUL/349745/22	145 Broadway Royton Oldham	Dismissed, 02/08/2023	28/06/2023	Erection of a two storey side extension, single storey rear extension, two storey front extension and rear dormer.
HOU/349979/22	107 Green Lane Oldham	Allowed, 08/08/2023	28/06/2023	Erection of a boundary brick wall, imprinted concrete driveway and metal black gates.

HOU/350254/22	13 Tandlewood Park Royton	Allowed, 09/08/2023	19/06/2023	Erection of boundary wall, fence and gates.
HOU/350495/23	6 Wyndale Drive Failsworth Oldham	Ongoing	19/06/2023	Alterations to roof and installation of rear dormer.
HOU/350740/23	119 Chadderton Hall Road Chadderton Oldham	Dismissed, 02/08/2023	28/06/2023	Single storey front extension.
HOU/350747/23	110 Higher House Close Chadderton Oldham	Dismissed, 02/08/2023	30/06/2023	Erection of front, rear and side dormers
FUL/348894/22	Stepping Stones Day Nursery High Street Uppermill	Ongoing	11/07/2023	External alterations, ground floor rear extension and first floor extension to existing Class E building.
FUL/348550/22	Hill Top Farm Healds Green Chadderton	Ongoing	20/07/2023	Erection of an indoor manege extending to circa 35m by 25m
MMA/350017/22	149A Manchester Road Greenfield OL3 7HJ	NEW	08/08/2023	Variation of Condition 2 (approved plans) and 11 (obscured glazing) relating to approved application MMA/345170/20
ADV/350087/22	341 Rochdale Road Oldham OL1 2HD	NEW	24/08/2023	Replacement of wooden 48-sheet billboard (3m x 6m) and PVC advertisement (3m x 6m) with two new modern LED 48-sheet advertisements (3m x 6m).
HOU/350484/23	16 Parkgate Chadderton	NEW	16/08/2023	Retention of single storey front extension.

HOU/350635/23	5 Saint Marks Avenue Royton	NEW	18/08/2023	Erection of a two storey side extension with rear dormer.
HOU/350672/23	15 Taunton Road Chadderton	NEW	17/08/2023	Single storey rear extension, front dormer and increase in size of existing rear dormer.

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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