

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 5 June 2024

Time 6.00 pm, or at the rise of the Member's Training, whichever is the later.

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

Notes 1. DECLARATIONS OF INTEREST- If a Member requires 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 at least 24 hours in advance of the meeting.

2. CONTACT OFFICER for this agenda is Constitutional Services 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, 31 May 2024.

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

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

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

MEMBERSHIP OF THE PLANNING COMMITTEE

Councillors Akhtar, Z Ali, Charters, Cosgrove, Davis, Harkness (Vice-Chair), Hince (Chair), Hobin, Hurley, Iqbal, Lancaster, Nasheen, Williamson 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 5 - 6)
The Minutes of the meeting of the Planning Committee held on 17th April 2024 are attached for Members' approval.
- 6 VAR/352405/24 - Land off Haven Lane, Moorside (Pages 7 - 18)
Variation of Condition 17 of PA/338917/16 to revise the approved traffic calming scheme and for the timing of implementation to permit the occupation of no more than 15 dwellings prior to completion of the traffic calming scheme
- 7 FUL/352158/23 - Foundry Street, Oldham (Pages 19 - 32)
Erection of a part single, two storey building comprising 15 one-bedroom supported living apartments (Use Class C3 (b)) with ancillary staff and communal facilities and associated parking and garden areas.
- 8 VAR/352459/24 - "Little Wembley" Training Pitch, Oldham Athletic Football Club, Boundary Park, Oldham (Pages 33 - 42)
Variation of condition 10 (hours of use) relating to application FUL/351570/23 to permit use between 09.00 and 18.00 hours on Saturdays and between 09.00 and 21.00 hours on all other days (previously approved hours between 09.00 and



21.00 hours on Monday to Friday, 10.00 and 18.00 hours on Saturday and 10.00 and 21.00 hours on Sunday)

- 9 FUL/352308/24 - Land Adjacent To 4 Stockport Road, Lydgate (Pages 43 - 52)
Erection of one detached dwelling and installation of dropped kerb.
- 10 HOU/352460/24 - Belvedere, Greenbridge Lane, Greenfield (Pages 53 - 60)
Erection of a two-storey rear extension.
- 11 VAR/52279/24 - Yew Tree Community School, Alcester Street, Chadderton (Pages 61 - 70)
Variation of Condition 3 relating to application PA/341172/17 to allow for use of pitch from 9.00am to 9.30pm for school use and wider community use, 7 days a week.
- 12 HOU/352265/24 - 66B Chew Valley Road, Greenfield (Pages 71 - 78)
Construction of patio, consisting of a steel frame topped with GRP decking, on the first floor of the back elevation to the dwelling.
- 13 HOU/352544/24 - 1 Woodfield Centre, Oldham (Pages 79 - 86)
Erection of a first-floor rear/side extension.
- 14 Appeals Update Report (Pages 87 - 90)

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PLANNING COMMITTEE
17/04/2024 at 6.00 pm

Present: Councillors S. Bashforth, Cosgrove, Davis, Fryer,
H. Gloster, H. Harrison, Iqbal, Lancaster, McLaren (as
substitute), Surjan (Chair), and Woodvine

Also in attendance:

Peter Richards (Head of Planning)

Graham Dickman (Major Projects Development Lead)

Wendy Moorhouse (Principal Officer Transport Projects)

Alan Evans (Group Solicitor)

Durga Paul (Constitutional Services)

1 **ELECTION OF VICE CHAIR**

RESOLVED that Councillor Davis is elected as Vice Chair

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors
Harkness, Hobin and Ghafoor.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5 **PUBLIC QUESTION TIME**

There were no public questions for this meeting to consider.

6 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting of the Planning
Committee held on the 21st February 2024 be approved as a
correct record.

7 **FUL/350118/22- LAND AT ABBOTSFORD ROAD,
CROMFORD STREET, EVELYN STREET, AND LONDON
ROAD, OLDHAM**

APPLICATION NUMBER: FUL/350118/22

APPLICANT: Hive Homes (Manchester) LLP

PROPOSAL: Residential development of 4 sites in Derker for
132 residential units including associated gardens, landscape
and infrastructure. Abbotsford Road (47 units), Cromford Street
(28 units), Evelyn Street (29 units) and London Road (28 units)

LOCATION: Land at Abbotsford Road, Cromford Street, Evelyn
Street, and London Road, Oldham

It was **MOVED** by Councillor S. Bashforth and **SECONDED** by
Councillor Davis that the application be **APPROVED**.

On being put to the vote 11 VOTES were cast IN FAVOUR OF APPROVAL and 0 VOTES were cast AGAINST REFUSAL with 0 ABSTENTIONS.

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

NOTES:

1. That the Applicant and Ward Councillor addressed the Committee on this application.

8 **FUL/352513/24-OLDHAM CIVIC CENTRE CAR PARK,
WEST STREET, OLDHAM**

APPLICATION NUMBER: FUL/352513/24

APPLICANT: Ms. Lauren Clancy, Oldham Coliseum Theatre Limited

PROPOSAL: Temporary theatre structure to be erected on the hardstanding area of the Oldham Civic Centre car park for a period of up to 3 months.

LOCATION: Oldham Civic Centre Car Park, West Street, Oldham

It was MOVED by Councillor S. Bashforth and SECONDED by Councillor Cosgrove that the application be APPROVED.

On being put to the vote 11 VOTES were cast IN FAVOUR OF APPROVAL and 0 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report and as amended in the Late List.

NOTES:

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

9 **APPEALS UPDATE REPORT**

RESOLVED that the appeals update be noted.

10 **LATE LIST**

RESOLVED That the Late List be noted.

The meeting started at 6.00pm and ended at 6.32pm.

APPLICATION REPORT – VAR/352405/24 Planning Committee 5th June 2024

Registration Date: 1st March 2024
Ward: Saint James

Application Reference: VAR/352405/24
Type of Application: Variation of Condition

Proposal: Variation of Condition 17 of PA/338917/16 to revise the approved traffic calming scheme and for the timing of implementation to permit the occupation of no more than 15 dwellings prior to completion of the traffic calming scheme

Location: Land off Haven Lane, Moorside, Oldham OL4 2QH

Case Officer: Graham Dickman
Applicant: Andy Roberts
Agent: Adam Collinge

1. INTRODUCTION

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation at the request of the Assistant Director of Planning, Transport and Housing Delivery due to the level of public interest in the application and the fact that it relates to the variation of a condition imposed by an Inspector at appeal.

2. RECOMMENDATION:

2.1 It is recommended that the application be approved subject to the amended conditions as set out below.

3. SITE DESCRIPTION

3.1 The application relates to a L-shaped parcel of former grassland to the east side of Haven Lane on which the construction of a development of 23 dwellings has commenced.

3.2 To the north are the rear of properties on Haugh Hill Road. To the south-west, the site extends around the north side and rear of Havenside Close, with a day nursery adjoining the southern boundary. To the east, land levels rise across open fields.

4. THE PROPOSAL

4.1 The applicant is seeking to vary the wording of Condition 17 of the original outline planning permission for residential development (PA/338917/16) to revise the approved traffic calming scheme and for the timing of implementation to permit the occupation of no more than 15 dwellings prior to completion of the traffic calming

scheme.

4.2 At present the condition reads:

“Prior to the first occupation of any dwelling, the access and traffic calming arrangements shown on drawing 2044-001 C shall be implemented in full.”

4.3 The proposed, revised condition would read:

“Prior to the first occupation of the 16th dwelling approved under application PA/338917/16, the access and traffic calming arrangements shown on drawing 2384/A1/134/001 shall be implemented in full”.

Environmental Impact Assessment

4.4 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4.5 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. However, it would not exceed the applicable threshold of 5 hectares or 150 dwellings, nor is the site located within any impact distance of a ‘sensitive area’ as defined in the Regulations.

4.6 Consequently, an Environmental Statement is not required.

5. PLANNING HISTORY

5.1 CND/352346/24 - Discharge of Condition 4 (access and parking details) relating to application VAR/349187/22. Pending determination.

5.2 CND/352214/24 - Discharge of condition 7 (retaining wall details) relating to application PA/342449/18. Pending determination.

5.3 CND/351418/23 - Discharge of condition no. 7 (levels) and 9 (drainage) relating to app no. PA/338917/16. Part discharged 11 August 2023.

5.4 CND/351176/23 - Discharge of condition no.16 (Construction Method Statement) relating to app no. PA/338917/16. Pending determination.

5.5 CND/351121/23 - Discharge of condition 2 (materials) relating to application RES/346698/21. Part discharged 25 July 2023.

5.6 NMA/351120/23 – Non-material Amendment relating to app no. VAR/349187/22. Approved 25 July 2023.

5.7 FUL/349189/22 - Pumping station associated with residential development of 23 dwellings. Approved 29 September 2022.

5.8 VAR/349187/22 - Variation of Conditions No 1 (approved details schedule), 3 (hard and soft landscaping) and 4 (parking, details of construction, levels and drainage) relating to approved application RES/346698/21. Approved 29 September 2022.

5.9 RES/346698/21 - Reserved matters application for appearance, landscaping, layout and scale pursuant to PA/338917/16 for 23 dwellings.

- 5.10 PA/342449/18 - Reserved matters application (for appearance, landscaping, layout, and scale) pursuant to PA/338917/16 for 23 three and four-bedroom detached dwellings. Approved 6 June 2019.
- 5.11 PA/338917/16 - Outline application for residential development of up to 23 dwellings (Use Class C3) with all matters reserved except access. The scheme was granted outline planning permission on appeal in November 2017 with costs awarded against the council for unreasonable behaviour in refusing this application.
- 5.12 PA/336723/15 – Outline application for 29 no. dwellings. Access to be considered. All other matters reserved (Re-submission of PA/336309/14). Refused 13th July 2015.
- 5.13 PA/336309/14 – Outline application for the erection of 30 dwellings with access and layout to be considered. Appearance, landscaping, and scale to be reserved – Refused 12th February 2015.

6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham’s Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 As such, the following Places for Everyone policy is considered relevant to the determination of this application:

Policy JP- C8 – Transport Requirements for New Developments

- 6.4 On the Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan), the site is unallocated on the Proposals Map associated with the Local Plan.
- 6.5 The following Local Plan policy is considered relevant to the determination of this application:

Policy 5 - Promoting Accessibility and Sustainable Transport

7. CONSULTATIONS

Highways Officer	No objections to the revised traffic calming scheme or the proposal to occupy some properties in advance of the scheme’s implementation.
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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.
- 8.2 In response, 17 representations have been received raising the following (summarised) issues:
- Object to the variation to allow some houses to be built before the traffic calming is implemented and there have been existing problems during the construction of the development in relation to mud and flooding on the road and failure to comply with conditions.
 - Further traffic calming measures are not needed as parking and the width of the road already slows down traffic.
 - The platform at Rushden Grove will make egress more difficult.
 - The tapered table will affect drainage.
 - The measures will lead to a further loss of on-street parking spaces.
 - Impact of noise to residents and on car suspensions due to going over speed bumps.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The principle of the residential development on this site was established under outline approval PA/338917/16, a decision allowed by the Planning Inspector on appeal. The access to the site formed part of that approval.
- 9.2 In granting permission, the Planning Inspector nevertheless determined, through the imposition of Planning Condition 17, that a scheme of traffic calming measures should be implemented. A scheme had been presented before the appeal hearing.
- 9.3 Consideration of the present application is therefore limited to the impact of the revised traffic calming scheme and the proposed occupation of 15 dwellings in advance of the scheme's implementation.
- 9.4 The condition imposed by the Inspector required the implementation of a specific traffic calming scheme (plan ref:2044-001 C). This scheme included the construction of a raised table which would have encompassed both the new site access and the access to Longden Avenue opposite. Speed cushions would have also been inserted between the site access and Ripponden Road.
- 9.5 In accepting that scheme, the Inspector concluded that, although it hadn't been subject to separate public consultation under the Traffic Regulation Order process at that stage, the scheme details had been available for public scrutiny as they had formed

part of the information available for assessing the application.

- 9.6 The Inspector also considered residents' concerns in relation to noise and pollution from the specific siting of the speed humps, concluding that there was no specific evidence of a link between the proposed traffic calming and noise and pollution issues. Nor did the Inspector consider that any displacement of parked vehicles could not be readily accommodated elsewhere.

10. HIGHWAY ISSUES

- 10.1 However, upon reviewing the detailed scheme which had previously been presented by the developer, the Council's Highways Service considers that the scheme could not be delivered due to existing specific or physical site constraints.
- 10.2 Noting the need nevertheless for a traffic calming scheme to be implemented, the Highways Service has prepared a detailed design for an alternative scheme which removes the physical limitations of the previous scheme, whilst ensuring that the programme of traffic calming measures elsewhere along Haven Lane can be completed.
- 10.3 The revised scheme incorporates the following measures:
- A junction plateau at the access to Rushden Grove;
 - Speed cushions to the south of the Haugh Hill Road junction;
 - Realignment of the Haugh Hill Road junction, including widening out the footway crossing to either side and creating new junction markings;
 - A full width tapered table to the north of the Haugh Hill Road junction with a build out of the footway on the eastern side; and,
 - Speed cushions at the northern extent of Haven Lane.

11. ASSESSMENT AND CONCLUSION

- 11.1 At present the planning conditions require the provision of a traffic calming scheme which the Highways Officers considers to be not capable of practical implementation. As a consequence, an alternative scheme has been presented and which would be achievable.
- 11.2 Whilst some concerns have been noted in respect of the impact of individual traffic calming measures in terms of the effect on access in and out of the road junctions, these matters have been carefully considered in the design of the scheme.
- 11.3 As noted previously by the Planning Inspector, there is no definitive evidence that the introduction of the measures will impact on residents' amenity, nor that any potential parking displacement would be sufficiently negative to justify non-inclusion of the measures.
- 11.4 A number of representations have suggested that further traffic calming measures are not required as existing parking and the configuration of the road already serve to slow down traffic. The Highways Service has nevertheless concluded that the measures will make an important contribution towards controlling traffic speeds along the road.
- 11.5 In respect of the request that 15 dwellings are permitted to be occupied before the measures are implemented, this takes into consideration the anticipated completion of

those dwellings in the near future, recognising that the need for an associated Traffic Regulation Order to be completed and for the works to be scheduled would create a significant delay in those complete dwellings from being occupied.

- 11.6 The alternative would be for the completed dwellings to stand empty for an extended period, which would not assist in ensuring the supply of new homes. It may also lead to anti-social behaviour if the site remains vacant.
- 11.7 For those reasons, it is considered that the permitting of some occupation in advance of implementation of the traffic calming would be beneficial, whilst ensuring the measures are implemented before the development is completed.

12. CONDITIONS OF THE EARLIER APPROVAL

- 12.1 Should planning permission be granted for the amended traffic calming scheme, all other conditions imposed on the earlier permission will continue to apply. However, as some of the conditions will subsequently have been discharged, the wording of the conditions has been updated accordingly.

13. RECOMMENDED CONDITIONS

1. Application for approval of reserved matters must have been made before 4th December 2020 and the development must have been begun not later than: (i) the expiration of three years from 4th December 2017 or (ii) two years from the date of approval of the last of the reserved matters to be approved. REASON - To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Details of the Reserved Matters of appearance, landscaping, layout, and scale shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved. REASON - The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.
3. This permission relates to the following plans:
 - Drawing no. PL-01 Rev A – Site location plan.
 - Drawing no. PL-04 Rev A – Illustrative masterplan.
 - Drawing no. 2384/A1/134/001 – Draft Traffic Calming Proposals
 - Drawing no. 18-053-1005 Rev B – Site Layout with Traffic Calming Features.

REASON – To ensure the satisfactory implementation of the development.

4. The development shall be implemented in accordance with the measures approved for dealing with land contamination and landfill gas under application CD/343161/19. A verification report shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied. REASON - To prevent pollution of the surrounding environment and to ensure the safe development of the site having regard to Policy 9 of the Oldham Local Plan.

5. The development shall be implemented in accordance with the details of a scheme of foul and surface water from the site as approved under an application which seeks approval for the reserved matter of layout. The duly approved scheme shall be implemented before any of the dwellings are first occupied and shall be maintained/managed as such thereafter. REASON - To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water having regard to Policy JP-S4 of the Places for Everyone Joint Development Plan Document.
6. The development shall be implemented in accordance with the details of a scheme for the design, construction and drainage of the site access, the position and layout of which is determined under an application which seeks approval for the reserved matter of layout. The site access shall thereafter be constructed in accordance with the duly approved scheme and made available for use before any of the dwellings hereby approved are first occupied. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay at the junction with Haven Lane shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over one metre in height. REASON - To ensure a suitable and safe means of access to the site for vehicular traffic having regard to Policies JP-S4 and JP-C8 of the Places for Everyone Joint Development Plan Document.
7. The development shall be implemented in accordance with a scheme for the layout, design, construction and drainage of the estate road and associated footways which is determined under an application which seeks approval for the reserved matter of layout. The estate road and associated footways shall be provided in accordance with the duly approved scheme before any of the dwellings are first occupied. REASON - To ensure the satisfactory construction of roads and footways to serve the development and to provide satisfactory facilities for vehicle access, circulation and manoeuvring in the interests of highway safety having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan Document.
8. The development shall be implemented in accordance with a scheme for the following matters as determined under an application which seeks approval for the reserved matter of layout.
 - the means of access the dwellings, including driveway gradients and sight lines at their junctions with the estate road;
 - the means of servicing the dwellings;
 - parking and/or garaging provision for each dwelling which allow vehicles to be parked clear of the highway.

The development shall thereafter be implemented in accordance with the duly approved details before any of the dwellings are first occupied. REASON - To ensure a safe means of access to the dwellings, appropriate access for service vehicles and adequate off-road parking provision having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan Document.

9. The development shall be implemented in accordance with a landscaping scheme,

and include measures to protect retained trees, hedgerows, and other vegetation, as determined under an application which seeks approval for the reserved matter of landscaping. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted. REASON - To ensure suitable retention and strengthening of landscaping on the site in the interests of visual amenity, to provide a buffer with adjoining land uses and to secure biodiversity enhancements having regard to Policy JPG7 of the Places for Everyone Joint Development Plan Document.

10. The development shall be implemented in accordance with the Construction Phase Plan submitted under application CND/351176/23. REASON - In order to ensure that appropriate measures are put in place before any development commences to limit noise, nuisance, and disturbance to the occupiers of neighbouring properties during the construction of the development having regard to Policy 9 of the Oldham Local Plan.
11. Prior to the first occupation of the 16th dwelling approved under application PA/338917/16, the access and traffic calming arrangements shown on drawing 2384/A1/134/001 shall be implemented in full. REASON - To ensure highway safety having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan Document.

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.

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](#).

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/352158/23 Planning Committee 5th June 2024

Registration Date: 27th December 2023
Ward: Coldhurst

Application Reference: FUL/352158/23
Type of Application: Full

Proposal: Erection of a part single, two storey building comprising 15 one-bedroom supported living apartments (Use Class C3 (b)) with ancillary staff and communal facilities and associated parking and garden areas.

Location: Foundry Street, Oldham, OL8 1FR

Case Officer: Graham Dickman
Applicant: c/o agent
Agent: Eden Planning & Development Ltd

1. INTRODUCTION

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as it is a Major application on a site owned by the Council.

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 site comprises a presently vacant parcel of land located west of Oldham town centre with access from Foundry Street, a cul-de-sac which also serves buildings to the south occupied by Oldham College. The site comprises unmaintained vegetation with significant tree cover, primarily to the site frontage and side boundaries. There is an existing vehicular access from Foundry Street.

3.2 Koffee Kingdom, a café/takeaway, occupies the south-west corner adjacent to the site with a Metrolink sub-station to the north-east corner. Oldham Way lies to the west, with the Metrolink tramline to the north, set below an embankment.

3.3 The Grade II listed Church of Our Lady and St Patrick is located across Foundry Street to the south-east of the site.

4. THE PROPOSAL

- 4.1 The proposal involves the erection of a new building to be used to provide supported living as part of the Single Homelessness Accommodation Programme.
- 4.2 The main building will comprise two linked main sections. The westerly section will be two-storey providing 15 self-contained, one-bedroom living units and associated office, with access via an internal corridor.
- 4.3 The easterly section will include single storey ancillary accommodation comprising two communal areas, cycle and waste bin storage, and a plant room.
- 4.4 Additional landscaping and outdoor amenity space will be provided, along with 4 staff parking spaces.

Environmental Impact Assessment

- 4.5 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.6 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. However, it would not exceed the applicable threshold of 5 hectares or 150 dwellings, nor is the site located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.7 Consequently, an Environmental Statement is not required.

5. PLANNING HISTORY

- 5.1 PA/059136/10 - Revised alignment of 3B Metrolink route between Middleton Road and Union Street West incorporating a surface level crossing and highway realignment at the Manchester Street roundabout, related engineering works including a cutting, new electricity substation at Foundry Street and new bridge structure at John Street. Approved 18 February 2011.

6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-H3 - Type, Size and Design of New Housing;
Policy JP-G7 – Trees and Woodlands;

Policy JP-P1 - Sustainable Places; and,
 Policy JP-S2 - Carbon and Energy.

6.4 On the Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan), the site is unallocated within the Town Centre on the Proposals Map associated with the Local Plan.

6.5 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;
 Policy 9 - Local Environment;
 Policy 11 – Housing;
 Policy 15 – Centres;
 Policy 18 – Energy;
 Policy 21 – Protecting Natural Environmental Assets;
 Policy 23 – Open Spaces and Sports; and,
 Policy 24- Historic Environment.

7. CONSULTATIONS

Highways Officer	No objections
Environmental Health	Recommend conditions in relation to measures to ensure residents are protected from noise and air pollution, and for a ground gas/ site investigation.
Drainage	No objections subject to the implementation in accordance with the submitted details.
Trees Officer	The scheme has not been designed to minimise tree loss, and although it is intended to retain various existing trees, the proximity to the building may cause pressure on the trees in the future.
United Utilities	No objections subject to condition in relation to implementation of the submitted drainage scheme and for its future management and maintenance.
G M Ecology Unit	No objections subject to conditions and informative notes in relation to biodiversity net gain, prevention of harm to protected species, and for dealing with invasive plant species. Habitat Management & Monitoring Plan.
TfGM (Metrolink)	The proposed species of trees to be planted along the top of the banking to the tram line need amending to those which grow to a lower height to reduce the risk of fallen trees onto the track. Other conditions to protect the tram track are required
Coal Authority	No objections

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.
- 8.2 In response, one representation has been received from the occupier of a neighbouring business which initially raised a number of issues. Following a site meeting, it was accepted that previous concerns could be addressed, so long as a low kerb could be provided to his site from the access.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The present Local Plan identifies the site as lying within Oldham town centre, to which Policy 15 refers. Although the policy does not specifically indicate the suitability of residential accommodation within such areas, it is noted that the Council's present aspirations include diversifying the town centre's offer, including introducing residential uses into the centre.
- 9.2 In this context, the introduction of the proposed use, with the benefits of ready access to a range of services, would be acceptable in principle, subject to satisfaction of the factors outlined below.

10. HIGHWAY ISSUES

- 10.1 The proposed development is located in a highly sustainable location with excellent links to public transport and a wide range of amenities within walking and cycling distance.
- 10.2 The Highways Officer considers that the amount of traffic expected to be generated will have no significant or adverse impact on the local highway network and that the level of on-site car parking is satisfactory in this location and for the type of supported living accommodation proposed.
- 10.3 Alterations to the site access will be required and this can be addressed with the Local Highway Authority through a Section 278 agreement.
- 10.4 In respect of the representation from the neighbouring business, the proposed layout would not prevent future access to the owner's land as requested and the plans have been amended to indicate the potential for a dropped crossing at this point.

11. RESIDENTIAL AMENITY

- 11.1 The application is located on the edge of the town centre neighbouring a mix of commercial and community uses. In addition, an elevated section of the A62 Oldham Way and the Metrolink tram line immediately adjoin the site.

- 11.2 Consequently, there is a potential for future residents to be subject to adverse noise or air quality impacts.
- 11.3 In order to ensure the accommodation is acceptable, the Environmental Health Officer has indicated that some form of ventilation strategy for the building is required. It is suggested that a strategy that uses mechanical ventilation which draws "clean air" as far away from Oldham Way as possible and inputs this into the rooms and draws moisture etc out from kitchens and bathrooms (with possible use of mechanical heat recovery), could potentially solve the air quality and noise issues.
- 11.4 Furthermore, an acoustic boundary fence will be required.
- 11.5 Both matters are subject to recommended planning conditions and a detailed scheme will need to be incorporated into the building.

12. DRAINAGE AND GROUND CONDITIONS

- 12.1 The application is accompanied by a Phase 1 Preliminary Risk Assessment and Phase II Interpretative Ground Assessment to consider ground conditions and development impact.
- 12.2 Further information has recently been submitted for consideration by the Environmental Health Officer. Since those results are outstanding, conditions requiring agreement of any required mitigation measures will be necessary.
- 12.3 The site is located within a Coal Mining Development High Risk Area. However, the application is accompanied by a Coal Mining Risk Assessment which has been reviewed by the Coal Authority. They are satisfied that sufficient investigations have been carried out to demonstrate that the site can be developed safely.
- 12.4 A Flood Risk Assessment and Drainage Strategy accompanies the application. The application site falls within Flood Zone 1 at the lowest risk from flooding.
- 12.5 United Utilities has confirmed that there are no objections to the proposals on the basis of the submitted drainage scheme.

13. ECOLOGY AND LANDSCAPING

- 13.1 As noted by the Council's Trees Officer, the development will be likely to impact on some established trees on the site. Therefore, a scheme of both replacement and additional trees planting is proposed.
- 13.2 In response to the comments of TfGM, the species of tree towards the tram line has been amended to those which would not be likely to grow to a height which could overfall the track.
- 13.3 Nevertheless, the submitted Biodiversity Metric Report confirms that there will be a loss to biodiversity of 1.34 units. This takes into consideration those trees which the applicant seeks to be retained, but which the Trees Officer considers may succumb to future pressures for removal. The Metric therefore assumes their removal and need to compensate for some potential loss.

- 13.4 GMEU has considered the findings and confirms the need for a contribution. In addition, it is recommended that conditions are included in relation to tree removal during the bird breeding season, invasive species, and surveys for amphibians, reptiles, and mammals.
- 13.5 A financial contribution towards biodiversity will be required. As the Council is presently the owner of the site, it is proposed that this aspect will be dealt with by means of the land sale rather than a Section 106 agreement.
- 13.6 Similarly, the development will be required to provide a financial contribution towards off-site public open space to satisfy the requirement of Local Plan Policy 23. This will also be resolved through the land sale agreement.

14. DESIGN AND HERITAGE

- 14.1 The proposed building will include a mix of flat roof single storey, and pitched roof two-storey sections finished in facing bricks and roof tiles. As such it will reflect other buildings in the vicinity.
- 14.2 Furthermore, it will be set back from the street frontage and whilst also visible from the south, the proposed landscaping will significantly reduce its appearance from this vantage point.
- 14.3 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 14.4 The Grade II listed Church of Our Lady and St Patrick is located across Foundry Street to the south-east of the site. The church is set back from Foundry Street by approximately 25 metres and occupies a significantly elevated position relative to the application site. The new building will be over 60 metres distant with the single storey section of the building closest to Foundry Street.
- 14.5 It will therefore not detract from the setting of the listed building or impose on views towards the church. As such it would have a neutral impact on the heritage asset.

15. ENERGY

- 15.1 In accordance with Places for Everyone Policy JP-S2, an Energy Statement will be required to demonstrate how the development will be consistent with the 2022 Part L of the Building Regulations and incorporate adequate electric vehicle charging points. This is dealt with through a recommended planning condition.

16. CONCLUSION

- 16.1 The proposal will bring back into a productive use a building within a sustainable location, as well as providing much needed, specialist, living accommodation. Whilst there are some adverse impacts in relation to loss of trees, the proposed measures to secure biodiversity and the benefits accruing from the provision of valuable

accommodation, demonstrate on balance the acceptability of the development.

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. The development hereby approved shall be implemented and occupied thereafter in full accordance with the submitted Affordable Housing Statement identifying 100% provision of affordable housing for rent. REASON - To ensure the provision of affordable housing having regard to Policy JP-H2 of the Places for Everyone Joint Development Plan.
4. No above ground construction of the building hereby approved shall commence until a scheme and timetable for the achievement of Biodiversity Net Gain and off-site replacement tree planting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a written 30-year Habitat Management and Monitoring Plan (HMMP) for biodiversity within the site. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9 and 21 of the Oldham Local Plan, paragraph 174 of the NPPF, and Policy JP-G8 of the Places for Everyone Joint Development Plan.
5. Prior to the commencement of any development hereby approved, a scheme of precautionary working methods for amphibians, reptiles, and mammals shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved recommendations. REASON - In order to secure the protection of ecological interests within the site having regard to Policy 21 of the Oldham Local Plan and Policy JP-G8 of the Places for Everyone Joint Development Plan.
6. All hard and soft landscape works shall be carried out in accordance with the approved plan Ref: XXX; prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.
7. 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.

8. 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.
9. Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority detailing the eradication of wall cotoneaster and rhododendron on site. The measures shall be carried out strictly in accordance with the approved scheme. REASON - To prevent the spread of invasive plant species having regard to Policy 9 of the Oldham Local Plan.
10. No dwelling shall be occupied until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plans 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.
11. To protect the future occupiers from noise from traffic, the glazing scheme as specified in the NOISE AND VIBRATION IMPACT ASSESSMENT Report Ref: 51-031-R1-2 Date Issued: 1st December 2023 by E3P shall be installed before the development is occupied and glazing with at least that sound reduction index shall be retained for the life of the development. REASON - In order to protect the amenity of future occupiers of the development having regard to Policy 9 of the Oldham Local Plan.
12. To protect the future occupiers from noise from traffic when they are outside, the acoustic barrier scheme as specified in the NOISE AND VIBRATION IMPACT ASSESSMENT Report Ref: 51-031-R1-2 Date Issued: 1st December 2023 by E3P shall be installed before the development is occupied and a barrier with the same sound reducing capability shall be retained and maintained for the life of the development. REASON - In order to protect the amenity of future occupiers of the development having regard to Policy 9 of the Oldham Local Plan.
13. Before the development is occupied details of a ventilation strategy that allows bedrooms and living rooms to be occupied without the need to open windows shall be submitted to and approved in writing by the Local Planning Authority. The

strategy must also reduce the impact of air pollution on new residents. The strategy must include a full overheating assessment to be completed by a suitably qualified consultant for habitable rooms across the development, as the opening of windows is not an acceptable method for mitigation against overheating. The duly approved scheme shall be retained and maintained thereafter. REASON - In order to protect the amenity of future occupiers of the development having regard to Policy 9 of the Oldham Local Plan and Policy JP-S6 of the Places for Everyone Joint Development Document.

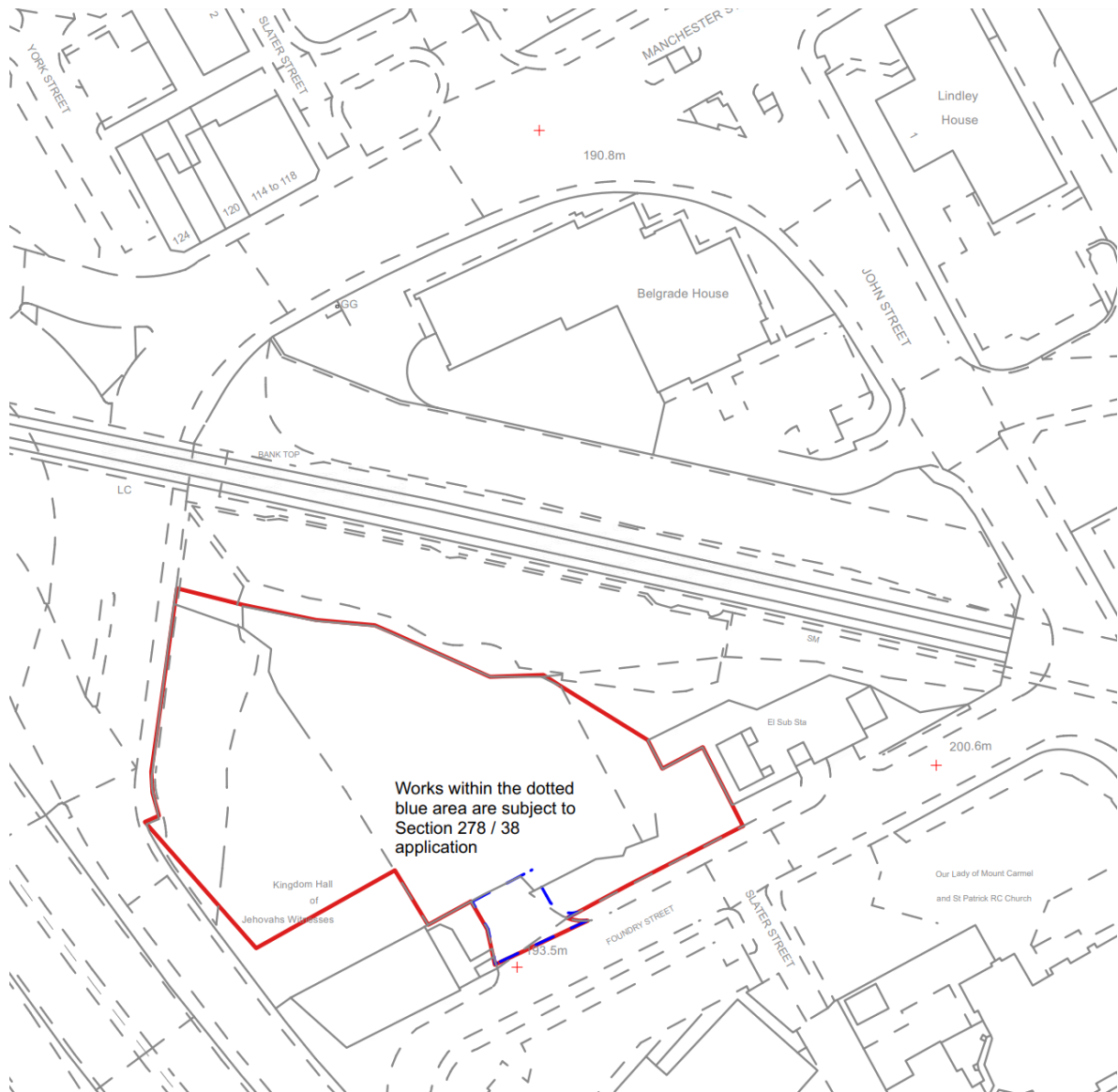
14. Prior to the commencement of the construction of any building, details for demonstrating that the building shall be consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.
15. Notwithstanding the plans hereby approved the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical. REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.
16. 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 6020, Rev P01 - Dated Sep 23 TO BE UPDATED? which was prepared by JG. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/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 Policies 9 and 19 of the Oldham Local Plan.
17. 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:
 - (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - (ii) 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 29 of the Oldham Local Plan.

18. 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.

19. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's written report and recommendation have been submitted to and approved 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 as the site is located within 250 metres of a former landfill site having regard to Policy 9 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.

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](#).

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 – VAR/352459/24 Planning Committee 5th June 2024

Registration Date: 18th March 2024
Ward: Coldhurst

Application Reference: VAR/352459/24
Type of Application: Variation of Condition

Proposal: Variation of condition 10 (hours of use) relating to application FUL/351570/23 to permit use between 09.00 and 18.00 hours on Saturdays and between 09.00 and 21.00 hours on all other days (previously approved hours between 09.00 and 21.00 hours on Monday to Friday, 10.00 and 18.00 hours on Saturday and 10.00 and 21.00 hours on Sunday)

Location: Little Wembley training pitch, Oldham Athletic Football Club, Boundary Park, Hilbre Avenue, Oldham, OL1 2PA

Case Officer: Graham Dickman
Applicant: Oldham Athletic Football Club
Agent: Richard Gee

1. INTRODUCTION

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as the planning condition for which amendment is sought was imposed in its present form by Planning Committee.

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 relates to the north-west corner of the Boundary Park Football Stadium site. It comprises an existing enclosed grass football pitch and an adjoining area of car parking separated by a mounded area of former spoil material. There are 4 existing floodlight columns.

3.2 Clayton Playing Fields is to the west, separated from the site by a footpath.

3.3 To the north and north-east are established housing areas on Broadway and Downham Close. Further housing is located across a small area of open land to the south on Boundary Drive.

4. THE PROPOSAL

- 4.1 Planning permission to replace the existing facility with a new full-sized, football and rugby league compliant 3G pitch and associated lighting was granted in December 2023.
- 4.2 Approval for use of the facility was sought between 08.00 hours until 18.00 hours on Saturdays, and from 09.00 hours until 21.00 hours on all other days.
- 4.3 Following consideration of the application, Planning Committee approved the application subject to revised hours of use restricting use on Saturdays to between 10.00 and 18.00 hours, on Sundays between 10.00 and 21.00 hours and on Monday to Friday between 09.00 and 21.00 hours.
- 4.4 The present application now seeks to revise the permitted hours of use to allow a start at 09.00 hours rather than 10.00 hours on Saturdays and Sundays. Other start and finish times would remain as approved.

5. PLANNING HISTORY

- 5.1 FUL/351570/23 - Replacement of existing grass training pitch known as Little Wembley (and floodlights, means of enclosure and ball-catch fencing) with a new multi-sports 3G pitch with associated earth works / engineering operations / retaining structure (to provide a flat surface), ball-catch fencing, security and acoustic fencing, 8 column sports lights, 10 cycle parking spaces, and the erection of an ancillary single storey building to accommodate changing rooms, classroom / office, toilets and refreshments area,, a bin store and associated hard and soft landscaping. Access via the existing access from Hilbre Avenue. Approved 21 December 2023.
- 5.2 PA/053017/07 - Outline application for mixed use redevelopment including demolition of existing and construction of new south and west stands, with a combined capacity of 6,200 seats and accommodation comprising spectator facilities, Hotel (west stand) and Fitness club (south stand), Residential apartments (553 Units) and key worker housing (140 Units), Ancillary retail/cafe units together with associated landscaping and external works. Approved 9 May 2008.

6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-S4 – Flood risk and Water Management;
Policy JP-G7 – Trees and Woodlands;
Policy JP-P1 – Sustainable Places; and,
Policy JP-P7 – Sport and Recreation.

Local plan

Policy 9 - Local Environment;
Policy 19 – Water and Flooding; and,
Policy 23 – Open Spaces and Sports

7. CONSULTATIONS

Environmental Health	No objections.
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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.

8.2 In response, one representation has been received raising the following issues:

- The requested hours, including the arrival and departure of cars, will add to existing noise and light nuisance. (Addressed at paragraph 10.2 and in the listed conditions)

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 The principle of the proposed redevelopment of the ‘Little Wembley’ pitch has been established through the planning permission granted in December 2023. Consideration of the present application is therefore limited to the assessment of the impact from permitting use on Saturday and Sunday to commence at 09.00 hours rather than 10.00 hours.

10. RESIDENTIAL AMENITY

10.1 The application site is in immediate proximity to neighbouring residential properties on Broadway and Downham Close to the north and Boundary Drive to the south.

10.2 In this context, it is recognised that activity on the site has potential to impact on neighbouring residents. As a consequence, conditions in relation to the installation of acoustic and ball-stop fencing, and for the levels of luminance of the necessary floodlighting were imposed on the previous application and will continue to apply.

- 10.3 In respect of the hours in which the pitch can be used, the Environmental Health Officer had previously considered that, with the above measures in place, a start time of 08.00 hours on a Saturday and 09.00 hours on a Sunday would be acceptable.
- 10.4 In seeking to amend the approved hours, the applicant has provided supporting information showing that Saturdays and Sundays are the most important days of the week for mini-junior/youth football. Therefore, a maximum feasible amount of time is needed to satisfy demand. It is noted that junior teams would suffer most from the loss of the two hours at the weekends.
- 10.5 As a result, many facilities open from 09.00 hours or earlier, although this varies given the context of the setting of the facility. The applicant has, for example, drawn attention to improvements to the facility at Chadderton AFC, where there is a similar close relationship to residential neighbours, and where start times have been permitted from 08.00 hours (FUL/349908/22, approved 9th June 2023).
- 10.6 It should also be noted that there are presently no restrictions on the hours at which the existing pitch could be used, and the club has indicated that the proposed start time is already in operation without the generation of complaints.
- 10.7 Whilst this use could continue, it would not of course ensure the benefits of the replacement pitch in terms of the quality of the playing surface and its weather resilience.
- 10.8 Nevertheless, the applicant has recognised the concerns previously expressed by Planning Committee, and therefore, is seeking a Saturday start time of 09.00 hours rather than 08.00 hours as originally sought.

11. OTHER CONDITIONS OF THE APPROVAL

- 11.1 Should planning permission be granted for the amended hours, all other conditions imposed on the earlier permission will continue to apply.

12. CONCLUSION

- 12.1 The enhancement of the existing pitch within a larger sports complex will provide significant benefits through the provision of a facility of substantially better quality than the existing poor quality, sloping pitch. It is considered that the planning conditions to be applied will ensure the facility can operate effectively whilst securing measures to protect neighbouring amenity. The proposed amendment to 09.00 hours represents an appropriate compromise towards achieving these objectives and is therefore deemed to be acceptable.
- 12.2 It is therefore recommended that the application should be approved subject to the following conditions.

13. RECOMMENDED CONDITIONS

1. The development must be begun not later than 20th December 2026. 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. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - iv. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and,
 - v. Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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 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 first use of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the principles as set out in the submitted Flood Risk Assessment & Drainage Strategy ref: HYD833_LITTLE.WEMBLEY_FRA&DMS Rev 1.0 dated 24th August 2023. 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 residents' management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained, and managed in accordance with the approved plan. REASON - In order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.
5. Prior to the commencement of the development, a condition survey of the culverted watercourse running through the site shall be undertaken and the results submitted to the Local Planning Authority. Following the completion of the development, and prior to the commencement of the use of the pitch, a further

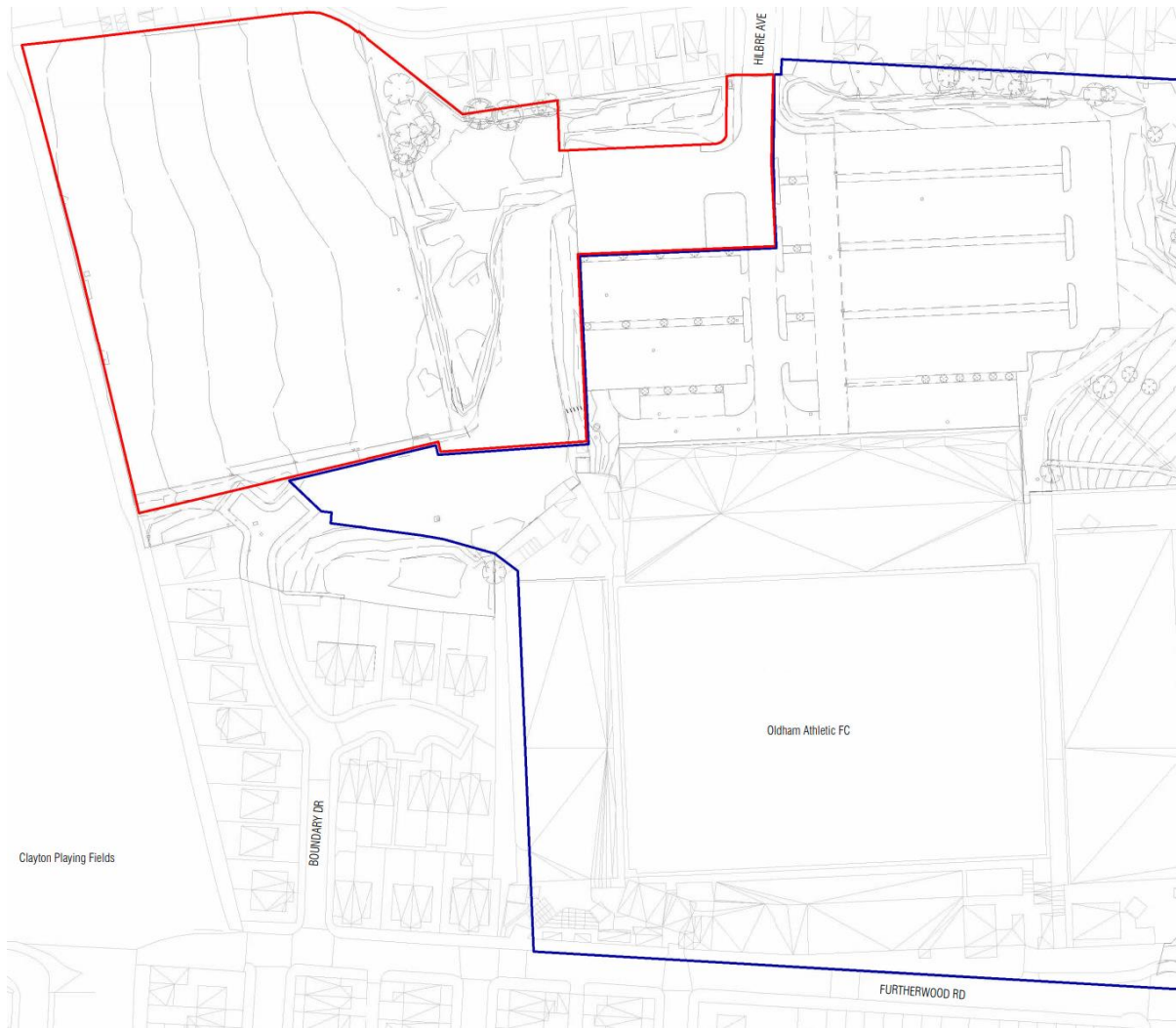
survey shall be undertaken to demonstrate that there has been no adverse impact on the condition of the culvert and the results submitted for the written approval of the Local Planning Authority. The development shall be implemented in accordance with any identified remedial measures. REASON - In order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.

6. The existing car park directly adjacent the development site shall always remain available for users of the development and the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles whilst the pitch is in use. Should the parking or turning areas be severed from the development the use hereby permitted shall cease. REASON - To ensure that adequate off-street parking and servicing facilities are provided for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.
7. No 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. 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 as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.
8. The development shall be implemented in accordance with the measures as set out in the submitted Construction Management Plan Ref: P23028 dated August 2023. REASON - To safeguard the amenities of the neighbouring residential properties and the area having regard to Policy 9 of the Oldham Local Plan.
9. The use of the pitch shall not commence until the acoustic and ball stop fencing indicated on the approved plans have been installed in full. The fencing shall be retained at all times thereafter whilst the pitch remains in use. REASON - In order to protect the amenity of neighbouring residential properties having regard to Policy 9 of the Oldham Local Plan.
10. The use of the pitch shall only take place between 09.00 and 18.00 hours on Saturdays and between 09.00 and 21.00 hours on all other days. REASON - In order to protect the amenity of neighbouring residential properties having regard to Policy 9 of the Oldham Local Plan.
11. The installation of replacement floodlighting to the site shall be carried out in accordance with the details as set out in the ATP Floodlighting Lighting Impact Assessment (Ref:SP1297 Rev 1, Pitch Lighting Details SP1297 Rev 1 plan, column details HLSSTD Rev A, and lighting unit 'Siteco' LED lamps Ref: SITECO FL11 MAXI PL33T. No lighting shall take place outside these hours except when faded to 20% of luminance for a period of 10 minutes at the end of the period allowed by Condition 10. REASON - In order to protect the amenity of neighbouring residential properties having regard to Policy 9 of the Oldham Local Plan.
12. The 1 hour LAeq from the use of the pitch when measured in free field conditions at 1.5 metres from the ground at any residential property shall not exceed 50dBA.

REASON - In order to protect the amenity of neighbouring residential properties 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: AT.23.1262.103 R.04 prior to the commencement of the use 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 development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented upon commencement of the use of the development and shall be retained thereafter REASON - To secure well managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport having regard to Policy 23 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

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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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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/352308/24 Planning Committee 5th June 2024

Registration Date: 2nd March 2024
Ward: Saddleworth South

Application Reference: FUL/352308/24
Type of Application: Full Application

Proposal: Erection of one detached dwelling and installation of dropped kerb.
Location: Land Adjacent To 4 Stockport Road, Lydgate, OL4 4JL

Case Officer: Sophie Leech
Applicant: Mr S Leigh
Agent: HNA Architects Ltd

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee as there has been significant public interest in the application.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The site relates to a parcel of land adjacent to no. 4 Stockport Road. This parcel of land is not within the Green Belt and is approximately 45 metres north of the Lydgate Conservation Area, approximately 93 metres away from St Anne's Church and approximately 66 metres away from the White Hart Inn, both of which are Grade II listed.
- 3.2 The site lies on the A6050 road and the surrounding area to the west and south is predominantly rural, whilst Lydgate merges into the larger settlement of Grasscroft to the east.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of one 4-bed dwelling with integrated garage. The application also includes a new access onto Stockport Road.

5. PLANNING HISTORY

- 5.1 FUL/351105/23 – Erection of 1no dwelling and dropped kerb – Refused, 01.08.23.
- 5.2 APP/W4223/W/22/3306367 – Appeal to PIP/348651/22 – Dismissed, 28.02.23.
- 5.3 PIP/348651/22 – Proposed development of 3no dwellings – Refused, 14.04.22.
- 5.4 FUL/346015/20 – Erection of 1 no dwelling with internal garage – Refused, 05.03.21.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan for the borough encompasses several documents, but principally the saved policies of the Joint Core Strategy and Development Management Policies DPD (Local Plan) and the recently adopted Places for Everyone Joint Plan (PfE).
- 6.2 Following the examination of PfE, all nine councils (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) considered the Inspectors' recommendations and the adoption of PfE and related documentation at Council meetings held between 28 February and 20 March 2024. All nine authorities adopted PfE and it therefore took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 6.3 PfE must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF). There are aspects of the Local Plan that have been superseded by policies in PfE and these are set out Appendix A of PfE.
- 6.4 Having regard to PfE, the following policies are considered relevant to the determination of this application:

PfE Policies:

- JP-P1 - Sustainable Places;
- JP-P2 – Heritage; and,
- Policy JP-H3 - Type, Size and Design of New Housing

Local Plan Policies:

- Policy 9 – Local Environment; and,
- Policy 24 – Historic Environment

7. CONSULTATIONS

Consultee	Comments
Saddleworth Parish Council	Object on the grounds that the proposed building will be totally out of character with the surrounding area in the green belt. An appeal submitted to the

	Planning Inspectorate was refused on the grounds that the entire site was unsuitable for development. There are several issues including highway issues, traffic calming issues and it would also detract from the iconic skyline from the church.
Highways Engineer	No objections.
Environmental Health	No objections, subject to contamination condition.
United Utilities	No objections, subject to drainage conditions.
Drainage	No comments received.
Network Rail	No objections.

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 means of neighbour notification letters, site notice and press notice.

8.2 In response to this publicity 39 objections and 1 support letter have been received. A summary of the concerns raised are outlined below:

- Inappropriate on the setting of the green belt;
- Inappropriate development next to conservation area/listed buildings;
- Not in keeping with the village;
- Scale, massing and design not in keeping;
- Highway safety issues;
- Views will be harmed from surrounding area; and,
- Ignorance to the appeal decision.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 The site is unallocated on the Local Plan Proposals Map. Given it is in close proximity to other well established dwellings, and in close proximity to public transport options and local services, the site is considered suitable for residential purposes subject to compliance with relevant policies.

10. DESIGN AND HERITAGE

10.1 Places for Everyone (2024) Policy JP-P1 (Sustainable Places) recognises the contribution that high-quality design can make to regeneration and sustainable development. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.

- 10.2 Policy 24 of the DPD and Policy JP-P1 (Heritage) seek to preserve and enhance heritage assets which include conservation areas and listed buildings. In addition, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a duty on the local planning authority when assessing development which would affect heritage assets to have special regard to the desirability of preserving listed buildings and their settings, and similarly to the desirability of preserving or enhancing a conservation area.
- 10.3 The site is close but not adjacent to the Lydgate Conservation Area and this now also applies to the Grade II listed St Anne's Church. It is also in close proximity to the White Hart Inn which is also Grade II listed. The public house is an attractive three storey building with many traditional features. The church is a well-known building within the landscape around this area and can be seen in the distance from many public vantage points.
- 10.4 The red line plan has been amended to include land surrounding the site outside of the Green Belt and therefore this is the only area development is proposed. The remaining land is included within a blue line which falls outside the application boundary meaning this land will not benefit from any additional homeowner rights such as Permitted Development.
- 10.5 Within the appeal decision, it states that the Lydgate Conservation Area's significance is derived, in part, from its topographically dramatic, and largely open, rural setting, of which the site forms part. The important contribution of the conservation area's setting is realised when approaching and entering the conservation area via the main routes of Stockport Road and Quickedge Road.
- 10.6 It is considered that the sense of spaciousness is maintained between the proposed development and Lydgate Conservation Area and St Anne's Church, therefore it is considered that the dwelling would not introduce an unacceptable impact upon the setting of the designated heritage assets.
- 10.7 The red line boundary is now much smaller than the previous refused applications and therefore would not notably erode and adversely undermine the physically and visually open qualities of the site, detrimentally altering a key characteristic of the asset's settings and, in doing so, negatively affecting the ability to appreciate their historic significance. As such, the proposed development in terms of the site area is now acceptable.
- 10.8 In regard to appearance and design, the context of the area is mixed with traditional terraced cottages and larger detached dwellings. The White Hart Inn is a substantial building at three storeys in height. The properties are set along Stockport Road and the predominant material is stone and slate. The immediate area has a traditional rural appearance. The hilltop location and surrounding open fields create long vistas in many directions. As a result, the site has prominence in the area and its immediate surroundings are open and there is a sense of spaciousness when stood outside the site. Additionally, the church adjacent to the site is a dominant feature and can be seen from views from the A669 when approaching Lydgate from the west.
- 10.9 The Design and Access Statement suggests that the scheme "*has been designed so to complement the existing street scene and has been designed to follow suit from the more appropriate and best examples along Stockport Road, with similar density and spacing, with the dwelling set slightly away from the highway to incorporate an element of soft landscaping and dry-stone walls*". The height of the dwelling has been reduced to

fit in with the lower height of no.4 Stockport Road but also at a height to respect the topography of the site, a requirement of Policy JP-P1.

10.10 The dwelling will be constructed in natural stone with a slate roof to respect the traditional character of Lydgate village and the boundary to the front will feature a dry stone wall to the sides and a picket fence around the site to ensure the boundaries are in keeping with the surrounding character.

10.11 Accordingly, the proposed development is now considered compliant with Policy JP-P1, and Policy JP-P2 in this regard.

11. RESIDENTIAL AMENITY

11.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.

11.2 As with the previous application ref: FUL/351105/23, the proposed floor plans shows the positioning of habitable room windows on the front and rear elevations only. Two ground floor side windows would face onto open land owned by the Applicant; therefore the proposal would cause little impact on residential amenity.

11.3 Policy JP-H3: Type, Size and Design of New Housing states that new residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence.

11.4 It also states that all new dwellings must:

1. Comply with the nationally described space standards; and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

Space Standards

11.5 The dwelling shows 4 bedrooms and bed space for 6 occupants. The minimum size for this size dwelling to comply with the nationally described space standards is 106m² and the dwelling measures 120.9m² and therefore complies. The Agent has confirmed that the dwelling will meet part 2 and this will also be added as a condition.

11.6 Given the above assessment, the proposed development is considered acceptable against the requirements of Policy 9 and Policy JP-H3.

12. HIGHWAYS AND PARKING

12.1 Access to the proposed dwelling will be taken directly from the A6050 Stockport Road, which is traffic calmed by stone rumble strips. In addition to this, the proposed access would be located within a traffic calmed area.

12.2 The Council's Highways Engineer has been consulted on the application and has raised no objections on highway safety grounds.

12.3 On this basis, the proposed development is acceptable having regard to Policy 9 of the DPD.

13. CONCLUSION

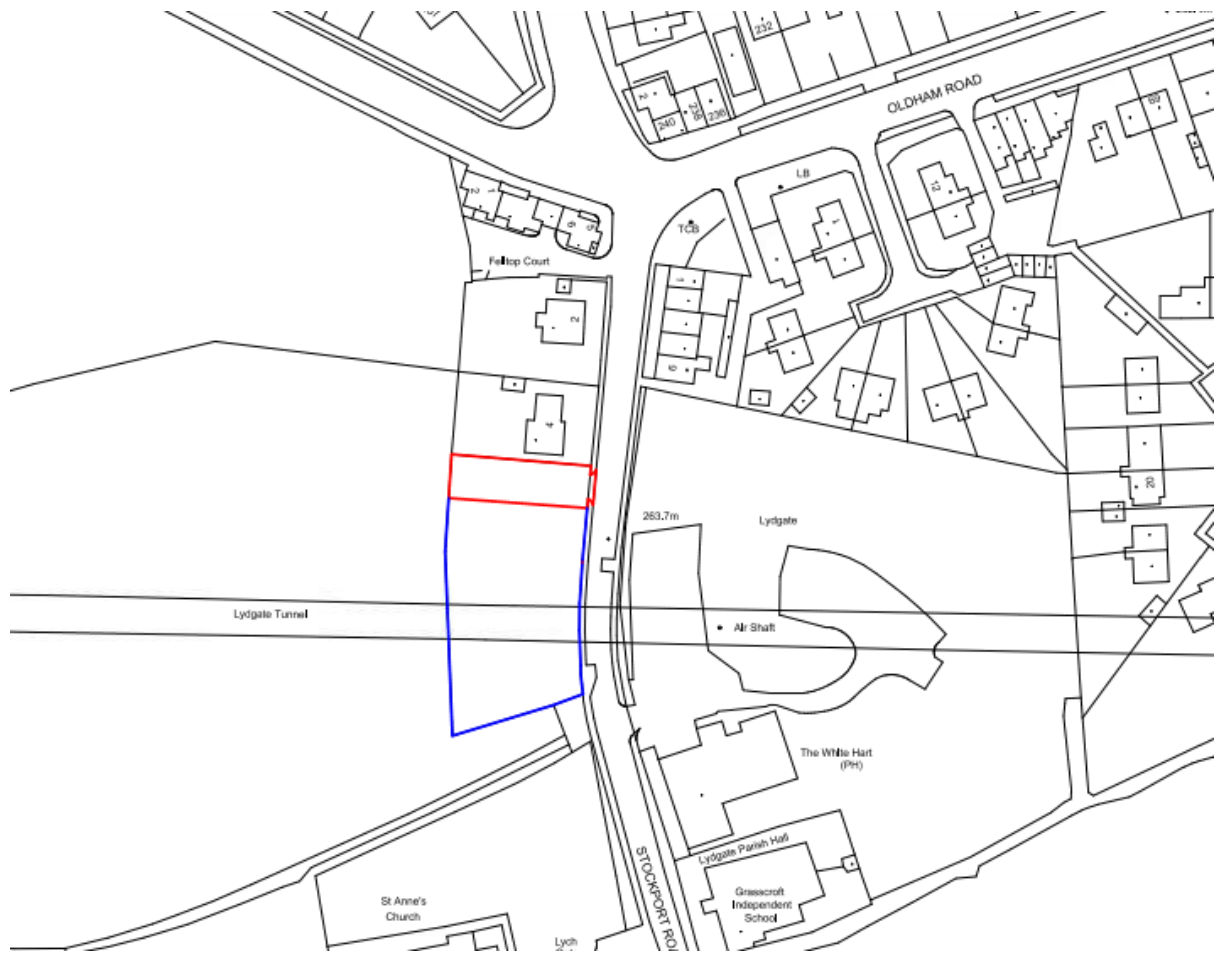
13.1 The proposal, when considered against the relevant policies identified above, is an acceptable form of development and as such is recommended for approval, subject to the following conditions.

14. RECOMMENDED CONDITIONS:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. No development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy JP-P1 of the Places for Everyone Plan (2024).
4. Prior to the commencement of any part of the development hereby approved, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained thereafter. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy JP-G4 of the Places for Everyone Plan (2024).
5. 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 during the watching brief, 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), is submitted to and approved in writing by the Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. REASON - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety having regard to Policy 9 of the Oldham Local Plan.

6. The development hereby approved shall be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. REASON – To comply with Policy JP-H3 of the Places for Everyone Plan (2024).

SITE LOCATION PLAN (NOT TO SCALE):



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APPLICATION REPORT - HOU/352460/24 Planning Committee 5th June 2024

Registration Date: 4th March 2024
Ward: Saddleworth South

Application Reference: HOU/352460/24
Type of Application: Householder

Proposal: Erection of a two-storey rear extension.
Location: Belvedere, Greenbridge Lane, Greenfield, OL3 7JR

Case Officer: Sophie Leech
Applicant: Mrs A Sheldon
Agent: Mr Ken Waddington

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee since the Applicant is related to an elected member, Councillor Graham Sheldon.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application relates to a two-storey semi-detached property located on Greenbridge Lane, Greenfield. The area is residential in character and the property sits in an elevated position above the road. The Chew Brook river lies opposite the site but is separated from the site by the highway.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of a two-storey rear extension measuring approximately 3m in depth and will span the full width of the rear elevation. The roof will be hipped to match the main roof, and all materials will match.

5. PLANNING HISTORY

- 5.1 None

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan for the borough encompasses several documents, but principally the saved policies of the Joint Core Strategy and Development Management Policies DPD (Local Plan) and the recently adopted Places for Everyone Joint Plan (PfE).
- 6.2 Following the examination of PfE, all nine councils (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) considered the Inspectors' recommendations and the adoption of PfE and related documentation at Council meetings held between 28 February and 20 March 2024. All nine authorities adopted PfE and it therefore took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 6.3 PfE must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF). There are aspects of the Local Plan that have been superseded by policies in PfE and these are set out Appendix A of PfE.
- 6.4 Having regard to PfE, the following policies are considered relevant to the determination of this application:

PfE Policies:

- JP-P1 – Sustainable Places

Local Plan Policies:

- Policy 9 – Local Environment

7. CONSULTATIONS

Consultee	Comments
Saddleworth Parish Council	No objections.

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 means of neighbour notification letters.
- 8.2 No representations have been received in response to this publicity.

ASSESSMENT OF THE PROPOSAL

9 VISUAL AMENITY AND DESIGN

- 9.1 Places for Everyone (2024) Policy JP-P1 (Sustainable Places) recognises the contribution that high-quality design can make to regeneration and sustainable development. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.
- 9.2 The proposed two-storey rear extension will be sited to the rear and will be a subservient addition to the existing property at a modest depth of 3m, with a hipped roof to match the existing roof. This design choice will ensure the extension respects the character and appearance of the existing property and wider street scene.
- 9.3 All external materials and windows will match the existing property which is considered acceptable on design grounds.
- 9.4 Accordingly, the proposed development is compliant with Policy JP-P1 in this regard.

10 RESIDENTIAL AMENITY

- 10.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.

Impact on Brooklyn, Greenbridge Lane:

- 10.2 This property is the adjoining semi-detached property and benefits from an existing single storey rear extension at approximately 3m in depth. A site visit confirmed that there is a first-floor bedroom window close to the boundary.
- 10.3 When considering the impact of the first-floor section on this window, regard has been given to the outlook and light currently received by this window. On viewing the site context, another neighbour has benefited from a very similar extension and this appears to have limited impact on neighbouring windows.
- 10.4 In this case, the first-floor section will project along the shared boundary with Brooklyn and will be close to the bedroom window, however it is considered given the orientation of the properties, there would not be significant loss of light or outlook to the bedroom window at Brooklyn. As such, this property would not be significantly negatively impacted by the development. At ground floor, this property would not be affected in regard to a loss of outlook or light to windows given the presence of their own single storey rear extension.
- 10.5 As such, the impact on this property is considered acceptable.

Impact on Ferndale, Greenbridge Lane:

- 10.6 This property is the other immediate neighbour and this property benefits from a two-storey rear extension at a similar depth. Due to the separation distance between both properties, this property would not be affected by a loss of light or outlook.
- 10.7 This property has an existing habitable bedroom window on the side elevation that directly faces the application site's current bathroom window which is on their side elevation. This window is proposed to be changed to a bedroom window but with obscure glazing at the lowest part, therefore maintaining amenity towards the bedroom window at Ferndale. A planning history search found that no permission has been granted for the clear glass side facing bedroom window at Ferndale, therefore on this basis, the inclusion of a part obscured window to serve a new bedroom at the application site is considered acceptable as measures have been put in place to maintain amenity of both properties. As such, the impact on this property is considered acceptable.
- 10.8 Given the above assessment, the proposed development is acceptable having regard to Policy 9 of the DPD.

11 CONCLUSION AND RECOMMENDATION

- 11.1 The proposal accords with the objectives of both the Local Plan policies identified above and the NPPF, and as such is recommended for approval, subject to the conditions listed below.

12 CONDITIONS:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those used in the existing building. REASON - To ensure that the appearance of the existing building is acceptable having regard to Policy JP-P1 of the Places for Everyone Plan (2024).

SITE LOCATION PLAN (NOT TO SCALE):



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APPLICATION REPORT – VAR/352279/24 Planning Committee 5th June 2024

Registration Date: 26th January 2024
Ward: Chadderton South

Application Reference: VAR/352279/24
Type of Application: Full (Variation of Condition)

Proposal: Variation of Condition 3 relating to application PA/341172/17 to allow for use of pitch from 9.00am to 9.30pm for school use and wider community use, 7 days a week.

Location: Yew Tree Community School, Alcester Street, Chadderton.

Case Officer: Abiola Labisi
Applicant: Mr. Rais Bhatti
Agent: (None)

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation since the development is located on land owned by the Council and objections to the application 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 Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application site forms part of the Yew Tree Community School and is located to the south-west of the existing school buildings and currently comprises of an artificial grass football pitch approximately 60m x 30m in area.
- 3.2 The school is within a predominantly residential area.
- 3.3 There is a gated vehicular access and drive off Alcester Street leading to the pitch.

4. THE PROPOSAL

- 4.1 The application seeks a variation to condition 3 attached to planning permission granted under application reference PA/341172/17 for an artificial surface multi use games area (MUGA) and associated fencing on an area of the school playing field. This condition states:

“For a temporary period of 12 months from the date of this permission the use hereby approved shall not operate outside of the following hours:

08.00 Hours - 19.00 Hours (Monday to Friday)
09.00 Hours - 13.00 hours (Saturdays)
10.00 Hours - 13.00 Hours (Sundays and Bank and Public Holidays)

Following the expiration of the 12 month period specified above, the permitted use shall thereafter be limited to use by pupils of Yew Tree Community School between the following hours:

08.00 Hours - 17.30 Hours (Monday to Friday)

Reason - The permission for a limited period will allow the Local Planning Authority to assess the impact of the use on the local area”.

- 4.2 Planning permission was subsequently granted under reference FUL/350732/23 for the installation of floodlights on 30th January 2024. This application proposes for the above condition to be varied to allow the use of the pitch from 9.00am to 9.30pm each day of the week for use by the school and wider community with the later evening hours enabled by the approved floodlighting.

5. PLANNING HISTORY

- 5.1 Under planning ref. PA/341172/17, retrospective permission was granted on 24th October 2018 for the retention of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field. Three conditions were attached to the permission, Condition 1 being the approved details, Condition 2 related to the Parking Management Plan and Condition 3 related to hours of use.
- 5.2 Under planning ref. FUL/350732/23, permission was granted for installation of new lighting columns along with LED lighting to light 3G football pitch on 30th January 2024. Four conditions were attached to the permission, Condition 1 being the time limit condition, Condition 2 being the approved details, Condition 3 being the illuminance level for the flood lighting and Condition 4 being hours within which the lighting could be used. Condition 4 allowed the floodlights to be used between 1530 and 2130 hours daily.

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 unallocated within this document. Also, the Places for Everyone Joint Plan for the Greater Manchester Area was adopted in March 2024 and this documents also forms a material consideration in the assessment 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 2 – Communities;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 9 - Local Environment;
- Policy 23 – Open Spaces and Sports;
- Policy JP-P1 Sustainable Places – (Places for Everyone);

- Policy JP-P7: Sport and Recreation – (Places for Everyone)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. No objection subject to condition relating to noise level.
Sport England	Formal response received and no objection raised
Highways	Formal response received. No objection subject to proposal implemented in accordance with the Parking Management Plan.

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 minor development by neighbour notification letters and display of a site notice.
- 8.2 In response, 7 representations have been received raising the following material planning issues:
- Parking and highway safety issues (addressed in paras 12.3 – 12.7);
 - Light pollution (addressed in paras 10.6 and 10.7); and,
 - Noise disturbance (addressed in paras 10.2, 10.3 and 10.4).
- 8.3 Other issues raised in the objection which are however not afforded any weight in the assessment because they are not material planning considerations in this instance include issues relating to litter, anti-social behaviours and effect on value of properties.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 Whilst the application site is unallocated within the Oldham Local Plan, it is however an established playing pitch. In relation to sport and physical activities, para. 102 of the National Planning Policy Framework states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. In the same vein, Policy JP-P7 (Sport and Recreation) of the Places for Everyone Joint Plan provides that a network of high quality and accessible sports and recreation facilities will be protected and enhanced, supporting greater levels of activity for all ages, including by creating a public realm that provides frequent opportunities for play and that all ages can enjoy together.
- 9.2 The proposal would allow for a more effective and more efficient use of the playing pitch by making it accessible to a wider section of the community. The increased opportunity

for play would enhance sport and physical activities in the neighbourhood and this would enhance the health and well-being of the community. As such, the proposal would be in accordance with relevant provisions of paragraph 102 of the NPPF and Policy JP-P7 of the Places for Everyone Joint Plan.

- 9.3 The site is also subject of a previous planning permission reference FUL/350732/23 for the installation of floodlights. It is considered that the proposal permitted under FUL/350732/23 is to further enhance the use of the pitch.
- 9.4 Having regard to these considerations the principle of development is acceptable.

10. RESIDENTIAL AMENITY

- 10.1 Having regard to the requirements of Policy 9 of the Oldham Local Plan, the impact of the development on surrounding residents needs to be considered. In this instance, the proposal does not involve any construction works but only relates to the use of the pitch. As such, there would be no overbearing, overshadowing, or overlooking issues.
- 10.2 The main impact on residential amenity is potential noise disturbance as well as light pollution due to the proposed extended hours of use of the pitch. It is however noted that the pitch is well separated from the neighbouring dwellings and this separation gap would limit any potential noise disturbance from the use of the pitch.
- 10.3 Notwithstanding the separation distance between the pitch and neighbouring properties, to ensure that the proposal would not lead to significant noise disturbance, the applicant was requested to undertake a noise assessment and the report of the assessment indicates that the proposal would not lead to unacceptable levels of noise pollution.
- 10.4 The noise report has been reviewed by the Council's Environmental Health Officers and they have advised that they have no objection to the proposal.
- 10.5 Regarding potential light pollution, the application seeks permission for the use of the pitch until 9.30pm and as such, there would be a need for the use of floodlights in the evenings.
- 10.6 Whilst no lighting details have been provided as part of this application, it is noted that permission for the installation of floodlights on the site was approved under planning ref. FUL/350732/23. An assessment of potential light pollution was undertaken as part of the assessment of that application, and it was concluded that the proposed floodlighting would not lead to significant light pollution and hence, permission was granted for the floodlighting. The permission allows the floodlights to be used up till 9.30pm daily.
- 10.7 The current application seeks permission for the use of the pitch up to 9.30pm. This time aligns with the time approved for the use of floodlights on the pitch. Since planning application reference FUL/350732/23 already establishes that there would be no significant light pollution as a result of the floodlights proposed under that permission, and on the assumption that any lighting would be in accordance with that permission, it is considered that the current proposal would not lead to any significant light pollution.

11. DESIGN AND INTEGRATION WITH LOCAL CHARACTER

- 11.1 The proposal does not involve any construction works neither does it include any physical alterations to the pitch and as such, it is considered that the proposal would not lead to any harm to the character of the area.

12. HIGHWAY SAFETY

- 12.1 The application does not include the formation of a new vehicular access as existing access to the school car park would be used. The applicant has stated further that the existing school car parks would be used to facilitate the proposed variation of use.
- 12.2 As an existing vehicular access which is considered to be adequate would be used, the main highway issue is considered to be parking related due to the extended hours of use of the pitch and with it being made available to the wider community. Whilst the applicant has indicated that the existing school car parks would be used, it was considered necessary to request further details on how parking would be managed to ensure that the proposal would not result in unacceptable on-street parking.
- 12.3 Accordingly, the applicant was requested to provide a Parking Management Plan for the consideration of the Planning Authority.
- 12.4 The Parking Management Plan indicates that the school has about 70 off-street parking spaces. It is stated in the Parking Management Plan that the pitch, which is approx. 60m x 30m in size, does not meet the FA requirement for adult competitive football and as such, this would limit its usage to mainly junior category of users. The applicant has stated that given the limitations resulting from the size of the pitch, it is not expected that the use would generate a level of vehicular traffic that cannot be accommodated by the existing parking spaces on site.
- 12.5 It is stated further in the Parking Plan that the pitch would only be available for use by the wider community when the school is not in session and as such, the parking spaces would always be available for external users of the pitch. A member of staff would also be available any time the pitch is to be used by external parties to direct users to the parking areas.
- 12.6 Therefore, having regard to the size of the pitch and the number of parking spaces available on site, and subject to the facility being used in accordance with the details in the Parking Management Plan, it is not considered that the proposed use of the pitch would lead to on-street parking of a level that would cause severe detrimental highway issues.
- 12.7 The application has been reviewed by the Council's Highway Engineer who has raised no objections subject to the imposition of a condition requiring that the development be implemented in accordance with the approved Parking Management Plan.

13. CONCLUSION

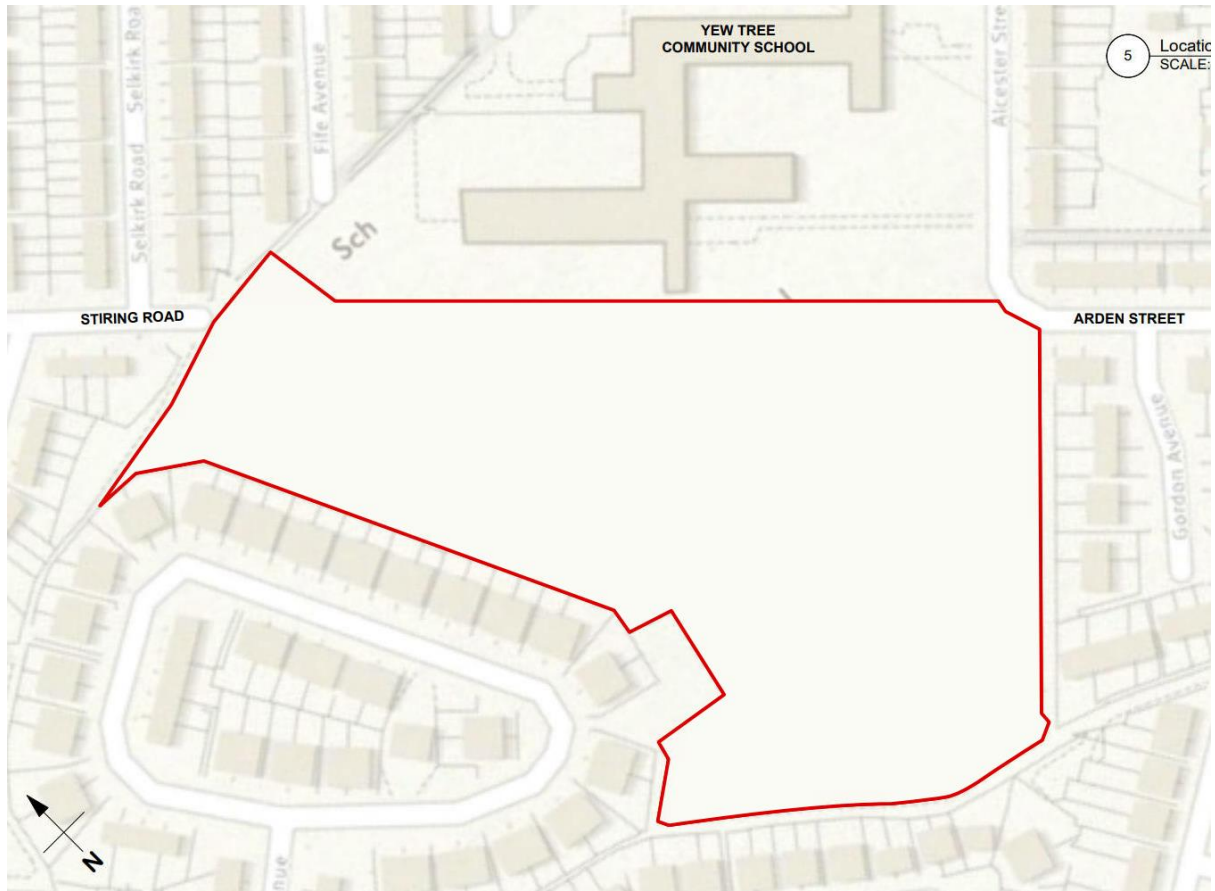
- 13.1 The proposed development is considered acceptable in principle given that it would not lead to any significant adverse impact on the amenity of the occupiers of neighbouring properties neither would it cause any severe detrimental highway issues. In addition, by virtue of the nature of the proposal, there would be no harm to the character of the area as a result of the proposal.

13.2 It is therefore recommended that the proposal be approved, subject to conditions.

14. RECOMMENDED CONDITIONS

1. The 1 hour LAeq from the use of the pitch shall not exceed 46dB when measured in free field conditions at 115 Sycamore Avenue, Chadderton or at 46 Alcester Street, Chadderton (or at equivalent representative measurement locations). REASON – In the interest of the amenity of the occupiers of neighbouring properties, in accordance with Policy 9 of the Oldham Local Plan
2. All fence panels around the pitch must be securely clamped together and to existing supporting poles using resilient fixings in order to minimise resonance of the fence from ball strikes. REASON - In the interest of the amenity of the occupiers of neighbouring properties, in accordance with Policy 9 of the Oldham Local Plan.
3. The development hereby approved shall be carried out in full accordance with the Parking Management Plan submitted with the application and titled – “Parking Management Plan for Yew Tree Community School – Variation of Condition 3 relating to PA/341172/17”. REASON - To ensure that adequate off-street parking facilities are provided for the development so that parking does not take place on the highway to the detriment of highway safety, in accordance with Policy 5 of the Oldham Local Plan.
4. The pitch shall not be used for sporting purposes beyond 21.30pm everyday. REASON - In the interest of the amenity of the occupiers of neighbouring properties, in accordance with Policy 9 of the Oldham Local Plan.

ITE LOCATION PLAN (NOT TO SCALE):



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PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

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APPLICATION REPORT - HOU/352265/24 Planning Committee 5th June 2024

Registration Date: 24th January 2024
Ward: Saddleworth South

Application Reference: HOU/352265/24
Type of Application: Householder

Proposal: Construction of patio, consisting of a steel frame topped with GRP decking, on the first floor of the back elevation to the dwelling.

Location: 66B Chew Valley Road, Greenfield, Oldham, OL3 7DB

Case Officer: Brian Smith
Applicant: Mr and Mrs Alan Gill
Agent: Mr Raad Al-Hamdani

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation since the agent is an immediate family member of Councillor Sam Al-Hamdani.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 This application concerns the former Greenfield Conservative Club which now functions as four dwellings following the implementation of an earlier grant of planning permission, referenced PA/341205/18 (see history section of this report).

4. THE PROPOSAL

- 4.1 Following the earlier granting of planning permission for balconies to the rear of both 66C & 66D Chew Valley Road, permission is now sought for the addition of a further balcony to the rear of 66B Chew Valley Road similarly supported by columns and enclosed by a glazed balustrade, accessed via an existing opening which currently functions as a 'Juliet' balcony. The existing parking arrangements continue to be unaffected.

5. PLANNING HISTORY

- 5.1 MMA/344016/19 - Retrospective Minor Material Amendment to PA/341205/18 to regularise flat roof box dormer front extensions, roof extensions to the rear, alteration to window fenestration, and associated works - Approved 12/11/19.
- 5.2 MMA/343414/19 - Retrospective Minor Material Amendment to PA/341205/18 to regularise flat roof box dormer front extensions, roof extensions to the rear, alteration to window fenestration, and associated works - Approved 26/09/19.
- 5.3 PA/341205/18 - Change of use of club into four dwellings - Approved 03/07/18.

6. RELEVANT PLANNING POLICIES

- 6.1 Following the examination of the Places for Everyone Plan, all nine councils considered the Inspectors' recommendations and the adoption of the Places for Everyone (PfE) Plan and related documentation at Council meetings held between 28 February and 20 March 2024. All nine authorities adopted the PfE Plan and the Plan therefore took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (hereinafter referred to as the NPPF). There are aspects of the Joint DPD that have been superseded by policies in the PfE Plan and these are set out Appendix A of the Plan.
- 6.3 The Places for Everyone Joint Development Plan Document (PfE) now forms a part of the development plan for Oldham. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the policies of the Oldham Local Plan and PfE are therefore applicable to the assessment and determination of all planning applications.
- 6.4 In this case the following policies are relevant:

Local Plan Policies:

- Policy 9 - Local Environment

Places for Everyone Plan:

- Policy JP-P1 (Sustainable Places)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Saddleworth Parish Council	Approval recommended

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 other development by means of neighbour notification letters.
- 8.2 No representations have been received in response to such publicity.

ASSESSMENT OF THE PROPOSAL

9. VISUAL AMENITY AND DESIGN

- 9.1 Amongst other criteria, Policy JP-P1 Sustainable Places of the PfE Plan states that all development, wherever appropriate, should respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale, and materials used.
- 9.2 Furthermore, the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.
- 9.3 The proposed balcony, which would share characteristics with the earlier approved balconies to the rear of this former club, is evidently equally compliant with the aims of the relevant development plan policies and the objectives of the NPPF insofar as design matters are concerned.

10. RESIDENTIAL AMENITY

- 10.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.
- 10.2 Having regard to the above, adequate distance would be maintained between the proposed balcony and the neighbouring dwellings thereby ensuring that an invasive degree of overlooking and other nuisances associated with such development is avoided in this instance. This is evidenced somewhat by the absence of any objections.
- 10.3 Accordingly, the proposed development is considered equally compliant in this regard.

11. CONCLUSION

- 11.1 It is considered that the proposed development accords with the relevant local plan policies, Places for Everyone Plan policies, and the NPPF, and therefore it is recommended that the application be approved.

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.

SITE LOCATION PLAN (NOT TO SCALE):

Notes



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APPLICATION REPORT - HOU/352544/24 Planning Committee, 5th June 2024

Registration Date: 2nd April 2024
Ward: Saddleworth South

Application Reference: HOU/352544/24
Type of Application: Householder

Proposal: Erection of a first-floor rear/side extension.

Location: 1 Woodfield Centre, Oldham, OL8 4ER

Case Officer: Matthew Taylor
Applicant: Dr Z Chauhan
Agent: Mr Jitesh Bhatt

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation since the applicant is elected Councillor Zahid Chauhan.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 This application site is no.1 Woodfield Centre, Oldham, which is a modern detached 'L' shaped property set within a part completed self-build development, which is part of a larger scheme for the development of up to 12no. detached dwellings.

4. THE PROPOSAL

- 4.1 Planning consent is sought for the erection of a first floor rear and side extension, which will be of a glazed construction with obscure glazing used in the side elevation.

5. PLANNING HISTORY

- 5.1 No relevant planning history.

6. RELEVANT PLANNING POLICIES

- 6.1 Following the examination of the Places for Everyone Plan, all nine councils considered the Inspectors' recommendations and the adoption of the Places for Everyone (PfE) Plan and related documentation at Council meetings held between 28 February and 20 March 2024. All nine authorities adopted the PfE Plan and the Plan therefore took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (hereinafter referred to as the NPPF). There are aspects of the Joint DPD that have been superseded by policies in the PfE Plan and these are set out Appendix A of the Plan.
- 6.3 The Places for Everyone Joint Development Plan Document (PfE) now forms a part of the development plan for Oldham. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the policies of the Oldham Local Plan and PfE are therefore applicable to the assessment and determination of all planning applications.
- 6.4 In this case the following policies are relevant:

Local Plan Policies:

- Policy 9 - Local Environment

Places for Everyone Plan:

- Policy JP-P1 (Sustainable Places)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Highway Engineer	Does not wish to restrict the granting of planning permission.
Tree Consultation	No objection.
Environmental Health	No comments received.

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 other development by means of neighbour notification letters.

8.2 No representations have been received in response to such publicity.

ASSESSMENT OF THE PROPOSAL

9. VISUAL AMENITY AND DESIGN

- 9.1 Amongst other criteria, Policy JP-P1 Sustainable Places of the PfE Plan states that all development, wherever appropriate, should respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale, and materials used.
- 9.2 Furthermore, the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.
- 9.3 It is considered the proposed extension would appear acceptable in scale and massing in relation to the existing property, as it would appear as a subservient addition. Moreover, it would not have a detrimental impact on the character and appearance of the street scene, as due to its position it would be screened from view from the main public vantage points.

10. RESIDENTIAL AMENITY

- 10.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.
- 10.2 Having regard to the above, adequate distances would be maintained between the proposed first floor side/rear extension and the neighbouring dwellings to the rear, thereby ensuring that an invasive degree of overlooking and other nuisances associated with such development is avoided in this instance. With regard to the impact on the neighbouring plot to the east, it is noted on the proposed plans that the applicant has addressed a possible overlooking issue through the inclusion of obscure glazing panels in the side elevation. This is considered to fully address this concern and an appropriately worded planning condition to require this in perpetuity is attached to the recommendation.

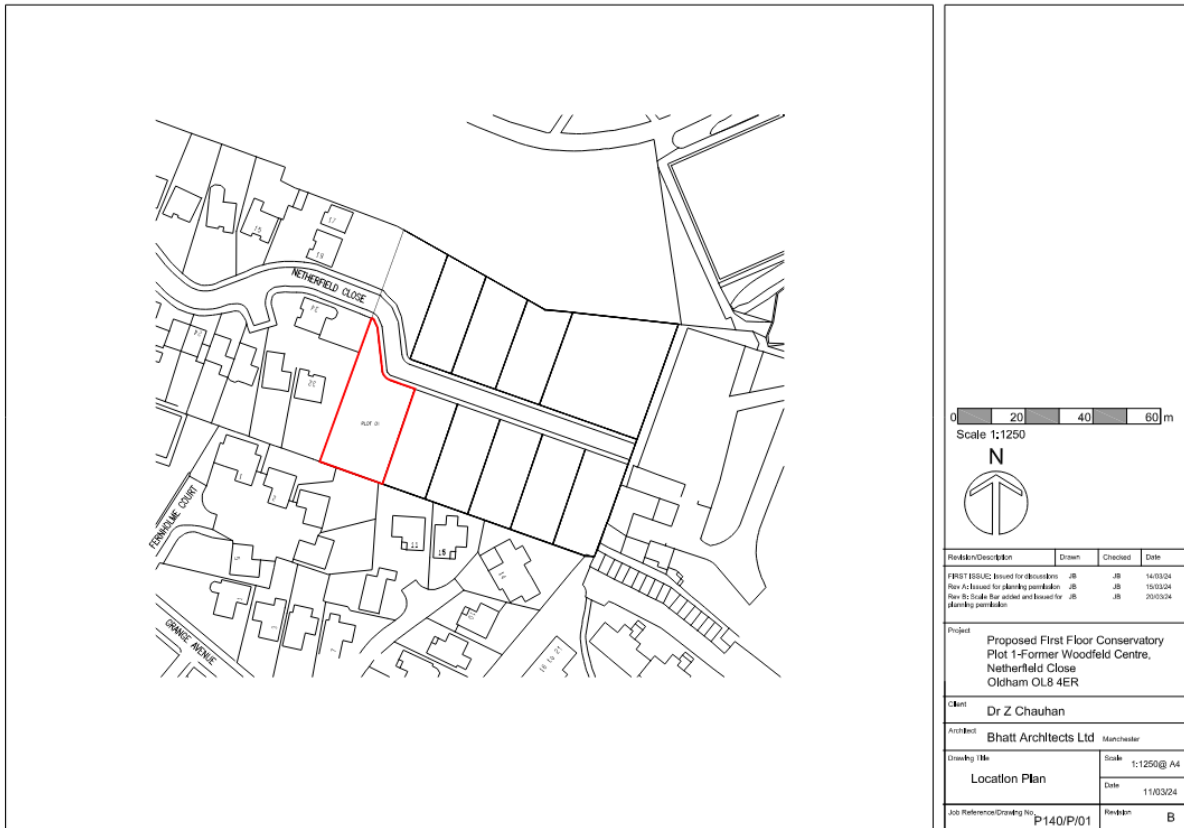
11. CONCLUSION

- 11.1 Having considered the proposals against the policies identified above the design, appearance, and relationship with other properties is acceptable, and the application is therefore recommended for approved subject the conditions listed below.

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. Prior to the first occupation or use of hereby approved extension, obscured glazing panels to a minimum of level 3 on the Pilkington scale shall be fitted in the southeast facing side elevation. The approved panels shall not thereafter be replaced other than with glazing of an equivalent or greater degree of obscurity. REASON - To prevent overlooking of neighbouring property having regard to Policy 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



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Planning Appeals Update

Planning Committee

Report of Assistant Director Planning, Transportation & Housing Delivery

DATE OF COMMITTEE

5 June 2024

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 17 April 2024. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between Friday 29 March 2024 and Friday 10 May 2024 which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
MMA/350017/22	149A Manchester Road Greenfield OL3 7HJ	Ongoing	08/08/2023	Variation of Condition 2 (approved plans) and 11 (obscured glazing) relating to approved application MMA/345170/20
HOU/348050/21	42 Wakefield Drive, Chadderton	Ongoing	26/09/2023	Single storey rear extension with roof terrace
OUT/350032/22	Westwood Medical Centre Winterbottom St Oldham	Dismissed, 10/04/2024	24/11/2023	Outline application for 16 storey apartment building for 120 flats with associated on-site parking and private gated site access, following demolition of existing building. Approval of Access, Layout, and Scale are sought. All other matters reserved.
FUL/350285/22	7 Parkgate Chadderton Oldham	Dismissed, 11/04/2024	11/12/2023	Erection of a metal mesh canopy to front of building with a metal shutter to be locked at night, including metal pillars to hold the entire structure.

FUL/349936/22	94 Lane Head Road Oldham OL4 5RT	Ongoing	26/01/2024	Application for redevelopment of garage for the provision of one dwelling
HOU/351207/23	Blunder Hall Stables Dirty Lane Strinesdale Oldham	Dismissed, 11/04/2024	24/01/2024	Revision of application HOU/350754/23 for a detached garage
HOU/351315/23	9 Bainbridge Road Oldham	Ongoing	31/01/2024	Repositioning of boundary fence
FUL/350662/23	Cribbstones Delph New Road Delph	Dismissed, 17/04/2024	06/02/2024	Erection of timber fence to boundary (retrospective application) and proposed railings to entrance
FUL/350825/23	Land Adjacent To 36 Delph Road Denshaw	Ongoing	28/03/2024	Garage and car port
FUL/350806/23	Besom Hill End Farm 817 Ripponden Road Oldham	Ongoing	27/02/2024	Retrospective application for the change of use of land for the storage of demolition equipment for a period of a further three years, and retention of associated engineering and hard landscaping works
ADV/351425/23	Alexandra Centre Retail Park Park Road Oldham	Ongoing	21/03/2024	Installation of 1 no. internally illuminated 48 LED sheet advertising digital poster.
HOU/351778/23	79 Cambridge Street Oldham OL9 7BY	Ongoing	25/03/2024	Erection of a single storey rear extension and a rear dormer with gable build up.

FUL/351802/23	381 Oldham Road Royton	Ongoing	06/03/2024	Replacement of shutters and boxings, including replacement of shop window and door
ADV/351813/23	150 Broadway Chadderton	Ongoing	05/03/2024	Replacement of 1 no. existing 48 sheet poster board with an internally illuminated digital advertising screen (D-Poster).
TEL/351889/23	Rhodes Bank Land To The South Of Roscoe Street Car Park Oldham	NEW	30/04/2024	Proposed NTQ telecommunications installation. Proposed 20m High Valmont climbable monopole on 5.2 x 5.2 x 1.4m deep concrete base with config 2 circular headframe for 6No. Antennas Apertures at 30 degrees/170 degrees /280 degrees & 4No. 600 degrees dishes. BOB's, MHA's and active routers to be fixed to headframe behind Antennas and associated ancillary works.
HOU/352063/23	11 Sheraton Road Oldham OL8 1AZ	NEW	23/04/2024	Construction of a front 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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