

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 17 July 2024

Time 6.00 pm

Venue Lees Suite, 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, 12 July 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.

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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 - 10)
The Minutes of the meeting of the Planning Committee held on 5th June 2024 are attached for Members' approval.
- 6 FUL/349416/22 - Ivy Mill, Crown Street, Failsworth (Pages 11 - 26)
Conversion of part of existing mill and addition of four additional floors to create 98 apartments, creation of additional level of parking over existing car park and associated works.
- 7 FUL/350791/22 - Land to the south of Lilac View Close and to the west of Knowl Road, Shaw (Pages 27 - 38)
Erection of 21 no. residential dwellings with associated landscaping and highways works.
- 8 FUL/352515/24 - Land at Snipe Clough, Oldham (Pages 39 - 52)
Full application for the erection of a visitor centre, events building, forestry depot, necessary infrastructure, hard and soft landscaping, vehicular and cycle parking, and pedestrian movements

- 9 RES/352568/24 - Land at Snipe Clough, Oldham (Pages 53 - 62)
Application for approval of all Reserved Matters in respect of Phase A (Upper Market Garden) relating to approved application FUL/348898/22)
- 10 HOU/352729/24 - 42 Parkfield, Chadderton (Pages 63 - 70)
Erection of a single storey rear extension.
- 11 HOU/352509/24 - 54 Parkfield, Chadderton (Pages 71 - 78)
Erection of a single storey rear extension.
- 12 Appeals Update (Pages 79 - 82)

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PLANNING COMMITTEE
05/06/2024 at 6.00 pm

Present: Councillor Hince (Chair)
Councillors Akhtar, Z Ali, Cosgrove, Davis, Harkness (Vice-Chair), Hobin, Hurley, Iqbal, Nasheen, Quigg, Williamson and Woodvine

Also in Attendance:

Graham Dickman	Special Projects Development Lead
Alan Evans	Group Solicitor
Abiola Labisi	Planning Officer
Sophie Leech	Planning Officer
Martyn Leigh	Development Management Team Leader
Kaidy McCann	Constitutional Services
Wendy Moorhouse	Principal Transport Officer
Peter Richards	Head of Planning

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Charters.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Councillor Akhtar declared an interest at item 7 by virtue of being on the board for Jigsaw Homes.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 17th April 2024 be approved as a correct record.

6 **VAR/352405/24 - LAND OFF HAVEN LANE, MOORSIDE**

APPLICATION NUMBER: VAR/352405/24

APPLICANT: Andy Roberts

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

It was MOVED by Councillor Williamson and SECONDED by Councillor Davis that the application be REFUSED against Officer recommendations.



On being put to the vote 7 VOTES were cast IN FAVOUR OF REFUSAL 5 and VOTES were cast AGAINST with 1 ABSTENTIONS.

DECISION: That the application be REFUSED for the following reasons:

The proposed traffic calming scheme would result in the loss of on-street car parking facilities adding to increased pressures in adjacent areas to the detriment of the amenity of local residents and contrary to Policy 9 of the Oldham Local Plan.

NOTES:

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

7 FUL/352158/23 - FOUNDRY STREET, OLDHAM

APPLICATION NUMBER: FUL/352158/23

APPLICANT: Eden Planning & Development Ltd

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

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

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

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

NOTES:

1. That the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 15.

8 VAR/352459/24 - "LITTLE WEMBLEY" TRAINING PITCH, OLDHAM ATHLETIC FOOTBALL CLUB, BOUNDARY PARK, OLDHAM

APPLICATION NUMBER: VAR/352459/24

APPLICANT: Oldham Athletic Football Club

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

It was MOVED by Councillor Harkness and SECONDED by Councillor S. Hussain that the application be APPROVED.

On being put to the vote 9 VOTES were cast IN FAVOUR OF APPROVAL and 4 VOTES were cast AGAINST with 1 ABSTENTIONS.

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

NOTES:

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

9

FUL/352308/24 - LAND ADJACENT TO 4 STOCKPORT ROAD, LYDGATE

APPLICATION NUMBER: FUL/352308/24

APPLICANT: Mr S Leigh

PROPOSAL: Erection of one detached dwelling and installation of dropped kerb.

LOCATION: Land Adjacent To 4 Stockport Road, Lydgate, OL4 4JL

It was MOVED by Councillor Woodvine and SECONDED by Councillor Williamson that the application be REFUSED against Officer recommendations

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

DECISION: That the application be REFUSED for the following reasons:

Visually the application site formed part of a larger open area which adjoined the green belt. By virtue of its topography and appearance it represented an important part of the rural and historic character of Lydgate including the significance of the



Lydgate Conservation Area and the setting of the grade II listed White Hart Public House and St Annes Church buildings. The proposed development, by virtue of its location and height, would harm this established character and be detrimental to the appearance of the local area. As such, the development would be contrary to the requirements of Local Plan Policies 9 (Local Environment), 24 (Historic Environment), and Policies JP-P1 (Sustainable Places) and JP-P2 (Heritage) of the Places for Everyone Joint Development Plan.



NOTES:

1. That an Objector and a Ward Member attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 15.

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HOU/352460/24 - BELVEDERE, GREENBRIDGE LANE, GREENFIELD

APPLICATION NUMBER: HOU/352460/24

APPLICANT: Mrs A Sheldon

PROPOSAL: Erection of a two-storey rear extension.

LOCATION: Belvedere, Greenbridge Lane, Greenfield, OL3 7JR

It was **MOVED** by Councillor Woodvine and **SECONDED** by Councillor Cosgrove that the application be **APPROVED**.

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

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

11

VAR/52279/24 - YEW TREE COMMUNITY SCHOOL, ALCESTER STREET, CHADDERTON

APPLICATION NUMBER: VAR/352279/24

APPLICANT: Mr. Rais Bhatti

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.

It was MOVED by Councillor Harness and SECONDED by Councillor Akhtar that the application be APPROVED



On being put to the vote 7 VOTES were cast IN FAVOUR OF APPROVAL and 5 VOTES were cast AGAINST with 1 ABSTENTIONS.

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

NOTES:

1. That an Objector, the Applicant and a Ward Member attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 15.

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HOU/352265/24 - 66B CHEW VALLEY ROAD, GREENFIELD

APPLICATION NUMBER: HOU/352265/24

APPLICANT: Mr and Mrs Alan Gill

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

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

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

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

13

HOU/352544/24 - 1 WOODFIELD CENTRE, OLDHAM

APPLICATION NUMBER: HOU/352544/24

APPLICANT: Dr Z Chauhan

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

LOCATION: 1 Woodfield Centre, Oldham, OL8 4ER

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

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

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



14 **APPEALS UPDATE REPORT**

RESOLVED that the Appeals Update be noted.

15 **LATE LIST**

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

The meeting started at 6.30 pm and ended at 10.13 pm

APPLICATION REPORT - FUL/349416/22 Planning Committee 17th July 2024

Registration Date: 28th July 2022
Ward: Failsworth East

Application Reference: FUL/349416/22
Type of Application: Full Application

Proposal: Conversion of part of existing mill and addition of four additional floors to create 98 apartments, creation of additional level of parking over existing car park and associated works.

Location: Ivy Mill, Crown Street, Failsworth, Oldham, M35 9BG.

Case Officer: Matthew Taylor
Applicant: Mr Navid Dean
Agent: Simon Plowman

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee as the development is a major application.

2. RECOMMENDATION

- 2.1 It is recommended that the application be refused for the reasons set out in the 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 Ivy Mill, a five-storey industrial building first built in 1883 and later extended in 1890. This 19th Century mill also has a detached red brick chimney located at the southwest corner of the mill building.
- 3.2 The application site is situated within Failsworth Pole Conservation Area and the mill building is considered to be a Non-Designated Heritage Asset. The site is also allocated within a Business Employment Area by the Proposals Map of Oldham's Joint DPD. The application site is bounded by a mixture of industrial and residential buildings to the north, east and southern directions, with the Rochdale Canal to the west.
- 3.3 Currently the building is partially occupied for employment and leisure purposes, however, it is clear the building has not been fully occupied for a long period of time.

4. THE PROPOSAL

4.1 Permission is sought for the conversion of part of existing mill and addition of four additional floors to create 102 apartments, creation of additional level of parking over existing car park and associated works.

4.2 The break downs of units are as follows:

- Ground floor - 6 x 2 bed flats
- 1st floor - 1 x 3 bed flats and 8 x 2 bed flats
- 2nd floor - 2 x 2 bed flats
- 3rd floor - 0 units
- 4th floor - 2 x 1 bed flats and 19 x 2 bed flats
- 5th Floor - 4 x 3 bed flats and 18 x 2 bed flats
- 6th Floor - 4 x 3 bed flats and 18 x 2 bed flats
- 7th Floor - 4 x 1 bed flats and 10 x 2 bed flats
- 7th and 8th floor - 4 x 2 bed DUPLEX and 4 x 3 bed DUPLEX.

TOTAL 102 units

5. PLANNING HISTORY

5.1 TL/343320/19 - Upgrade existing roof top base station – Prior Approval Requested and Granted 24.7.2019.

5.2 PA/342718/18 - Replacement of the 6no. antennas on the 35m high chimney with 6no. antenna apertures in the same location, along with development ancillary thereto. Granted 01.04.2019.

5.3 PA/338397/16 - Change of Use of Unit G3 to D2 (leisure) fitness studio – Granted 22.07.2016.

5.4 PA/335859/14 - Change of Use from storage to fitness studio – Granted 24.11.2014.

5.5 TL/333796/13 - 1) Replacement of 6 no. antennas 2) Erection of 2 no. radio equipment cabinets and ancillary development - Prior Approval Requested and Granted 16.05.2013.

5.6 PA/332994/12 - Change of use to D1 nursery and childcare facility – Granted 20.12.2012.

5.7 PA/053875/07 - Installation of 1 No. 400mm diameter transmission dish on existing headframe – Granted 26.10.2007.

5.8 PA/044887/03 - Conversion of 3rd and 4th floor of mill from manufacturing use to office accommodation and office space to let, and creation of new and alteration to existing vehicular access points to site – Granted 15.07.2003.

5.9 PA/032996/95 - Erection of stub tower headframe and antennas to rooftop of existing mill building including all ancillary installations and feeder cables – Granted 02.06.1995.

- 5.10 PA/031346/94 - Change of use of warehouse to manufacturing unit, demolition of top two storeys, new roof, internal alterations and modifications – Granted 30.06.1994.
- 5.11 PA/023710/89 - Change of use of part of ground floor to retail sales – Granted 13.04.1989.

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-D2 - Developer Contributions;
- JP-P1 - Sustainable Places;
- JP-P2 – Heritage;
- Policy JP-H1 - Scale, Distribution and Phasing of New Housing Development;
- Policy JP-H2 - Affordability of New Housing
- Policy JP-H3 - Type, Size and Design of New Housing;
- Policy JP-P7 – Sports and Recreation;
- Policy JP-S1 – Sustainable Development; and,
- Policy JP-S2 – Carbon and Energy.

Local Plan Policies:

- Policy 1 - Climate Change and Sustainable Development;
- Policy 3 - An Address of Choice;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 6 – Green Infrastructure;
- Policy 9 - Local Environment;
- Policy 19 - Water and Flooding;
- Policy 23 - Open Spaces and Sports;
- Policy 24 – Historic Environment.

7. CONSULTATIONS

United Utilities No objection, subject to a drainage condition.
Water Limited

Environmental Raised no objection subject to an air quality assessment,
Health so to prevent development that may result in unacceptable
impacts on human health.

Education	No Comment Received.
Highways Engineer	Awaiting comments on the additional information submitted. Original comments requested a Traffic assessment/statement.
Drainage	No comment received.
Canal And River Trust	Not that there is a risk that the bulk and mass of the additional floors to the mill building could detract from the simple industrial character of the mill building, which could be to the detriment of the setting of the Conservation Area.
Greater Manchester Ecology Unit	Following the submission of additional ecology information GMEU have raised no objection subject to condition and informative notes.
Greater Manchester Police Design For Security	No objection provided the proposal meets Requirement B5 of Approved Document B, Volume 2: Access and facilities for the fire service.
Greater Manchester Fire Service	No objection, subject to a condition to reflect the physical security recommendations in section four (Secured By Design Measures) of the Crime Impact Assessment.
Conservation & Design Advice	Supports the principle of converting part of Ivy Mill to ensure a viable and sustainable residential use, however, noted the original fenestration and clarity on quality of materials for the contemporary additions needs to be further considered by the applicant. To which amended plans have been submitted.
Coal Authority	The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed, with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

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, 14 representations have been received raising the following (summarised) issues:
- The development is out of keeping with the Failsworth Pole conservation area.

- Development is too high and overdevelopment.
- Inadequate parking and access.
- Result in additional pollution and noise nuisance.
- Affect local ecology.
- The scale of development will strain local community facilities, there is also existing difficulty in the area in getting doctors, dentist etc, and this will put more pressure on a struggling system.
- The residents of Crown Street will lose a substantial amount of daylight due to the increase of height of this building. This contravenes the Right of Light Act of 1832.
- Traffic is already a huge problem down Crown Street and George Street, this will only add to the problem.
- Embassy Gas Services Ltd needs access down Mitre Street for its HGV Gas tankers, which supply our products to have easy access to our premises, as they take delivery during the day, evenings and during unsociable hours. Proposed entrance and number of units poses a threat to the business.
- Loss of privacy from an extra four floors overlooking existing private property in an already built-up area.
- The exit from Crown Street no longer allows direct access to Oldham Road. Traffic is now only left turn to Wrigley Head. Any vehicles wishing to then travel East along Oldham Road have to navigate the difficult junction which often results in Wrigley Head becoming blocked and vehicles queuing along Crown Street.
- No right turn at the end of Crown Street to Oldham Road. Since this junction was changed a few years ago, vehicles can no longer exit right onto Oldham Road. The left turn to Wrigley head is sharp and therefore and larger vans or trucks are unable to turn left. Instead, the vehicles are constantly making an illegal turn directly on to Oldham Road because they simply have no choice once they arrive at that point. This would no doubt be the case for any of the large vehicles needed during the development of the residential apartments.
- The area is parking permit controlled. Although the permit parking has assisted it is still very difficult to get larger vehicles down the streets. Our loading bay is on Mitre Street, and we often have access difficulties due the congested streets.
- It is suspect the development will take a number of years to complete. This will be a significant interference caused by noise and traffic.
- Visibility when entering/leaving the Ivy Mill car park entrance is limited often resulting in vehicles dangerously pulling out into oncoming traffic.
- Failsworth does not need more privatised housing, that does not bring any income into the local community but lines the pockets of landlords.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

Employment:

- 9.1 Policy 14 of the Local Plan sets out that uses other than those listed in the policy, such as residential, will be permitted on sites currently or most recently used for employment purposes, provided the applicant can clearly demonstrate that it is no longer appropriate or viable to continue the existing use. This can be demonstrated by the developer:
- a) through a marketing exercise that there is no market for the uses listed above. The marketing exercise should be agreed with the council before commencing and be of a professional standard; or,

- b) through a viability exercise that the continued use/development of the site for the uses listed in the policy is unviable; or,
- c) that the development of the site for alternative uses would benefit the regeneration areas identified by the council as being in need of investment or would benefit the community of an area.

9.2 A Viability Report by S Kershaw and Sons has been provided to address the loss of the 4th floor from employment to residential. It outlines the 4th floor has been marketed dating back to 2012, the evidence submitted to verify this is included in Appendix E which shows that a banner has been in situ since 2012 advertising available space within the mill.

9.3 Paragraph 6.60 following Policy 14 of the Joint DPD states:

“In relation to a marketing exercise, when agreeing timescales the council will have regard to market conditions, and the size and nature of the premises/site. A record of all expressions of interests/offers received should be submitted and where possible the applicant should try and obtain from interested parties’ reasons as to why they were not willing or able to proceed. A lesser financial return on investment relative to other development options will not be sufficient to justify the site not continuing to be available for employment use. In instances where the council considers the marketing exercise has been inadequate, the applicant will be advised that the planning application will be recommended for refusal.”

9.4 Given three floors of the mill are to remain as employment, marketing of the vacant floor has clearly been undertaken, and the viability information submitted only relates to one floor of the mill. It is considered the submitted original viability/marketing details by S Kershaw and Sons is sufficient to establish the principle of the development.

Housing:

9.5 Policy 1 seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings prior to the use of greenfield sites. It also aims to meet Oldham’s housing needs by focusing residential development in sustainable locations and to ensure that development respects Oldham’s natural, built and historic environments.

9.6 Policy 3 of the Local Plan sets out the council’s approach for managing the release of housing land. It states that planning applications for residential development, in whole or as part of a mixed-use scheme, will be permitted where:

- a) The site is allocated for residential development or mixed-use and has come forward in line with the council’s approach to phasing, reflecting the residential distribution described within the policy; or,
- b) The site is allocated for residential development or mixed-use and has come forward prematurely from the phasing set out in the Site Allocations DPD and does not undermine other national and local guidance and policies:

and

- i) A deliverable five-year supply of housing land cannot be demonstrated; or,

- ii) It contributes to the delivery of the borough's regeneration priorities; or, and,
- iii) It contributes to the delivery of affordable housing that meets the local affordable housing needs.

9.7 These three criteria are considered in turn below:

Housing land supply position:

9.8 The SHLAA identifies a baseline housing land supply of 13,163 dwellings. Increasing to 13,870 dwellings when considering the small sites and clearance allowances. Following the adoption of Places for Everyone (PfE) in March 2024, PfE now sets out Oldham's housing need. PfE identifies a housing requirement for Oldham of 11,560 homes over the plan period (2022-2039) or 680 homes per year (on average), stepped as follows:

- 404 homes per year for 2022-2025;
- 680 homes per year for 2025-2030, and,
- 772 homes per year for 2030-2039.

9.9 Oldham's current five-year housing land supply of 3,202 homes therefore represents a 5.5-year supply (or 111%) against the modified PfE housing requirement for the period of 2023-2028 (a total of 2,850 homes¹). This is sufficient to meet the stepped requirement and provides a buffer (or flexibility allowance) as is required by paragraph 74 of the NPPF. As a result, a five-year housing land supply can be demonstrated against the housing requirement set out in PfE.

Delivery of the borough's regeneration priorities:

9.10 The application site is not located within 480m of any local services. Policy 3 states that major residential developments should have access to at least three key services within 480m. The site has good access to frequent public transport and given it is close to shops and services is considered to be in a highly sustainable location.

9.11 Policy 3 also states that the use of previously developed land and vacant or underused buildings is the council's first preference for residential development and the availability of such land, both in the locality and borough-wide, as assessed by the council's monitoring arrangements, will be the first consideration when regarding applications on greenfield sites. As the proposed development site is the reuse of a vacant mill floor and additional stories on top of an existing building this meets the policy.

Delivery of affordable housing to meet local affordable housing needs:

9.12 The capacity of the proposed site qualifies for the Affordable Housing threshold, which applies to developments of 10 dwellings or above, as set out within NPPF. The current target, set out within Policy 10 of the Local Plan, is for 7.5% of the total development sales value to go towards the delivery of affordable housing, unless it can be clearly demonstrated to the Council's satisfaction that this is not viable. This affordable housing must be provided on-site unless there are exceptional circumstances that would justify the acceptance, by the Council, of off-site provision within the locality or a financial contribution in lieu of provision. Further information on affordable housing provision is

set out within the council's Housing Strategy and the Affordable Housing Interim Planning Position Paper.

- 9.13 The capacity of the proposed site qualifies for the Affordable Housing threshold as set out within NPPF. This matter is fully addressed in more detail in the next section of this report.

10. DEVELOPER CONTRIBUTIONS

- 10.1 Places for Everyone (2024) Policy JP-D2 (Developer Contributions) requires developers to provide, or contribute towards, the provision of mitigation measures to make the development acceptable in planning terms, through the most appropriate mechanism.

- 10.2 However, if an applicant wishes to make a case that a development is not viable, they can provide clear evidence during the consideration stage of the application which identifying the specific issues and/or changes in circumstance which would create barriers to delivery in a transparent manner and reflecting national guidance.

- 10.3 As noted above, due to the scale of the development, the scheme is required to make developer contributions to both affordable housing and Open Space provided it is economically viable. These are addressed in turn:

Affordable Housing:

- 10.4 Paragraph 65 of the NPPF sets out that where major development involving the provision of housing, planning decisions should expect at least 10% of the total number of homes to be available for affordable home ownership.

Open Space:

- 10.5 Policy JP-P7 of the Places for Everyone Joint Plan (Sport and Recreation) requires new development to provide new and/or improved existing facilities commensurate with the demand they would generate.

- 10.6 In addition, Policy 23 of the Local Plan states that major residential development should contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable. It continues to state that regard will given to the proposed development and the open space surpluses and deficiencies in the area (identified through the Council's Open Space Study) to determine where appropriate whether on-site or off-site new provision or enhanced existing provision or a financial contribution will be required.

- 10.7 As the scheme does not provide public open space on site, to be compliant with Policy 23 the applicant must make off-site new provision or enhanced existing provision. Expected contributions to offsite provision are set out below:

Number of bedrooms	187					
	Layout cost per bed	Maintenance costs per bed	Cost of laying-out	Cost of maintenance	Cost of maintenance *12	
Amenity Greenspace	£167.99	£15.50	£31,414.13	£2,898.50	£34,782.00	
Provision for children	£688.39	£34.41	£128,728.93	£6,434.67	£77,216.04	
Provision for Young People	£156.92	£2.15	£29,344.04	£402.05	£4,824.60	
Outdoor Sports Facilities	£132.44	£21.20	£24,766.28	£3,964.40	£47,572.80	
			£214,253.38	£13,699.62	£164,395.44	
					Total	£378,648.82

Financial viability:

- 10.8 In respect of the total developer contributions generated by the development the applicant has provided economic viability information, by Kershaw and Sons Chartered Surveyors (SKS) dated 15th November 2023, purporting the scheme cannot sustain full contributions towards off site Public Open Space and Affordable Housing. This information and its findings have been independently appraised on behalf of the Council by CP Viability Ltd. It has been found that the scheme can in fact viably provide the full planning policy contributions.
- 10.9 These independent findings have been challenged by the applicant and their response has been reviewed by the independent viability expert (CP Viability Ltd). They have gone through each input listed above and concluded they are not persuaded to adjust our appraisal inputs, for the reasons outlined in the response. In particular, they consider that SKS are too reliant on evidence which does not provide a 'like for like' comparison to a BTR project, and this is skewing their view on the inputs in the appraisal. For the profit and marketing / disposal assumptions this is particularly crucial as the figures suggested by SKS are more akin to housing schemes subject to piecemeal disposal, which is clearly not relevant when assessing a BTR apartment scheme of this nature.
- 10.10 Therefore, as it is again concluded that the scheme can provide the full planning policy compliant contributions (to open space off site and affordable housing) and no agreement can be reached, it is considered that the scheme is thereby contrary to Policy 23 of the Local Plan and Paragraph 65 of the NPPF and warrants a recommendation of refusal.

11 DESIGN AND CONSERVATION CONSIDERATIONS

- 11.1 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.

- 11.2 Whilst Policy 24 of the Local Plan, in respect of heritage and conservation, states that development within or affecting the setting of a conservation area, including views in or out, must serve to preserve or enhance the character or appearance of the area. Proposals for all new development, including alterations and extensions to buildings and their re-use, must have a sensitive and appropriate response to context and good attention to detail. Proposals must not adversely affect important architectural or historic features or distinctive local features or structures unless it can be demonstrated that the development brings substantial benefits to the community.
- 11.3 In respect of Non-Designated Heritage Assets, Policy 24 states that when determining planning applications, the council will seek to protect, conserve and enhance the architectural features, structures, settings, historic character and significance of the borough's heritage assets and designations.
- 11.4 Ivy Mill is identified in the Oldham Mills Strategy as a high priority mill due to its high heritage and landscape value. Having consulted the Council's Conservation Officer on the original scheme the following comments were made:
- *'The contemporary approach with clear instep design is supported, showing the juxtaposition between the old and new elements. Although a large amount of massing is proposed it is considered that the insteps, achieved further at each floor, allows the new build element to not result in an over dominant addition upon the original mill building.*
 - *The proposed fenestration is uniform and regularly spaced in terms of the additional floors however there does feel like a lack of alignment and respect to the window openings within the existing mill. The existing window openings relate to the historic function of the building and this legibility is important to the historic character. It is acknowledged that the majority of the proposed windows match the width of the original openings, however the alignment doesn't seem to respect the Non-Designated Heritage Asset.*
 - *A detailed specification of the proposed materials is needed to ensure that high quality materials are used that are appropriate within the conservation area and upon the Non-Designated Heritage Asset.'*
- 11.5 Having received these comments the applicant has submitted amended plans which have addressed the window alignment. These amended plans are considered by officers to be an improvement to the overall visual amenity of the development. To this end, the Council supports the principle of converting part of Ivy Mill to ensure a viable and sustainable residential use of a Non-Designated Heritage Asset. Moreover, the proposed design is modern and contemporary and, as a result, contrasts with the traditional mill style of the buildings. Having regard to the modern industrial building to the rear, and modern extension to the Failsworth Library, it is considered that the introduction of such style into this area could integrate with the existing character subject to the use high quality materials which can be controlled with an appropriately worded planning condition.

12. RESIDENTIAL AMENITY

- 12.1 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.
- 12.2 Having regard to the current scale of the building and number of existing openings on all sides of the mill, it is not considered that the resultant overlooking would be a matter that would warrant a recommendation of refusal. As all the view created by the new floors would be ones shared by the floors below.

Loss of light:

- 12.3 Whilst the concerns of residents are noted, in terms of loss of light, consideration of scheme must be made having regard to the mills existing height and massing. Currently on site the mill stands at 5 storeys high, with surrounding residential properties being mainly 2 stories in height. To this end, it is considered the building will already overshadow neighbouring properties at different points in the day. Given the scheme for the new floors is stepped in design, it is considered the additional harm would not warrant a recommendation of refusal on this ground.

Impact on the Future Occupiers:

- 12.4 Policy JP-H3 within the PFE Joint DPD 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.
- 12.5 Having regard to the Nation Space Standards Document (DCLG, 2015) and it is considered that the layout and configuration of the proposed flats would not justify a refusal of planning permission on the basis they provide sub-standard living accommodation. In regards being built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations, this matter can be addressed by an appropriately worded planning condition.
- 12.6 Given the above assessment, the proposed development is acceptable having regard to Policy 9 of the Local Plan and Policy JP-H3 within the PFE Joint DPD.

13. HIGHWAYS

- 13.1 Policy 9 indicates that development should protect and improve local environmental quality and amenity by ensuring that development will minimise traffic levels and do not harm the safety of road users. Paragraph 115 of the National Planning Policy Framework states:

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

- 13.2 The Council’s Highway Engineer has been consulted on the additional information submitted and updated comments are outstanding.

14. ECOLOGY

- 14.1 Policy 6 and Policy 21 of the Oldham LDF Joint DPD are concerned with protecting, conserving and enhancing our local natural environments.

Bats:

- 14.2 A valid bat report has been provided, which shows no evidence of bats was found and the building assessed as negligible risk. To this end, no further information or measures are required. As a precaution an informative can be included on a decision notice to remind the applicant that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

Nesting Birds:

- 14.3 No evidence of birds having nested on the building was found, though feral pigeon were recorded as present. As a precaution an informative can be included on a decision notice to remind the applicant that under the Wildlife and Countryside Act 1981 (as amended) it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built.

Rochdale Canal SAC:

- 14.4 Following the submission of an updated report, which provides an assessment of the risk to qualifying species, i.e. floating water-plantain, posed by the increased height to the building the consultant has assessed the risk as negligible based on the existing vegetation present. Given the orientation of the buildings and canal it is accepted that any additional shading will only occur at dawn given the building is located to the east and that it is set back a moderate distance from the canal. The building is also of a height causing shading of the canal (based on Google Earth) and the extra 4 storeys are unlikely to change this significantly.
- 14.5 Therefore, whilst no objective shade survey has been carried out to quantify what if any reduction in direct sunlight will occur, GMEU accept that it would not be reasonable to request such a survey.
- 14.6 It is concluded that the proposal can be screened out of any further assessment under the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019. It is recommended that the LPA record the conclusions of the Stage 1 HRA Screening Assessment within their delegated/Committee Report and ensure that Natural England is aware of their decision.

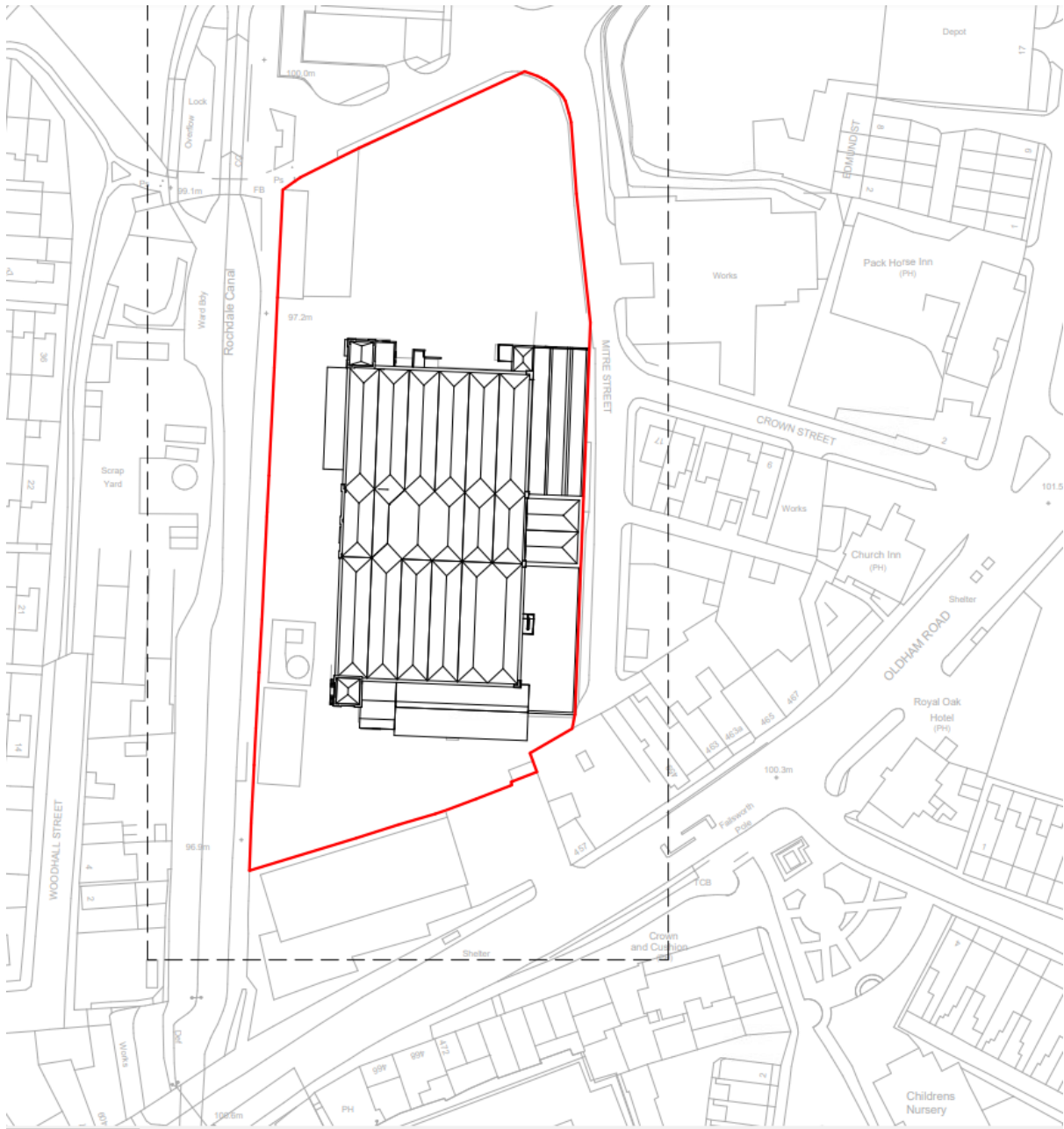
15. DRAINAGE

- 15.1 Policy 19 of the Oldham LDF Joint DPD is concerned with ensuring that new developments do not result in an unacceptable flood risk or increased drainage problems by directing developments away from flood risk areas.
- 15.2 United Utilities have reviewed the application and do not object. However, in line with good practice, a pre commencement condition to ensure that details of a drainage strategy are submitted and agreed with the Local Planning Authority prior to the commencement of development has been attached. This will ensure that surface and foul water is appropriately considered as part of the development.

16. CONCLUSION AND RECOMMENDATION

- 16.1 The proposal is therefore contrary to the objectives of both the Local Plan and the NPPF and as such is recommended for refusal for the following reason:
1. The proposed residential development is of a scale that is required to make developer contributions to both affordable housing and open space (either on or off site), provided it is economically viable, by Policy 23 of the Local Plan and Paragraph 65 of the National Planning Policy Framework. During the consideration of this scheme the applicant has sought to prove that the scheme is not economically viable to make full policy compliant contributions, to either affordable housing or open space, by the submission of viability information. These details have been independently appraised on behalf of the Council (by CP Viability Ltd), and it has been found that the scheme can in fact provide the full policy required contributions, whilst remaining economically viable. These findings have been challenged by the applicant; however, the position has been maintained by the Council's independent appraiser. Therefore, no agreement to make policy compliant contributions has been reached with the applicant and the scheme is thereby contrary to Development Management Policy 23 of the Local Plan, Policy JP-P7 of the Places for Everyone Joint Plan, and Paragraph 65 of the National Planning Policy Framework.

SITE LOCATION PLAN (NOT TO SCALE):



PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

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/350791/23 Planning Committee 17th July 2024

Registration Date: 4th April 2023
Ward: Shaw

Application Reference: FUL/350791/23
Type of Application: Full Application

Proposal: Erection of 21 no. residential dwellings with associated landscaping and highways works.

Location: Land to the South of Lilac View Close and to the West of Knowl Road, Shaw.

Case Officer: Abiola Labisi
Applicant: Nordia Homes Ltd
Agent: Sarah Smedley

1. INTRODUCTION

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

2. RECOMMENDATION

- 2.1 It is recommended that the application be refused for reasons set out in the report and that the Assistant Director for Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application site is irregular in shape and is split into two parcels by Knowl Road, Shaw. The larger of the two parcels lies to the south of Lilac View Close while the smaller lies to the west of Knowl Road. The site is within an area that is undulating in topography and adjoins the Green Belt. To the immediate north of the site are properties in residential use. There are some mature trees along the Knowl Road boundaries as well as along the southern site boundary.
- 3.2 Close to the northern section of the larger parcel runs a stream as well as a public footpath.
- 3.3 The site is allocated as a Phase II Housing Allocation site within the Oldham Local Plan and is also identified within the Council's Strategic Housing Land Availability Assessment as of 1st April, 2022.

4. THE PROPOSAL

- 4.1 The application proposes the erection of a total of 21 dwellings, 17 of which would be sited on the larger parcel while the remaining four would be on the smaller of the two

parcels. The proposal includes extensive landscaping works and the provision of a public open space within the northern section of the larger site. Of the 17 units on the larger parcel, 12 would be semi-detached while 5 would be detached. All four units on the smaller parcel would be semi-detached properties.

- 4.2 The scheme would comprise of seven different house types and in terms of sizes, four of the units would be two bedroom accommodation while ten would be three bedroom accommodation. The remaining seven units would be four bedroom accommodation. In relation to housing categories, a total of 17 units would be open market housing while four would be for social and affordable housing.
- 4.3 The larger parcel would be accessed off Lilac View Close while the smaller parcel would be accessed off Knowl Road.

5. PLANNING HISTORY

- 5.1 Under planning ref. PA/039399/00, permission was refused for a residential development comprising of the erection of 18 dwellings on the larger parcel of the current application site. The decision was issued on the 27th of December, 2000 and the reason for refusal was:

“The development is located within a greenfield site which abuts the Greater Manchester Green Belt and the applicant has failed to demonstrate that it accords with the aims and objectives of PPG3. As a result, the proposed development is contrary to Government guidance contained in Planning Policy Guidance Note No. 3.”

6. RELEVANT PLANNING POLICIES

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

- Policy 1 - Climate Change and Sustainable Development;
- Policy 3 – An Address of Choice;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 9 - Local Environment;
- Policy 10 – Affordable Housing;
- Policy 11 – Housing;
- Policy 18 – Energy;
- Policy 21 - Protecting Natural Environmental Assets;
- Policy 22 - Protecting Open Land; and,
- Policy 23 - Open Spaces and Sports

- 6.2 In addition to the above, the following policies of the recently adopted Places for Everyone Joint Plan are considered relevant to the determination of the application:

- Policy JP-C1 – An Integrated Network;
- Policy JP-G8 – A Net Enhancement of Biodiversity and Geodiversity;
- Policy JP-G9 – The Green Belt;
- Policy JP-H1 - Scale, Distribution and Phasing of New Housing Development;

- Policy JP-H2 - Affordability of New Housing;
- Policy JP-H3 - Type, Size and Design of New Housing;
- Policy JP-P1 – Sustainable Places;
- Policy JP-S1 – Sustainable Development;
- Policy JP-S2 – Carbon and Energy; and,
- Policy JP-P7 – Sports and Recreation.

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. Raised no objection subject to conditions relating to landfill gas and land contamination as well as CEMP.
Drainage Engineer	Formal response received. Raised no objection subject to the submission of a proposal for sustainable drainage system to serve the development.
Highways	Final comments being awaited.
Greater Manchester Ecology Unit	Formal response received. Raised no objection subject to conditions relating to protection of bats, nesting birds eradication of Japanese knotweed and enhancement of biodiversity.
Coal Authority	Formal response received. Stated that the site does not fall within the Development High Risk Area
Tree Officer	Formal response received. Raised no objection subject to development implemented in accordance with submitted Tree Protection Plan and Landscaping Proposals.
United Utilities	Formal response received. Recommended conditions relating to sustainable surface water drainage scheme and construction management plan to prevent water pollution.
Planning Policy	Formal response received. No objection subject to conditions relating to affordable housing, open space contributions and BNG.
Environment Agency	No comments received.
Ramblers	Formal response received. No objection subject to reinstatement of the footpath to a safe condition and provision of retaining wall adjacent the stream.

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, 54 representations have been received raising the following (summarised) issues:
- Highway safety issues due to inadequate road network (addressed under paras 12.2 -12.4);
 - Impact on public right of way (addressed under para. 12.5 – 12.6);
 - Flooding (addressed under para. 13.2);
 - Adverse impact on wildlife and biodiversity (addressed under para 14.2 – 14.5);
 - Noise disturbance from construction activities (addressed under para 10.3);
 - Impact on privacy due to proximity to existing properties (addressed in para 10.2); and,
 - Impact on ground water and nearby water course (addressed under para. 13.3).

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application site is allocated as a Phase II Housing Allocation site within the Proposals Map associated with the Joint Development Plan Document and is located adjacent to a mature residential area.
- 9.2 In addition, the site is also identified within the Council's Strategic Housing Land Availability Assessment (SHLAA) as of 1st April, 2022. The SHLAA is a technical document identifying land that might have potential for housing and forms a key component of the evidence base underpinning housing policies and land allocations and will help the Local Plan to meet the borough's housing needs.
- 9.3 The SHLAA assesses the development potential of land that could be capable of delivering homes through an assessment of suitability, availability and achievability. The site's suitability, availability and achievability for delivering homes has been assessed and considered acceptable by the Council.
- 9.4 Furthermore, paragraph 60 of the National Planning Policy Framework highlights the objective of the Government to significantly boost housing supply across the country. The proposal would contribute towards the achievement of this housing objective.
- 9.5 Having regard to these considerations the principle of residential development on the site as proposed is acceptable.

10. RESIDENTIAL AMENITY

- 10.1 Having regard to the requirements of Policy 9 the impact of the development on surrounding residents needs to be considered alongside ensuring that the proposals provide suitable accommodation for future occupiers.

- 10.2 The relationship of the proposed development with existing dwellings to the north is considered acceptable in that the scale of the development as well as the separation distance from the dwellings to the north would minimise any potential overbearing or overshadowing effect. The design of the proposed dwellings also ensures that there would also be no direct overlooking of any neighbouring private amenity area.
- 10.3 Further on the mitigation of any potential impact on the amenity of the occupiers of neighbouring properties, it is proposed that a construction management plan is submitted for approval prior to the commencement of the development. The plan shall address how issues such as construction noise, dust etc would be mitigated to minimise impact on amenity.
- 10.4 In respect of the amenity of the future occupiers of the development, the layout would ensure that there would be no significant overbearing or overshadowing effect on future occupiers. Similarly, the design would ensure that private amenity areas are not overlooked to any significant extent.
- 10.5 In terms of acceptable internal floor areas, the nationally described space standards require that a 2 bed two storey dwelling should have an internal floor area of between 70 to 79 square metres, depending on the number of occupants while a 3 bed two storey dwelling should have an internal floor area of between 84 to 102 square metres. For a 4 bed two storey dwelling, the requirement is 103 to 130 square metres. It is noted that the proposed units would comply with the requirements of the nationally described space standards.

11. DESIGN AND INTEGRATION WITH LOCAL CHARACTER

- 11.1 The area is noted to be characterised by a mix of dwelling types mostly of two storey in height. The proposed design is contemporary, and the scale of the dwellings would be in keeping with that of existing dwellings in the area.
- 11.2 In terms of appearance, the dwellings on the larger parcel would be finished in red brick, to match the dwellings on Lilac View Close while the proposed dwellings on the smaller parcel would be finished in buff brick, to reflect the stone finish of the properties on Knowl Road.
- 11.3 Furthermore, the proposal represents a logical extension of built form as the site adjoins an existing built-up area to the north. It is therefore considered that the proposal would be in accordance with relevant provisions of Policy JP-P1 (Sustainable Places) of the Places for Everyone Joint Plan which require that development integrates well with and respect local character.

12. HIGHWAY ISSUES AND PUBLIC RIGHT OF WAY

- 12.1 Paragraph 114 of the National Planning Policy Framework (NPPF) provides that planning decisions should ensure that safe and suitable access to a site can be achieved for all users while paragraph 115 provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 12.2 Vehicular access to the larger parcel is taken from Lilac View Close while that for the smaller parcel would be off Knowl Road. Visibility at the proposed accesses is

considered acceptable from highway safety point of view. In addition, the proposal includes provision of adequate on-site parking and turning facilities to minimise the potential for severe on-street parking.

- 12.3 In terms of potential impact on local highway network capacity, it is considered that the scale of the proposed development is not such that would lead to a severe detrimental impact on capacity.
- 12.4 The applicant has submitted a Transport Statement which concludes that the proposal would not lead to severe or unacceptable highway issues. The Transport Statement as well as other documents relating to the application have been discussed with the Council's Highway Engineer and they have raised no objections in relation to highway safety subject to the imposition of conditions. Formal comments are however still being awaited from the Highway Engineer.
- 12.5 A public right of way crosses the site. Paragraph 104 of the NPPF provides that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. The proposal includes a diversion of the public right of way such that it would now run along the eastern and northern site boundaries. The proposal would not lead to the closure of this public footpath and the extent of diversion is not considered to be such that would detract significantly from the recreational benefits of the right of way.
- 12.6 The Ramblers Group has raised no objection to the proposed diversion of the right of way subject to the footpath being reinstated to a safe condition and the provision of a retaining wall where the right of way runs adjacent the stream to the north of the site. There is also no objection to the diversion from the Council's PRow Officer provided the concerns raised by the Ramblers Group are adequately addressed.

13. DRAINAGE ISSUES

- 13.1 In relation to planning and flood risk, paragraph 165 of the NPPF provides that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 13.2 The site is located within Flood Risk Zone 1, which is the zone that is least liable to flooding. However, it is noted that the site experiences surface water flooding issues. The application has been reviewed by the Lead Local Flood Authority and United Utilities and the two have recommended a condition requiring the submission of details of a sustainable surface water drainage scheme for approval prior to the commencement of the development. It is therefore considered that the site could be made safe with the implementation of an effective surface water drainage scheme and this can be addressed by appropriate planning conditions.
- 13.3 Furthermore, it is noted that the site lies within a Groundwater Source Protection Zone and in order to ensure that the proposal does not lead to unacceptable impact on groundwater, United Utilities have recommended a condition requiring the submission of a construction management plan detailing how the development would be implemented without causing harm to groundwater.
- 13.4 Having regard to the foregoing, it is considered that drainage issues relating to the proposal can be addressed by appropriate planning conditions.

14. TREES, ECOLOGY AND BIODIVERSITY NET GAIN

- 14.1 The proposal includes the removal of at least 20 trees. However, a robust landscaping proposal has been submitted and this includes the planting of replacement trees that would mitigate the impact of the lost trees. The applicant has also submitted a Tree Protection Plan which addresses how the retained trees would be protected during the construction phase of the development.
- 14.2 The proposal has been reviewed by the Council's Tree Officer and they have advised that subject to the development being implemented in accordance with the proposed landscaping plan, the proposal would be in accordance with the provisions of Policies JP-G6 (Urban Green Space) and JP-G7 (Trees and Woodland) of the Places for Everyone Joint Plan.
- 14.3 An ecology report was submitted with the application and the report concludes that the proposal would not lead to unacceptable impact on ecology. Greater Manchester Ecology Unit have raised no objection to the proposal subject to conditions requiring that tree removal should not be undertaken during bird nesting season as well as a method statement indicating how the works would be undertaken without causing harm to wildlife.
- 14.4 It is important to point out that the application was made prior to the mandatory requirement for biodiversity net gain coming into effect. Notwithstanding, in accordance with the provisions of para. 185(b) of the NPPF which requires that plans should identify and pursue opportunities for securing measurable net gains for biodiversity, the applicant was requested to submit a biodiversity enhancement plan.
- 14.5 The resulting biodiversity net gain assessment indicates that there would be an overall loss of 2 biodiversity units and Greater Manchester Ecology Unit have recommended a financial contribution of £20,000 to mitigate the loss. This can be addressed via a Section 106 Agreement with the applicant.

15. AFFORDABLE HOUSING AND PUBLIC OPEN SPACE

- 15.1 Paragraph 66 of the NPPF provides that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. Similarly, Policy JP-H2 (Affordability of New Housing) also provides that substantial improvements will be sought in the ability of people to access housing at a price they can afford.
- 15.2 In accordance with the provisions of paragraph 66 of the NPPF, the proposal includes the provision of four affordable units. The units proposed would all be sited on the smaller parcel. They would all have two bedrooms each. The applicant has also confirmed that the affordable housing to be provided would be in accordance with the First Home requirements and would be sold at a price no higher than £250,000 per unit.
- 15.3 As such, the proposal would boost affordable housing provision in the area thus enhancing home ownership in accordance with the objectives of Policy JP-H2 of the Places for Everyone Joint Plan.
- 15.4 The affordable housing proposal has been reviewed by the Council's Strategic Planning Officers and they have advised that the proposal is acceptable in principle. The delivery

of the affordable housing proposal can be achieved through a Section 106 planning agreement with the applicant.

- 15.5 With regard to public open space provision, Chapter 8 of the NPPF addresses the promotion of healthy and safe communities and to achieve this, paragraph 97 of the NPPF requires planning positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, **open space** (emphasis added), cultural buildings, public houses and places of worship) and other local services.
- 15.6 In the same vein, Policy JP-P7 of the Places for Everyone Joint Plan (Sport and Recreation) requires new development to provide new and/or improved existing facilities commensurate with the demand they would generate while Policy 23 of the Oldham Local Plan requires all major residential development to contribute towards the provision of new or enhanced open space.
- 15.7 The proposal includes the provision of public open space along the northern site boundary. The Council's Open Space Study 2022 indicates that the ward in which the site is located is sufficient in accessibility to all the required types of open space recreational facilities except provision for children and young people.
- 15.8 On the basis of the identified deficiency in open space provision in the area, and the scale of the development, it is estimated that a contribution of £139,931.52 would be required in accordance with the provisions of Policy 23 of the Oldham Local Plan, to address the deficiency and potential demand that would be generated by the development.
- 15.9 The applicant has been requested to confirm that they would be willing to enter into a Section 106 Legal Agreement regarding the payment of the estimated financial contribution towards the provision of public open space. However, the applicant has advised that they think the scheme would not be viable if they have to pay the stated amount. They have not submitted any evidence (by way of a viability assessment) to support their claim that the scheme would not be viable if they have to contribute £139,931.52 towards open space. P
- 15.10 Policy 23 (Open Spaces and Sports) of the Oldham Local Plan provides that all residential developments should contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable. As the applicant has not demonstrated that the scheme would not be financially viable if they have to contribute towards the provision of public open space, the proposal would be contrary to relevant provisions of Policy 23.

16. CONCLUSION

- 16.1 Whilst it is noted that the site is allocated for housing development in the Local Plan, adequate provisions have however not been made for contribution towards public open space and the applicant has not demonstrated with evidence that the proposal would not be financially viable if they have to contribute towards the provision of public open space. In this regard, the scheme would not be in accordance with the provisions of Policy 23 of the Oldham Local plan and would thus not enhance the health and wellbeing of users of the development.

16.2 Accordingly, it is recommended that the application be refused for the reason set out below.

1. Without adequate provision for public open space on or off site, and with no acceptable arrangement for financial contribution in lieu, the proposed development would in this regard, detract from the quality of life and well-being of future residents of the development and would therefore be contrary to relevant provisions of Policy 23 (Open Spaces and Sports) of the Oldham Local Plan, Policy JP-P7 (Sport and Recreation) of the Places for Everyone Joint Plan and Chapter 8 of the National Planning Policy Framework.

SITE LOCATION PLAN (NOT TO SCALE):



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- 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

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APPLICATION REPORT – FUL/352515/24 Planning Committee 17 July 2024

Registration Date: 12th March 2024
Ward: Alexandra

Application Reference: FUL/352515/24
Type of Application: Full

Proposal: Full application for the erection of a visitor centre, events building, forestry depot, necessary infrastructure, hard and soft landscaping, vehicular and cycle parking, and pedestrian movements.

Location: Land at Snipe Clough, Oldham

Case Officer: Graham Dickman
Applicant: Oldham MBC
Agent: Richard Purser

1. INTRODUCTION

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application on a site where the applicant and site owner is the Council.

2. RECOMMENDATION

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

3. SITE DESCRIPTION

- 3.1 This application relates to the north-eastern corner of the wider overall Northern Roots site which stretches south-east from Alexandra Park and encompasses a mix of flat grassland, sports pitches, heath, boggy wetlands, and dense wooded slopes.
- 3.2 The application site itself presently comprises a mix of woodland and amenity grassland.

4. THE PROPOSAL

- 4.1 The proposal relates to a site which formed part of Phase 1 of the Northern Roots development approved in 2022. Specifically, the area encompassed the visitor centre, events building and forestry hub.
- 4.2 The present application seeks approval for a similar development, but with a revised siting and design.

Visitor Centre

- 4.3 In respect of siting, the visitor centre building has been relocated to the east of its previously approved position to take account of the site constraints. This results in a prominent, south-facing curved frontage opening out onto an adjacent open, landscaped area.
- 4.4 The building will continue to take a single storey form with a projecting roof to the front and side of the building. Facing materials will primarily include red brick with timber cladding, with a mono-pitch, aluminium, standing seam roof.
- 4.5 It will incorporate a café and multi-use areas which can be subdivided, along with a shop where produce from the adjacent proposed market garden will be sold.

Events building

- 4.6 The events building and associated outdoor space will be located within the centre of the site. It will allow for a variety of activities, including as a base for outdoor learning in the adjacent woodland. The structure itself will be single storey, but incorporating a tall, pitched roof with facing materials to match those used on the visitor centre.

Forestry hub

- 4.7 The forestry hub will occupy a similar site to that previously approved in the north-east corner of the site. However, the previously approved two buildings will now be accommodated within a single structure with an ancillary service yard.
- 4.8 The present proposal seeks to amend that design to create a building which is part two-storey and part single storey, including first floor office accommodation and a full height workshop area.

Environmental Impact Assessment

- 4.9 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.10 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 1 hectare of urban development., nor is the site located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.11 Consequently, an Environmental Statement is not required.

5. PLANNING HISTORY

- 5.1 RES/352568/24 - Application for approval of all Reserved Matters in respect of Phase A (Upper Market Garden) relating to approved application FUL/348898/22). Also presented for determination on this Committee agenda.
- 5.2 NMA/352338/24 - Non-Material Amendment for the variation of timing for discharge of conditions 7 (waste facilities), 8 (drainage), 9 (sewer protection) and 17 (landscaping) relating to application FUL/348898/22. Approved 27 March 2024
- 5.3 CND/352157/23 - Discharge of Conditions 6 (CEMP), 11 (Bird nesting survey), 18

(Protective tree fencing details), 19 (Invasive species treatment) and 20 (Ecology surveys) relating to Phase A of approved application FUL/348898/22. Part discharge 4 March 2024.

- 5.4 FUL/348898/22 - Hybrid planning application seeking full/part outline consent comprising:, (a) Full application for the erection of a visitor centre, events building with meeting pods, learning centre, forestry depot, ground mounted solar PV array and associated works, relocation of football pitch provision, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street, and (b) Outline application (all matters reserved except for access) for a community growing allotment and swimming pond. Approved 2nd November 2022.

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-G7 – Trees and Woodlands
- Policy JP-G8 – A Net Enhancement of Biodiversity and Geodiversity
- Policy JP-P1 - Sustainable Places
- Policy JP-P5 – Education, Skills and Knowledge
- Policy JP-P7 – Sport and Recreation
- Policy JP-S4 – Flood Risk and the Water Environment

- 6.4 On the Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan), the site is within the Green Belt 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 9 - Local Environment
- Policy 21 – Protecting Natural Environmental Assets
- Policy 23 – Open Spaces and Sports

7. CONSULTATIONS

Highways Officer	Requires implementation of the proposed access and parking arrangements and the Kings Road/ Honeywell Lane junction improvements prior to occupation of the buildings.
United Utilities	Recommend a condition to require submission of a sustainable drainage system.
G M Ecology Unit	Recommend conditions in relation to protection of wildlife and for Biodiversity Net Gain.
Environmental Health	The submitted desk study is acceptable and a full contamination assessment should be conditioned.
Trees Officer	The proposed tree removal and replacement is acceptable subject to implementation of the proposed tree protection measures.

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. No representations have been received to date.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The principle of the development, particularly in the context of the Green Belt location, was considered fully in the assessment of the previously approved Northern Roots development. This is an important material planning consideration.
- 9.2 It is therefore necessary to consider whether, as a result of the proposed revisions, any harm to the Green Belt or other impacts would outweigh the previously identified overall social, economic, and environmental benefits which would accrue from the Northern Roots scheme in its totality. Those benefits include the productive enhancement of an undervalued space on the edge of the urban area within proximity to areas of deprivation.

10. LAYOUT AND DESIGN

- 10.1 The proposed visitor centre and events space buildings are located to ensure a close relationship and integration with the wooded landscape of which they will form part. The visitor centre will however have a prominent aspect, albeit against the wooded backdrop.

- 10.2 The prominent, open aspect is a result of the function of the building and the need to integrate to the adjacent meadow and play area and to the growing hub beyond.
- 10.3 In this context, the layout secures a satisfactory relationship with neighbouring uses and the overall function of the Northern Roots site.
- 10.4 The low profile of the building and mix of brickwork and timber for the facings will ensure it can be integrated well into its setting.
- 10.5 The events building and associated spaces are located within the woodland and are therefore less visually prominent. Although the design of this space has evolved, it continues to include a striking profile to integrate it within the wooded setting.
- 10.6 The forestry depot will be prominently sited alongside the access track serving the visitor centre and growing area. It will primarily be faced in anthracite black metal profiled cladding and exhibit a largely functional appearance.
- 10.7 It will therefore have a greater visual impact than the previously approved scheme, albeit still appropriate to its setting and function.
- 10.8 Having regard to the approved principle of the development and its various features on this site, the siting and design of the scheme is acceptable.

11. TREES AND ECOLOGY

- 11.1 As noted above, the natural surroundings are an integral part of the proposed visitor centre and events spaces and the buildings have been designed and sited so they can be integrated into the setting.
- 11.2 Nevertheless, the development will result in the need to remove, partly or fully, 3 trees and 12 groups of trees. In compensation, it is proposed to plant 165 new semi-mature, extra heavy standard and bare root trees as well as native shrub and hedgerow planting.
- 11.3 The Trees Officer is satisfied that this would provide appropriate compensation in accordance with the Council's standards.
- 11.4 The development, as a FULL application submitted following the introduction of statutory requirement for Biodiversity Net Gain, the applicant is required to demonstrate that a 10% net gain in biodiversity can be achieved.
- 11.5 GM Ecology Unit has confirmed that it is satisfied that appropriate arrangements can be secured on land available to the applicant elsewhere on the Northern Roots site to ensure compliance with the statutory duty and this will be required as a condition on the decision notice requiring a biodiversity net gain plan and habitat management and monitoring plan.

12. HIGHWAYS ISSUES

- 12.1 The application incorporates access and parking arrangements to service the proposed buildings. This includes parking spaces located alongside the access road towards the site.

- 12.2 In addition, the buildings will be linked via new footpath routes to additional, re-designed parking spaces off Kings Road.
- 12.3 Reconfiguration of the highway in the vicinity of the Kings Road Honeywell Lane junction is proposed in line with the condition discharge requirements of the overall Northern Roots approval. Similarly, these works will be required to be implemented before the buildings are brought into use.

13. DRAINAGE AND GROUND CONDITIONS

- 13.1 A drainage scheme has been submitted with the application. United Utilities has requested further details in relation to proposed levels, an indicative drainage strategy, and information to assess any risk of sewer discharge. This will be included as a condition of the approval.
- 13.2 The application is accompanied by Phase 1 Geo-environmental Reports.
- 13.3 The Environmental Health team has considered these documents and does not foresee any impediments to the proposed development. Nevertheless, conditions are recommended in relation to the need for subsequent full site investigation and assessment, and for implementation of any identified remedial measures.

14. CONCLUSION

- 14.1 The proposal involves a variation to a development for which planning permission has recently been granted. Following an assessment of the changes to the details, it is evident that any impacts do not materially differ from those addressed on the previous scheme.
- 14.2 Consequently, subject to the conditions below, the application is recommended for approval.

15. RECOMMENDED CONDITIONS

1. Development comprising any part of the FULL application must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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 the external walls or roof of any individual building hereby approved shall take place until a specification for the materials to be used in the construction of the external surfaces of that building have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the

development is acceptable in the interests of the visual amenity of the area having regard to Policy 9 of the Oldham Local Plan.

4. No development hereby approved as indicated on plan ref : NRO-PLA-ZO-XX-DR-L-000004 P16 shall be brought into operation until the car parking spaces and associated vehicular and footpath access as indicated on the approved plans has been provided in accordance with the details of construction, levels, and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the accesses and parking spaces. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles. REASON - To ensure adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.
5. No development comprising the construction of a building shall be commenced until a scheme in the form of a Construction Environmental Management Plan (CEMP), including details of construction vehicle access routes, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust, and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, which shall be maintained for the duration of the construction works. REASON - To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.
6. No building hereby approved shall be occupied until facilities for the storage and removal of refuse and waste materials have been provided in accordance with a scheme which has previously been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter. REASON - To protect the amenity of the area having regard to Policy 9 of the Oldham Local Plan.
7. No development (other than site clearance, site investigations, remediation and enabling works) shall be commenced until details of a sustainable surface water drainage scheme and a foul water drainage scheme has been 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
 - ii. 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;
 - iii. 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);
 - iv. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - v. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and,
 - vi. 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 any building, 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 Policy JP-S4 of the Places for Everyone Joint Development Document.

8. No development (other than site clearance, site investigations, remediation and enabling works) shall commence until details of the means of ensuring the water mains and public sewers that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include a survey that identifies the exact location of the water mains and public sewers, the potential impacts on the water mains and public sewers from construction activities (including the construction compound), the impacts post completion of the development on the sewer infrastructure that crosses the site and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the sewers both during construction and post completion of the development. The details shall include a pre and post construction condition survey of water mains and public sewers within the red line boundary. Any mitigation measures shall be implemented in full in accordance with the approved details and timetable for implementation and shall be retained thereafter for the lifetime of the development. REASON - To protect drainage infrastructure, to secure proper drainage and to manage the risk of flooding and pollution having regard to Policy JP-S4 of the Places for Everyone Joint Development Document.
9. No building hereby approved shall be brought into use until a sustainable drainage management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved scheme. REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy JP-S4 of the Places for Everyone Joint Development Document.

10. 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.
11. The visitor centre and forestry skills buildings shall be constructed to ensure consistency with Part L of the 2022 Building Regulations, or any superseding

Regulations in force at the time of construction. REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan.

12. No development (other than site clearance) shall be commenced until a site investigation and assessment into landfill gas risk and ground contamination, including any historic gas mining legacy features, has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. In order to fully discharge the condition, the written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and to confirm that the site has been made safe and stable for the development. REASON - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
13. No building hereby approved shall be brought into use until the landscaping scheme as indicated on plan ref: NRO-PLA-ZO-XX-DR-L-002000 Rev P08 has been implemented in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size. REASON - To ensure that the development site is landscaped to an acceptable standard having regard to Policy JP-G7 of the Places for Everyone Joint Development Document.
14. The development shall be implemented fully in accordance with the measures as set out in the Invasive Non-native Species Method Statement Ref: 10200.01.001 Version 3.0 dated November 2023. REASON - To prevent the spread of invasive plant species having regard to Policy 9 of the Oldham Local Plan.
15. The development shall be implemented fully in accordance with the measures as set out in the Reasonable Avoidance Measures Method Statement Ref: 10200.02.004 Version 2.0, Section 8 of the Ground Level Tree Assessment Ref: 10200.02.002 Version 2.0, and Sections 6 and 7 of the Protected Species Report: Badgers Ref: 10200.02.003 Version 3.0. REASON - To ensure the protection of protected species having regard to Policy 21 of the Oldham Local Plan.
16. Any external lighting associated with the development shall be implemented in accordance with the measures as set out in the submitted Environmental Light Assessment (March 2024). REASON - To protect the amenity of the area and minimise any impact on the natural environment regard to Policies 9 and 21 of the Oldham Local Plan.
17. The use of the Visitor Centre shall not commence until a highway improvement scheme, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority, has been carried out at the junction of the access road to the development and its junction with Kings Road and Honeywell Lane. The improvement will include narrowing the carriageway, providing pedestrian and cycle infrastructure on Kings Road and the access road, and improving access at Kings Road/ Honeywell Lane including the highway leading to and in front of 256-272 Honeywell Lane. All works that form part of the approved scheme to be retained thereafter. REASON - In the interest of the safety of all users of the site having regard to Policies 5 and 9 of the Oldham Local Plan.

18. Within three months of the first occupation of any part of the development, a travel plan for that part shall be submitted for the written approval of the Local Planning Authority. The approved travel plans for each part shall be implemented within a further three months of the written approval of the Local Planning Authority. REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



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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

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APPLICATION REPORT – RES/352568/24 Planning Committee 17th July 2024

Registration Date: 21st March 2024
Ward: Alexandra

Application Reference: RES/352568/24
Type of Application: Reserved Matters

Proposal: Application for approval of all Reserved Matters in respect of Phase A (Upper Market Garden) relating to approved application FUL/348898/22)

Location: Land at Snipe Clough, Oldham

Case Officer: Graham Dickman
Applicant: Anna Da Silva
Agent: Ian Ford

1. INTRODUCTION

1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application on a site where the site owner is the Council.

2. RECOMMENDATION:

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

3. SITE DESCRIPTION

3.1 This application relates to part of the wider overall Northern Roots site which stretches south-east from Alexandra Park and encompasses a mix of flat grassland, sports pitches, heath, boggy wetlands, and dense wooded slopes.

3.2 The application site itself presently comprises a grassed area known as Lees Recreation Ground/Hope Playing Fields.

4. THE PROPOSAL

4.1 The proposal relates to a site which formed part of Phase A of the Northern Roots development approved in 2022. Specifically, the area encompasses a proposed market garden and an adjoining area of meadow with associated play areas.

4.2 The market garden includes a barn, polytunnels, a small hub building, and a variety of external growing areas.

4.3 Access will be via an extension to the access track which will serve the adjacent visitor

centre and events building and ultimately lead to the solar farm proposal within Phase B.

5. PLANNING HISTORY

- 5.1 FUL/352515/24 - Full application for the erection of a visitor centre, events building, forestry depot, necessary infrastructure, hard and soft landscaping, vehicular and cycle parking, and pedestrian movements. Also presented for determination on this Committee agenda.
- 5.2 NMA/352338/24 - Non-Material Amendment for the variation of timing for discharge of conditions 7 (waste facilities), 8 (drainage), 9 (sewer protection) and 17 (landscaping) relating to application FUL/348898/22. Approved 27 March 2024.
- 5.3 CND/352157/23 - Discharge of Conditions 6 (CEMP), 11 (Bird nesting survey), 18 (Protective tree fencing details), 19 (Invasive species treatment) and 20 (Ecology surveys) relating to Phase A of approved application FUL/348898/22. Part discharge 4 March 2024.
- 5.4 FUL/348898/22 - Hybrid planning application seeking full/part outline consent comprising:, (a) Full application for the erection of a visitor centre, events building with meeting pods, learning centre, forestry depot, ground mounted solar PV array and associated works, relocation of football pitch provision, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street, and (b) Outline application (all matters reserved except for access) for a community growing allotment and swimming pond. Approved 2nd November 2022.

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-G7 – Trees and Woodlands
- Policy JP-G8 – A Net Enhancement Of Biodiversity and Geodiversity
- Policy JP-P1 - Sustainable Places
- Policy JP-P5 – Education, Skills and Knowledge
- Policy JP-P7 – Sport and Recreation
- Policy JP-S4 – Flood Risk and the Water Environment

- 6.4 On the Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan), the site is within the Green Belt 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 21 – Protecting Natural Environmental Assets
- Policy 23 – Open Spaces and Sports

7. CONSULTATIONS

Highways Officer	Requested further details to ensure vehicles using the site can access the site and can turn satisfactorily.
Environmental Health	No comments
Sport England	Object as the application does not include for the provision of a ball stop fence or a scheme for the continuity of sport.
United Utilities	Object until the drainage information required by Condition 8 of the Northern Roots approval has been submitted.
G M Ecology Unit	No objections taking into account the conditions imposed at outline stage, subject to clarification on the implementation of biodiversity net gain measures.

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 the display of a site notice, and publication of a press notice.

8.2 In response, no representations have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The principle of the development, particularly in the context of the Green Belt location, was considered fully in the assessment of the previously approved Northern Roots development. The assessment is therefore limited to the details of access, appearance, landscaping, layout, and siting.
- 9.2 An objection has been raised by Sport England requiring the submission of a ball strike risk assessment and a scheme for the continuity of sport.
- 9.3 In respect of the first issue, the spatial relationship to the proposed growing area to the existing playing fields to the south former part of the assessment of the outline application. Sport England is concerned that the existing bank of trees which separates the areas could be removed; however, there are no proposals to remove these trees which will continue to form an important part of the biodiversity of the site. Given the tree cover, a separation distance of over 20 metres, and the presence of an intervening fence, such a requirement is not deemed necessary.
- 9.4 With regard to the second issue, this has previously been addressed by Condition 14 of the outline approval, and that requirement will continue to apply. There is no need therefore to duplicate that requirement.
- 9.5 Finally, Sport England has indicated that in light of Sport England's objection, should the Planning Committee be minded to grant planning permission for the proposal contrary to Sport England's objection, then in accordance with the Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.
- 9.6 However, the Council's Solicitor has confirmed that such referral is not required as a Reserved Matters application (as in this case) falls outside the scope of the Direction. Notwithstanding, it is noted that the Secretary of State did not require the application to be called in.

10. DESIGN AND APPEARANCE

- 10.1 Although covering a large area, the site will be laid out largely to growing plots with limited built development.
- 10.2 The largest built structure will be the barn at 12 metres by 8 metres and with a pitched roof rising to a maximum height of 4.5 metres. The walls of the building will be clad in timber. It will consequently have the appearance of a traditional building as would be found in a semi-rural location.
- 10.3 Similarly, the polytunnels would not appear out of place in this setting. Other required structures are small scale and given the size and context of the site would have a minimal impact on the openness or appearance of the site.
- 10.4 Whilst the provision of a boundary fence would have perhaps the greatest visual impact, this would be a necessity given the location of the site where informal

supervision out-of-hours would not be available. Therefore, when weighed alongside the environmental and educational benefits of the facility, the proposal would be deemed to be acceptable.

11. ECOLOGY AND LANDSCAPING

- 11.1 The growing hub will occupy an area presently comprising grassland only. Surrounding areas of woodland would be impacted by the proposed use and ancillary structures.
- 11.2 Requirements in relation to biodiversity enhancement were included on the Northern Roots approval. These would continue to apply and be subject to a separate condition discharge application. Nevertheless, it is evident that compensation for any on-site loss can be readily accommodated elsewhere on the wider site.

12. HIGHWAY ISSUES

- 12.1 Vehicular access to the site will be along the new roadway which will also serve the adjacent proposed visitor/events facilities and the approved solar farm to the east.
- 12.2 The applicant has confirmed that vehicular movements associated with the site are likely to be limited to a tractor and/or transit van.
- 12.3 In addition, separate footpath routes will be available connecting the growing area to the wider facilities on the site.

13. DRAINAGE AND GROUND CONDITIONS

- 13.1 United Utilities has requested that the application is not approved until details of the proposed drainage scheme have been submitted. However, this matter is required as a condition of the outline approval. It is not therefore necessary to replicate this requirement in connection with the specific Reserved Matters on which assessment is required.
- 13.2 Similarly, issues associated with ground conditions are subject to the separate condition discharge process.

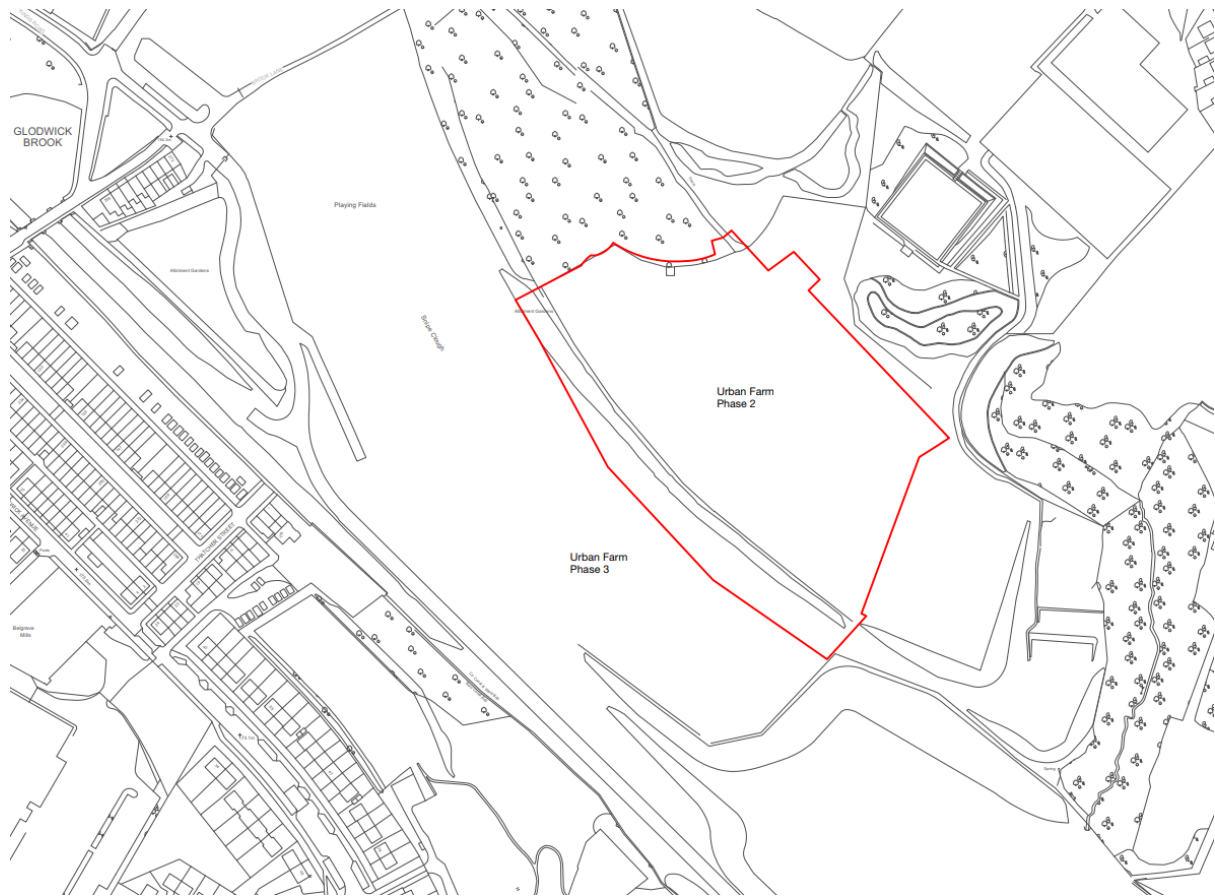
14. CONCLUSION

- 14.1 The present application provides details of the layout and landscaping of the proposed facility, along with the design of the ancillary structure. In the context of the proposed use, these are considered to be appropriate in terms of their scale and design to the character of the site.
- 14.2 In this context, the Reserved Matters details are acceptable.
- 14.3 As noted above, all conditions attached to the associated outline approval will continue to require a separate application in order to allow the development to commence.

15. RECOMMENDED CONDITIONS

1. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
2. The use hereby approved shall not commence until the access and vehicle parking/turning areas indicated on the approved plan have been constructed and have been made available for use. REASON - To ensure adequate servicing facilities are provided and remain available for the development so that parking does not take place on the adjacent roadway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



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APPLICATION REPORT - HOU/352729/24 Planning Committee 17th July 2024

Registration Date: 19th April 2024
Ward: Chadderton North

Application Reference: HOU/352729/24
Type of Application: Householder

Proposal: Erection of a single storey rear extension.
Location: 42 Parkfield, Chadderton, OL9 0AS

Case Officer: Martyn Leigh
Applicant: Mr. Shajanur Raja
Agent: Mr Syed Helal Uddin

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for transparency reasons in accordance with the requirements of the Council's Constitution and Scheme of Delegation because the Owner of the property (not the Applicant) is related to Councillor Abdul Jabbar.

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 Parkfield, Chadderton. The area is residential in character and the property benefits from off road parking to the front and a private garden at the rear.

4. THE PROPOSAL

- 4.1 Planning permission is sought for the erection of a single storey rear extension spanning the full width of the existing property (5.8m). When originally submitted the proposed plans showed a 10m projection from the existing rear elevation which was considered unacceptable. As such, amendments were made to these plans, and the proposal is now for the extension to project 6m.
- 4.2 The proposed extension would be faced in brick to match the main house and constructed with a tiled hipped roof attaining a ridge height of approximately 3.8m (2.5m eaves height). It would accommodate an open plan dining/kitchen area which would be served by a single window in the side (east) elevation facing towards the boundary with no. 40 Parkfield and a glazed pedestrian door in the rear elevation facing the garden.

5. PLANNING HISTORY

None

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-P1 (Sustainable Places); and
- Local Plan Development Management Policy 9 (Local Environment)

7. CONSULTATIONS

7.1 N/A

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 In response to the originally proposed plans (which showed a 10m rear extension) four representations were received raising objections to the proposals on the following (summarised) grounds:

- Disproportionately large, and large than permitted development maximum;
- Should not be more than 3m in height if within 2m of a boundary;
- Both adjoining properties (no. 44 and no.40) would be overshadowed;
- The proposal would destroy the garden of the property;
- Concerns about surface water run off and associated flood risks;
- Noise nuisances;
- Loss of privacy;
- Out of keeping with the area and represents over-development;
- Increase in traffic; and,
- Development is too high.

8.3 Following the receipt of amended plans (reducing the extension from 10m to 6m in length) the Local Planning Authority renotified residents and received 1 representation in response raising objections on the following (summarised) grounds:

- Close to adjoining properties;
- Increased flood risk;

- Loss of light and privacy;
- More open space required;
- Out of keeping with area;
- Represents over development; and,
- Places a strain on community facilities.

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 single storey extension, although large, will be sited to the rear of the property and will be a subservient addition. All external materials and windows will match the existing property and the design of the extension is considered acceptable against the requirements of Policy JP-P1.

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 The main impacts would be on the properties either side of the application site which are considered in turn below. Given the location of the proposed extension and interface distances with other neighbouring properties no other property is considered to be directly affected by the proposed extension to such a degree that would justify a refusal of planning permission.

Impact on 40 Parkfield:

- 10.3 This property is part of a separate pair of semi-detached properties to the east of the application site. This property has a window at the ground floor in the side elevation towards the rear of the property serving a kitchen. This window currently faces the existing 1.8m high (approx.) boundary fence and side elevation of the applicant's storage building. Views from this window to the north are obscured by a fence/gate at the bottom of the driveway of no.40.
- 10.4 The proposed extension would be single storey and located a sufficient distance from this neighbouring property. The presence of the proposed extension would be screened in part by the existing fence and the applicant's storage building. The proposed window in the east elevation of the proposed extension would face towards this property but no overlooking or loss of privacy would arise due to the screening provided by the boundary fence. Furthermore, it must be recognised that a single storey extension up to 3m could

be erected without planning permission, which could also include a side facing window. As such, it is considered that the impact of the proposed extension on the occupiers of no.40 would be acceptable against the requirements of Policy 9.

Impact on 44 Parkfield:

- 10.5 This property is the physically adjoining semi-detached property to the west of the application site. The proposed extension would be positioned adjacent to the common boundary with this neighbouring property alongside the existing 1.8m (approx.) fence. A habitable room to no. 44 is served by a window is located adjacent to the boundary with no.42.
- 10.6 Given the orientation of the properties whose rear elevations face a northerly direction, and the single storey height of the extension, it is not considered that the impacts arising from the proposed extension would justify a refusal of planning permission when taking Policy 9 into consideration. Furthermore, it must be recognised that a 3m extension in the same location could be constructed without planning permission under the provisions made by permitted development rights.

Responses to objections received:

- 10.7 The majority of the representations received were in respect of the proposals that had been originally submitted which was for a rear extension projecting 10m in length. Following the receipt of amended plans neighbours were renotified and resulted in one additional representation being made. Nevertheless, none of the original representations have been withdrawn, and so a response to the comments raised is provided below unless already covered above.
- 10.8 The extension (as amended) is not considered overly large. It is possible to erect a single storey extension up to 3m in length without planning permission, and in this case it is considered that any additional impacts associated with a further 3m projection would not justify a refusal of planning permission.
- 10.9 The scale of the proposed extension would not give cause for drainage concerns or result in materially greater flood risk to the surrounding area, nor would it result in materially different levels of traffic in the area, nor would it place a materially greater pressure on community facilities in the area. The main impacts arising from the proposed extension would be on the adjoining properties either side of the site and these impacts have already been discussed in this report. Any impacts arising from noise, either from the construction of the proposed extension, or arising from the subsequent occupation, would not justify refusal of the application or imposition of appropriate planning conditions given the small scale of the development. However, if noise from the property gives surrounding residents cause for concern this can be reported to the Council as a noise nuisance if it occurs, and it can be investigated as a separate matter at that time.

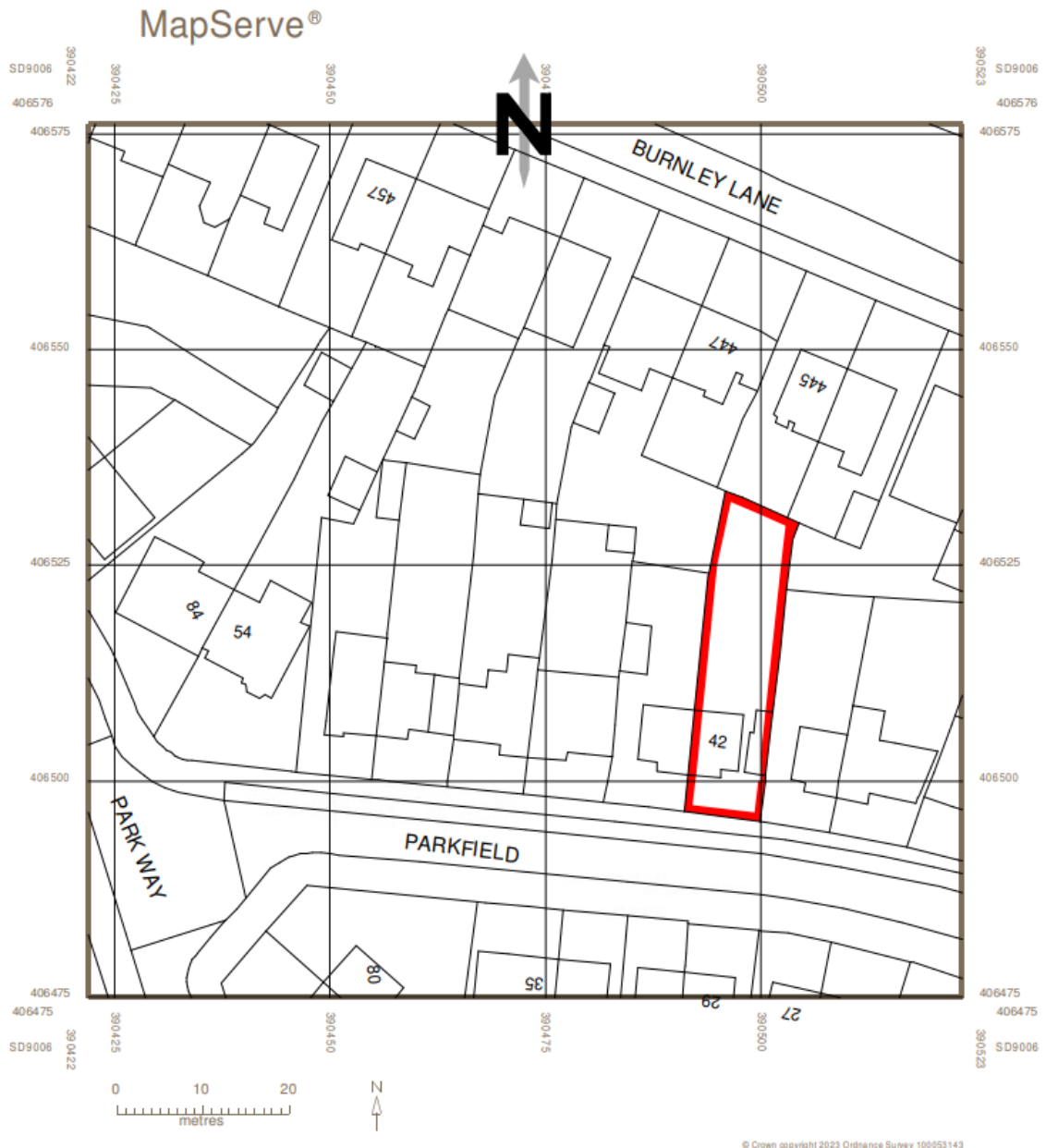
11 CONCLUSION AND RECOMMENDATION

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

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 - HOU/352509/24 Planning Committee 17th July 2024

Registration Date: 8th May 2024
Ward: Chadderton North

Application Reference: HOU/352509/24
Type of Application: Householder

Proposal: Erection of a single storey rear extension.
Location: 54 Parkfield, Chadderton, OL9 0AS

Case Officer: Sophie Leech
Applicant: Mr C Blair
Agent: N/A

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for transparency reasons since the Applicant is related to a member of staff within the Planning Service.

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 Parkfield, Chadderton. The area is residential in character and the property benefits from existing extensions to the side and rear. There is off road parking to the front and a large private garden towards the rear.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of a single storey rear extension which will measure 2m in depth, 3.36m in width, and will join onto an existing single storey rear extension. All materials will match.

5. PLANNING HISTORY

- 5.1 NMA/331646/11 - Non-Material Amendment to previously approved HH/331032/11 from two storey and single storey front extension to single storey front extension and garage conversion – Granted 21/12/2011
- 5.2 HH/331032/11 - 1) First floor side extension 2) Alterations to existing rear single storey extension roof to pitched roof (Resubmission of HH/330625/11) – Granted 11/10/2011

- 5.3 HH/330625/11 - 1) First floor side extension 2) Alterations to existing rear single storey extension roof to pitched roof – Refuse 01/08/2011
- 5.4 PA/033260/95 – Single storey rear extension – Granted 14/08/1995

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-P1 (Sustainable Places); and
 - Local Plan Development Management Policy 9 (Local Environment)

7. CONSULTATIONS

- 7.1 N/A

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.

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 single storey extension will be sited to the rear and will be a subservient addition to the existing property and will align with the depth of the existing rear extension. 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 84 Parkway:

- 10.2 This property is the adjoining semi-detached property. The proposed extension will extend a maximum of 2m in depth off the rear wall of the application property to align with the existing extensions. As such, this property would not be unduly impacted in regard to a loss of light or outlook.
- 10.3 The extension proposes a side facing window which will be sited on the boundary line with no.84. This window would be no different to conservatory glazing and a 1.8m fence between the site would prevent any loss of privacy between both properties. Notwithstanding this, the window does not need permission in its own right.
- 10.4 As such, the impact on this property is considered acceptable.

Impact on 52 Parkfield:

- 10.5 This property will remain unaffected due to its position and the location of the proposed extension. As such, the impact on this property is considered acceptable.
- 10.6 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 and the NPPF and as such is recommended for approval, subject to the following conditions.

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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Planning Appeals Update

Planning Committee

Report of Assistant Director Planning, Transportation & Housing Delivery

DATE OF COMMITTEE

17 July 2024

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 5 June 2024. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between Monday 13 May 2024 and Friday 28 June 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
FUL/349936/22	94 Lane Head Road Oldham OL4 5RT	Dismissed, 14/05/2024	26/01/2024	Application for redevelopment of garage for the provision of one dwelling
HOU/351315/23	9 Bainbridge Road Oldham	Dismissed, 10/06/2024	31/01/2024	Repositioning of boundary fence
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	Dismissed, 16/05/2024	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	Dismissed, 14/06/2024	06/03/2024	Replacement of shutters and boxings, including replacement of shop window and door
ADV/351813/23	150 Broadway Chadderton	Dismissed, 14/06/2024	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	Ongoing	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	Dismissed, 25/06/2024	23/04/2024	Construction of a front dormer
FUL/347828/21	Hawthorn Cottage, Diggle, Diggle	NEW	19/06/2024	Single storey extension to south east elevation, alterations and retrospective change of use of land.
FUL/351291/23	Land At Dark Lane Delph	NEW	11/06/2024	Erection of a stable block.

RECOMMENDATION - That the report be noted.

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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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