

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 11 December 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 Alex Bougatef 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, 6 December 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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https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE PLANNING COMMITTEE

Councillors Akhtar, Z Ali, Charters, Cosgrove, Davis (Vice-Chair), Harkness, Hince (Chair), Hobin, Hurley, A Hussain, J. Hussain, 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 3 - 6)
The Minutes of the meeting of the Planning Committee held on 16th October 2024 are attached for Members' approval.
- 6 FUL/353462/24 - 3A Underwood Way, Shaw, OL2 8LF (Pages 7 - 16)
Change of use from residential (Use class C3) to residential children's home (Use class C2)
- 7 HOU/353089/24 - 10 Eskdale Avenue, Oldham, OL8 4EE (Pages 17 - 24)
1) Part single storey part two storey rear extension. 2) Single storey side extension.
- 8 HOU/353448/24 - 12 Parkfield, Chadderton, OL9 0AS (Pages 25 - 32)
Erection of a part single/part two storey rear extension
- 9 Appeals Update Report (Pages 33 - 36)



PLANNING COMMITTEE
16/10/2024 at 6.00 pm

Present: Councillor Hince (Chair)
Councillors Akhtar, Z Ali, Cosgrove, Davis (Vice-Chair),
Harkness, Hobin, Hurley, A Hussain, J. Hussain, S. Hussain
(Substitute), Iqbal, Lancaster and Woodvine

Also in Attendance:

Graham Dickman	Special Projects Development Lead
Alan Evans	Group Solicitor
Kaidy McCann	Constitutional Services
Wendy Moorhouse	Principal Transport Officer
Peter Richards	Assistant Director - Planning, Transport & Housing Delivery

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Charters and Nasheen.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Cllr Akhtar declared a non registrable interest in items 6 and 7.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 18th September 2024 be approved as a correct record.

6 **VAR/353273/24 - LAND OFF HAVEN LANE, MOORSIDE, OLDHAM**

Councillor Akhtar left the room for consideration of this item and took no part in the discussion or vote thereon.

APPLICATION NUMBER: VAR/353273/24

APPLICANT: Andy Roberts

PROPOSAL: Application for removal of condition no. 17 (requirement for traffic calming measures prior to occupation of the approved dwellings) relating to app no. PA/33817/16

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

It was MOVED by Councillor Hobin and SECONDED by Councillor Harkness that the application be REFUSED.

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

DECISION: That the application be REFUSED for the reasons as set out in the report..

NOTES:

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

7 VAR/353326/24 - LAND OFF HAVEN LANE, MOORSIDE, OLDHAM

Councillor Akhtar left the room for consideration of this item and took no part in the discussion or vote thereon.

APPLICATION NUMBER: VAR/353326/24

APPLICANT: Andy Roberts

PROPOSAL: Application for variation of condition no. 17 (requirement for traffic calming measures prior to occupation of the approved dwellings) relating to app no. PA/338917/16 to require a scheme for traffic calming measures on Haven Lane to be approved and implemented in full within 12 months of final occupation of the approved dwellings.

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

It was MOVED by Councillor Hince and SECONDED by Councillor Iqbal that the application be APPROVED.

On being put to the vote 10 VOTES were cast IN FAVOUR OF APPROVAL and 3 VOTES were cast AGAINST with 0 ABSTENTIONS.

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

NOTES:

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

8 FUL/353379/24 - OLDHAM 369, LYDIA BECKER WAY, OLDHAM

APPLICATION NUMBER: FUL/353379/24

APPLICANT: Inspired Global Cuisine & Ergo

PROPOSAL: Proposed use of the building for flexible employment uses within use classes E(g), B2 and B8

LOCATION: Oldham 369, Lydia Becker Way, Chadderton, Oldham, OL9 9JE

It was MOVED by Councillor Hince and SECONDED by Councillor Davis 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.

NOTES:

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 11.

9 **FUL/353109/24 - LAND AT ALBERT STREET, HOLLINWOOD**

APPLICATION NUMBER: FUL/353109/24

APPLICANT: Lidl Great Britain Limited

PROPOSAL: Erection of a new foodstore (Use Class E) with associated car parking and landscaping

LOCATION: Land at Albert Street, Hollinwood

It was MOVED by Councillor Hobin 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 outlined in the report.

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 11.

10 **APPEALS UPDATE**

RESOLVED that the Appeals Update be noted.

11 **LATE LIST**

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



Oldham
Council

The meeting started at 6.00 pm and ended at 8.01 pm

APPLICATION REPORT – FUL/353462/24 Planning Committee 11th December 2024

Registration Date: 23 September 2024
Ward: Shaw

Application Reference: FUL/353462/24
Type of Application: Full application

Proposal: Change of use from residential (Use class C3) to residential children's home (Use class C2)

Location: 3A Underwood Way, Shaw, Oldham, OL2 8LF

Case Officer: Abiola Labisi
Applicant: Safe Children's Care Limited Safe Children's Care Limited
Agent: Mr. Smith

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee by the Assistant Director for Planning, Transport, and Housing Delivery given the significant public interest generated by the publicity given to the application.

2. RECOMMENDATION

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

3. SITE DESCRIPTION

- 3.1 The site comprises a large detached dwellinghouse close to the junction of Underwood Way with Hillside Avenue, Shaw. It is located within a mature residential area and the general area is undulating in topography.

4. THE PROPOSAL

- 4.1 The application proposes the change of use of the property from a dwellinghouse (which falls within Use Class C3 of the Town and Country Planning Act 1990) to accommodate up to three children (aged 7 – 17) who are in the care system and require a stable home environment. The applicant considers the proposed use to fall within Use Class C2 (Residential Institution) and has made the application on this basis.
- 4.2 Other legislation and regulations must also be complied with to enable the use to proceed including the requirements of The Care Standards Act 2000 (Registration) (England) Regulations 2010, the Children's Homes (England) Regulations 2015, and the Children's Homes and Looked After Children (Miscellaneous Amendments)

(England) Regulations 2013. The applicant has explained that Ofsted are the responsible body for registering and monitoring care homes in accordance with these regulations. However, for the avoidance of doubt, this current application is made for planning permission under the provisions and requirements of the Town and Country Planning Act 1990.

- 4.3 No extensions are proposed to the property, which currently provides four bedrooms. The proposal involves utilising one of these bedrooms as a staff rest room (with overnight sleep-in shifts) and an existing study on the ground floor would be repurposed to provide a staff office to monitor the main entrance to the property. It is expected that three full-time members of staff would be present during the daytime and between one and three staff would be present at night. In addition, a Home Manager would attend the property occasionally, and there may be occasional visits from social workers and Ofsted inspectors.
- 4.4 Any therapy requirements for the children would generally take place off-site.

5. PLANNING HISTORY

- 5.1 There is no relevant planning history.

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);
 - Local Plan Development Management Policy 2 (Communities); and,
 - Local Plan Development Management Policy 9 (Local Environment).

7. CONSULTATIONS

Highways	No objections subject to imposition of a condition requiring cycle parking facilities to be provided.
Environmental Health	No objections
Community Safety Team	Raised no objection as they are not aware of any issue of concern in the area.

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, as well as the display of a notice on the site.
- 8.2 In response, a total of 104 representations have been received to the application – one in support of the application and the rest raising the following (summarised) planning-related concerns about the proposals:
- Close to adjoining properties (addressed within para. 10.4)
 - Loss of privacy (addressed within para. 10.4)
 - Noise nuisances (addressed within paras. 10.3 and 10.10)
 - Out of keeping with the character of the area (addressed within paras. 9.7, 9.8, 10.2 and 10.10)
 - Anti-social behaviour including crime and vandalism would result (addressed within paras. 10.7 – 10.9)
 - Increase in traffic (addressed within paras. 11.2 – 11.4)
 - Inadequate parking facilities (addressed within paras. 11.2 – 11.4)
 - Conflict with local plan policies (addressed within paras. 9.5 – 9.9)
 - Inadequate public transport options (addressed with paras. 11.2 – 11.4)
 - Inadequate access (addressed within paras. 11.2 – 11.4)
 - Unsafe for pedestrians (addressed within paras. 11.2 – 11.4), and,
 - Places strain on existing facilities in the area (addressed within paras. 10.2 and 10.10)
- 8.3 Other issues raised by objectors have included matters which are not material planning considerations, for example the impact of the proposal on the value of existing properties in the area causing problems for those wishing to sell their properties. As these are not material planning considerations, they will not be addressed in this report.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE

- 9.1 Local Plan Policy 2 (Communities) explains that development should contribute towards sustainable communities and should not undermine community cohesion. It states that the council will support proposals for new and improved community facilities that meet an identified need. For the purposes of this policy a children's home is regarded as a 'community facility'.
- 9.2 Policy 2 requires that when considering applications for community facilities they should contribute towards community cohesion and regard should be given to the following objectives:
- a) people share a sense of belonging and a common identity;
 - b) people are strong in their own identities and respect others;
 - c) a more equal borough;
 - d) people relate to each other;

- e) people play their part; and,
- f) resilience to threats and conflict.

- 9.3 The applicant's supporting statement explains that the provision of residential childcare for children is largely delivered in the UK through homes of six or less children and that Ofsted (the regulator) identified in their report entitled 'Children's Social Care in England 2019' that the provision of homes has not kept pace with demand and that children's homes providing care for between 3-4 children were the most common form of children's home in England as of March 2019. Care homes for between 1-2 children are the third most common type of care home (behind homes for 5-6 children) and therefore provide a substantial contribution to the overall care home provision. This trend recognises the best practice objectives of residential care homes in replicating a 'normal' domestic household environment.
- 9.4 Paragraph 97 of the National Planning Policy Framework explains that planning policies and decisions should, amongst other things, ensure an integrated approach to considering the location of community facilities and services.
- 9.5 Having regard to the small-scale nature of the proposed use it is considered that the principle of the change of use is acceptable in this location. The property would operate largely in the same way as a traditional dwellinghouse, albeit with some additional comings and goings due to the need for staff to be present at the property. For the children who would reside in the property on a permanent basis (short-term), it would essentially create a home environment within an established residential area.
- 9.6 However, in a High Court judgement of *North Devon DC v FSS & Southern Childcare Ltd* [2003] it was concluded that children cannot form a single household, and that carers who provide 24-hour care, but are not themselves resident, cannot be regarded as part of the household. For this reason, the use could **not** fall within Use Class C3 as a "dwellinghouse".
- 9.7 However, notwithstanding this, in many cases such a proposed change of use from C3 to a C2 small Children's Home is not considered to require planning permission. This is because in that same High Court judgement, the Court agreed that the Planning Inspector was right to then go on to consider whether the proposal involved a **material** change of use for which planning permission would be required. In his opinion, the house and its curtilage would retain the look and character of neighbouring houses and a normal residential dwelling. The use and associated activity, including comings and goings of care workers, would be unlikely to cause a greater level of disturbance or amenity harm than could be expected by a C3 use. In his view, no material change of use would occur.
- 9.8 The above position appears to be echoed in a recent Ministerial Statement from Rachel Maclean (Minister of State for Department for Levelling up, Housing and Communities in March 2023) who stated:

"Planning permission will not be required in all cases of development of children's homes, including for changes of use from dwelling houses in class C3 of the Town and Country Planning (Use Classes) Order 1987 where the children's home remains within class C3 or there is no material change of use to class C2. An application to the local planning authority can be made for a lawful development certificate to confirm whether, on the facts of the case, the specific use is or would be lawful. Where a certificate is issued, a planning application would not be required for the matters specified in the certificate."

9.9 Having regard to the aforementioned Policy 2, the requirements of the NPPF, and having given weight to the potential fallback position that planning permission is unlikely to be required in this case for the same reasons, it is considered that the principle of the proposed development (change of use) is acceptable in this case.

10. RESIDENTIAL AMENITY

10.1 Local Plan Policy 9, amongst other things, requires that development should protect and improve local environmental quality and amenity by ensuring development:

- is not located in areas where it would be adversely affected by neighbouring land uses;
- does not have an unacceptable impact on the environment (including noise);
- does not cause significant harm to the amenity of the occupants and future occupants of the development;
- does not cause significant harm to the amenity of the occupants and future occupants of neighbouring properties through impacts on privacy, safety and security, noise, pollution, the visual appearance of an area, access to daylight or other nuisances.

10.2 Whilst the proposal is for a children's care home, the nature and scale of the proposal is akin to a residential use and as such, it is considered that the proposal would be compatible with existing neighbouring uses without causing any significant adverse impact on the residential character of the area. Notwithstanding the change of use, it is considered that the scale of the proposed development would not lead to any significant additional demand on existing facilities and amenities in the area. It should be noted that a dwellinghouse with no control on the number of occupants could generate a higher demand on local amenities than the proposed small-scale children's care home.

10.3 The scale of the proposal would also minimise any potential noise disturbance issue and, significantly, the Council's Environmental Health Officers have not raised any concerns relating to likely noise disturbances.

10.4 As the proposal does not include any significant external alterations to the building, it is therefore considered that, notwithstanding its proximity to neighbouring properties, the proposal would not result in any additional overbearing or overshadowing impact that would exceed what currently exists. In the same vein, there would not be any additional overlooking impact or loss of privacy that would be significantly worse than the current situation.

Community Safety:

10.5 In relation to community safety, Local Plan Policy 9 also requires that the Council will promote community safety by ensuring that development:

- i) Minimises opportunities for crime;
- ii) Reduces the fear of crime; and,
- iii) Provides for the safety and securing of all sections of the community.

10.6 Within this context, it is noted that a number of objectors have suggested that the proposed use would increase anti-social behaviour in the area including vandalism.

- 10.7 There are 30 small children's homes functioning in residential areas across the borough that operate largely without issue. Clearly, it is the way in which the property is managed which is important in this regard, but it is unjust to suggest or imply that a children's home will directly result in an increase in anti-social behaviour in the area. There would be just as much chance of anti-social behaviour being generated by the occupants of a C3 dwellinghouse (the existing use of the property in question). In fact, because a children's home is subject to Ofsted inspection, the operators are more likely to do all they can to resolve any issues of anti-social behaviour that do arise, compared to a private dwellinghouse where the perpetrators of any anti-social behaviour are the owners / tenants of the property or their family members.
- 10.8 The Council's Community Safety Team have been consulted on the application and they have advised that they are unaware of any particular community safety issue of concern in the area. Significantly, the Community Safety Team have further provided that the Neighbourhood Policing team have limited reports of criminality and there is nothing to suggest that vulnerable juveniles would be targeted or exposed to child-related criminal activities if housed in the area.
- 10.9 Having regard to the foregoing, it is considered that the proposal would be unlikely to lead to any unacceptable community safety issues.
- 10.10 Finally, to further ensure that the proposal does not lead to unacceptable impact on the character of the area, or on the residential amenity of the occupiers of neighbouring properties, relevant planning conditions restricting the use of the property to a children's care home only, and not for any other use within Use Class C2, should be attached to any grant of permission. In the same vein, conditions restricting the number of children to be accommodated within the facility as well as number of carers working on site should be attached.

11. HIGHWAY SAFETY

- 11.1 Local Plan Policy 9 requires, amongst other things, that development (which includes a change of use) does not harm the safety of road users.
- 11.2 The property has an existing driveway for several vehicles to park and there are no restrictions for on-street parking in the vicinity. Whilst it is recognised that there may be a small additional demand for parking due to the need for staff to be present, this additional demand would not itself result in a **severe** impact on the function of the highway network, which is the relevant test set out in paragraph 115 of the National Planning Policy Framework.
- 11.3 The Council's Principal Highway Engineer has been consulted on the application and considers that the proposed development is in a sustainable location with excellent links to public transport, opportunities for walking and cycling, and access to a wide range of amenities. They also consider that there will be no significant additional traffic generation or demand for parking to the detriment of highway safety.
- 11.4 As such, it is considered that the additional traffic or demand for parking would not result in materially harmful impacts on the existing highway network.

12. CONCLUSION AND RECOMMENDATION

- 12.1 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:

13. 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 use of the development hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter. Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order, 1987, as amended, the property shall only be occupied as a Children's Care Home only and shall not be used for any other purpose, including any other Class C2 use without planning permission having been obtained from the Local Planning Authority. REASON - In order to protect the character of the area and the amenity of the occupiers of neighbouring property, in accordance with Policy 9 of the Oldham Local Plan.
5. There shall be no more than three children residing in the children's home hereby approved at any point in time. REASON - In the interest of the amenity of the occupiers and that of neighbours, as well as the character of the area, in accordance with Policy 9 of the Oldham Local Plan.
6. There shall be no more than three carers working on site at any point in time. REASON - In the interest of the amenity of the occupiers and that of neighbours, as well as the character of the area, in accordance with Policy 9 of the Oldham Local Plan.
7. The carers shall not use the property as their principal residence but rather only as their place of work. REASON - In the interest of amenity in accordance with Policy 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

THE BACKGROUND PAPERS

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

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

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

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 - HOU/353089/24 Planning Committee 11th December 2024

Registration Date: 1st July 2024
Ward: Werneth

Application Reference: HOU/353089/24
Type of Application: Householder

Proposal: 1) Part single storey part two storey rear extension. 2) Single storey side extension.

Location: 10 Eskdale Avenue, Oldham, OL8 4EE

Case Officer: Sophie Leech
Applicant: Mrs Sughra Begum
Agent: N/A

1. INTRODUCTION

- 1.1 In accordance with the requirements of the Council's Constitution and Scheme of Delegation, the application has been referred to Planning Committee for determination given that the Applicant is related to Elected Member Councillor Sajed Hussain.

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 Eskdale Avenue, Oldham. The area is residential in character.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of a part two storey, part single storey rear extension and a single storey side extension. All materials will match the existing property. Juliet balconies are proposed at first floor level on the rear elevation of the two storey extension.

5. PLANNING HISTORY

- 5.1 PA/029307/92 - Kitchen, bathroom and dressing room extension – Approved 17.10.92.

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, no representations have been received.

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 part two storey, part single storey rear extension will have a pitched roof to match similarly to the main roof and will be finished with a gable design, along with materials to match the existing property.
- 9.3 The proposed single storey extension will have a flat roof and will be visible from the street scene. While a flat roof is generally discouraged due to design, the extension will be set back from the front elevation, therefore offering limited harm upon the property or wider street scene.

- 9.4 All external materials will match the existing property which is considered acceptable on design grounds.
- 9.5 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 8 Eskdale Avenue:

- 10.2 This property is an adjoining neighbour sited to the north-east. Along the shared boundary there is a large brick outhouse with a steep roof. As a result of this, the single storey side extension would not cause any harm to this property in regard to a loss of light or outlook. In addition to this, the part two storey, part single storey rear extension would not result in any significant harm upon amenity due to its siting in relation to this property. As such, the impact on this property is considered acceptable.

Impact on 12 Eskdale Avenue:

- 10.3 This property is the adjoining semi-detached neighbour and is sited to the south-west elevation. This property does not benefit from any extensions and has habitable room windows adjacent to the shared boundary at both ground floor and first floor. The first floor extension will project approximately 2.5m in depth and the ground floor extension approximately 4m in depth. Due to the orientation, there is likely to be some loss of light to the ground floor window in particular, however, there would not be a significant loss of outlook to this property given then the first floor is a reduced depth. On this basis, the impact is considered acceptable. Given the above assessment, the proposed development is acceptable having regard to Policy 9 of the DPD.

11. CONCLUSION AND RECOMMENDATION

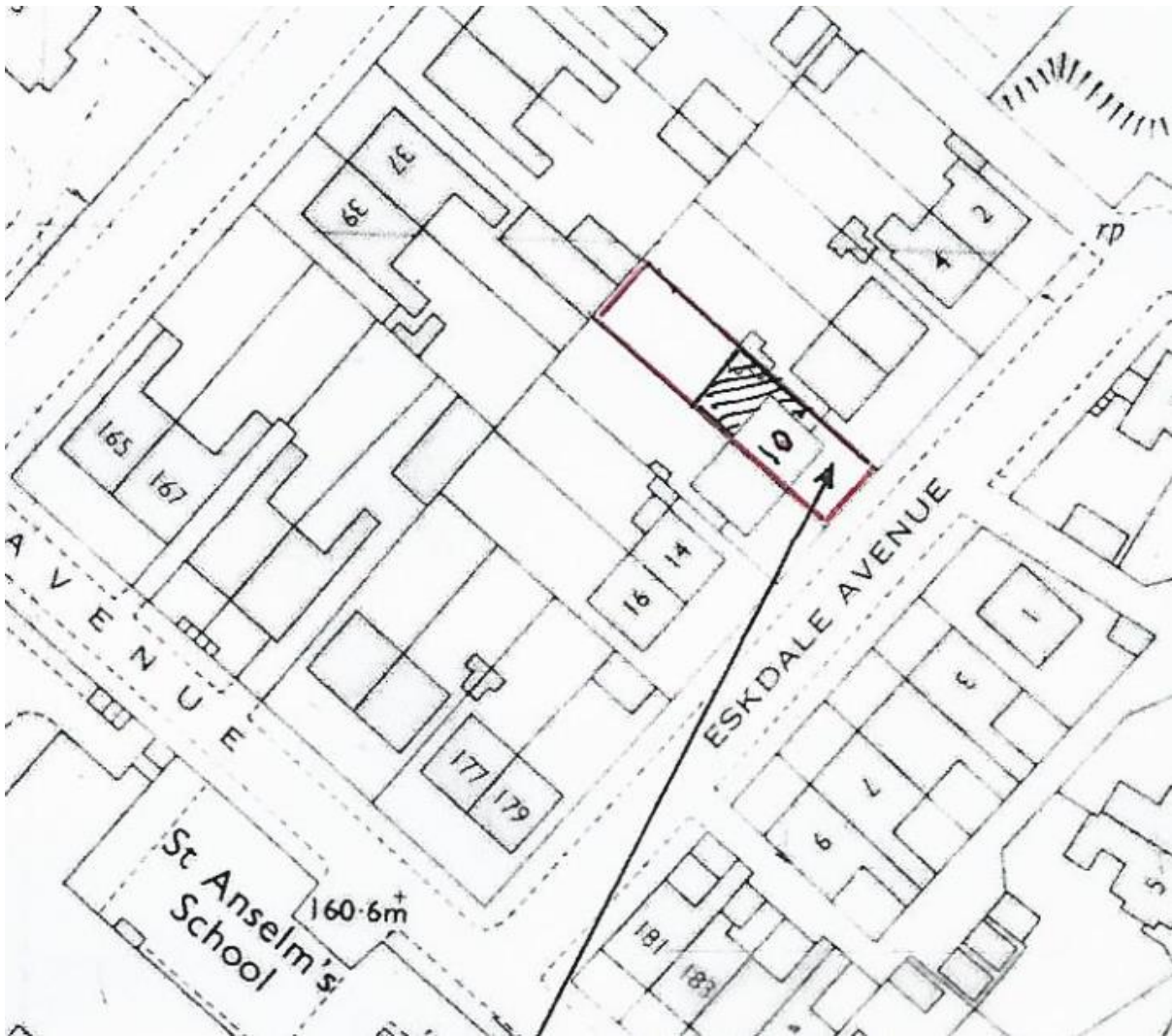
- 11.1 The proposal accords with the objectives of both the Local Plan and the NPPF and as such is recommended for approval, subject to the following conditions.

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 COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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- Correspondence and/or documents from received from interested parties.

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ADDITIONAL BACKGROUND PAPERS

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APPLICATION REPORT - HOU/353448/24 Planning Committee 11th December 2024

Registration Date: 17th September 2024
Ward: Chadderton North

Application Reference: HOU/353448/24
Type of Application: Householder

Proposal: Erection of a part single/part two storey rear extension
Location: 12 Parkfield, Chadderton, Oldham, OL9 0AS

Case Officer: Brian Smith
Applicant: Mr Abdul Karim
Agent: Mr Syed Helal Uddin

1. INTRODUCTION

- 1.1 In accordance with the requirements of the Council's Constitution and Scheme of Delegation, the application has been referred to Planning Committee for determination given that the Applicant is related to Elected Member Councillor Abdul Jabar.

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 brick built 3bed semi-detached property under a concrete tiled hipped roof situated on the north side of Parkfield, Chadderton.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of a part single storey/part two storey rear extension equating to a depth of 6m/2.2m at ground and first floor, respectively. Matching materials are proposed throughout.

5. PLANNING HISTORY

- 5.1 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 such publicity, no representations have been received.

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 In contrast to the single-storey element of the proposed build which features a dual pitched gable roof, the more prominent two-storey element features a hipped roof matching the characteristics of the existing roof.
- 9.3 All external materials 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 10 Parkfield:

- 10.2 Notwithstanding the depth of the ground floor element of the proposed build. Mindful of an earlier lean-to extension to the rear of no.10 Parkfield, established boundary fence and favourable orientation in this instance, this aspect of the application should have few amenity implications for the occupiers of this adjoining dwelling. In fact, in the absence of any objections, comparisons could be drawn between permitted 'larger home extensions' in this instance which further favours this aspect of the application.
- 10.3 Turning to the two-storey element of the proposed build. Owing to its considerably lesser depth and compliance with the 45-degree rule insofar as no.10's first floor rear bedroom window nearest the common boundary is concerned, which is essentially a guide as opposed to policy. This aspect of the proposed build would at the very least have equally few amenity implications.
- 10.4 Accordingly, the impact on this property is considered acceptable.

Impact on 14 Parkfield:

- 10.5 Considering this dwelling has similarly been extended following earlier grants of planning permission, its apparent that the implications of the proposed extension in this regard would be negligible.

Impact on Burnley Lane dwellings:

- 10.6 Neighbouring dwellings to the rear on Burnley Lane are sufficiently distanced from the proposed extension to avoid any loss of amenity.

11. CONCLUSION AND RECOMMENDATION

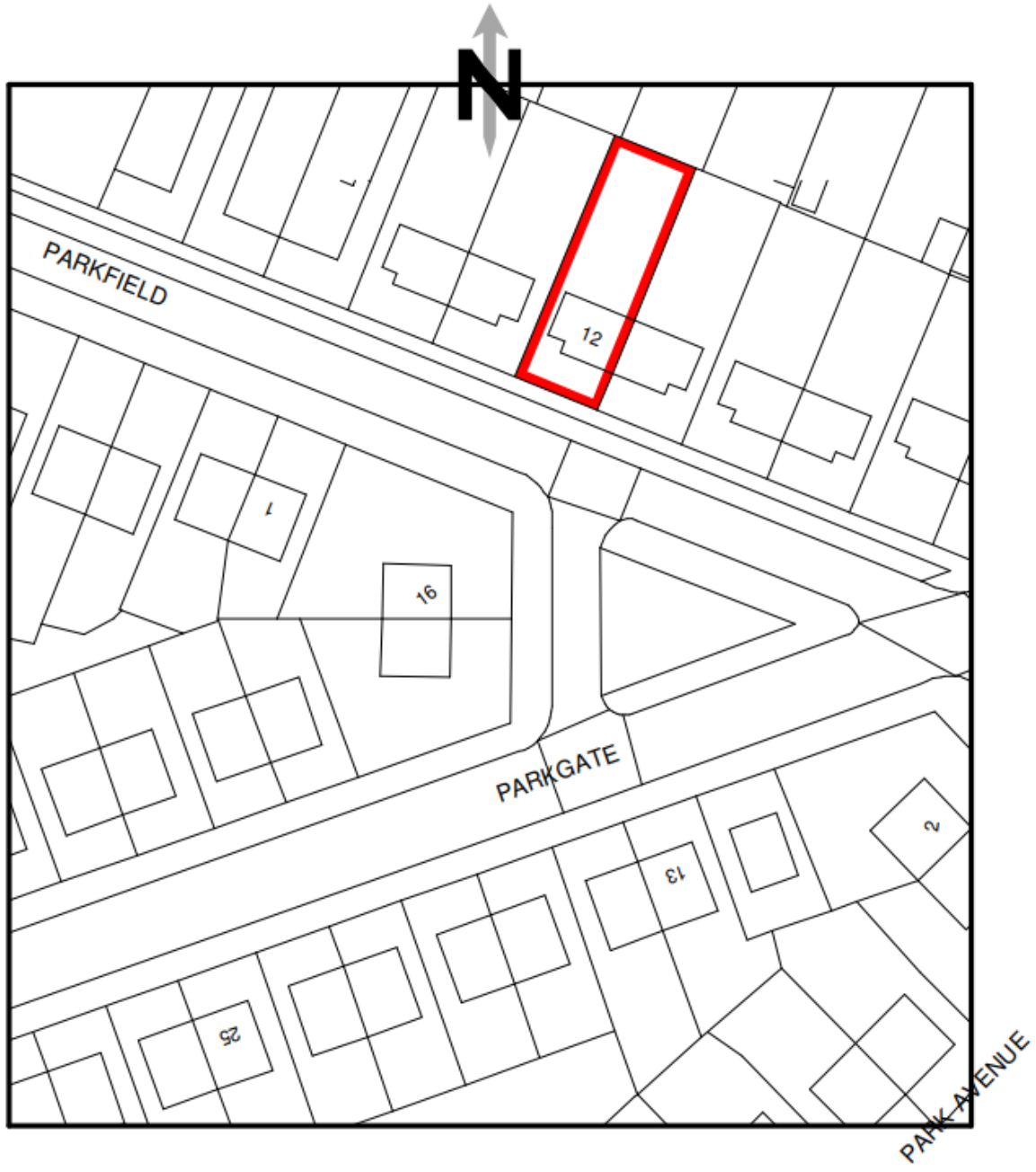
- 11.1 The proposal accords with the objectives of both the Local Plan and the NPPF and as such is recommended for approval, subject to the following conditions.

12. CONDITIONS:

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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

11 December 2024

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 16 October 2024. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between Monday 30 September 2024 and Friday 22 November 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
FUL/347828/21	Hawthorn Cottage, Diglea, Diggle	Allowed, 02/10/2024	19/06/2024	Single storey extension to south east elevation, alterations and retrospective change of use of land.
FUL/351685/23	47 Ferney Field Road Chadderton	Dismissed, 07/11/2024	17/07/2024	Change of use from garage into holiday let accommodation
HOU/351856/23	47 Ferney Field Road Chadderton	Part allowed, 07/11/2024	29/07/2024	1). Single storey rear extension 2). First and second floor front, rear and side extension. 3). New driveway to front
HOU/352179/24	92 Parkway Chadderton	Ongoing	06/08/2024	Retrospective application. 1) Increase in width of two storey side extension 2) Infill extension to rear first floor adjacent boundary with 90

				Parkway 3) Amendment to side and rear elevation windows 4) Enlargement of rear dormer 5) Changes to front elevation to remove bay window
HOU/352570/24	150 Chadderton Way Oldham	Ongoing	01/08/2024	Erection of a part single part two storey rear extension, and rear dormer.
HOU/352652/24	15 Underwood Way Shaw	Dismissed, 22/11/2024	02/08/2024	1. Raising of the roof of the property to accommodate a rear dormer. 2. Two storey rear extension.
HOU/352737/24	1 Woodend Street, Oldham	Dismissed, 31/10/2024	21/08/2024	1. Rear Dormer 2. Erection of a front porch 3. Installation of new window to front elevation.
ADV/351200/23	Land West Of Ashton Road, Hathershaw, Oldham, OL8 3HF	Dismissed, 05/11/2024	17/09/2024	Installation and display of a digital billboard.
OUT/351895/23	Land To The Rear Of 871 Middleton Road Chadderton	Ongoing	18/09/2024	Outline planning application for 1 no. detached house with access and layout to be considered.
HOU/352241/24	107 Green Lane Oldham	Part allowed, 30/10/2024	04/09/2024	Retrospective application for a two storey side/rear extension and erection of a shed to side elevation.
VAR/352405/24	Land Off Haven Lane Moorside	Ongoing	11/09/2024	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
HOU/352605/24	Holly Ville Lodge Holmfirth Road, Greenfield	Ongoing	19/09/2024	Partial redevelopment of existing derelict house.
FUL/352701/24	Pavement Outside 1 Town Square Shopping Centre George Street Oldham	Ongoing	17/09/2024	Installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator
FUL/352703/24	The Pavement Outside 6 High Street Oldham	Ongoing	17/09/2024	Installation of a multifunction hub unit featuring an integral advertisement display and defibrillator
ADV/352754/24	489 Manchester Road Oldham	Ongoing	17/09/2024	Replacement of existing 48 sheet advert on gable end with a digital advert screen.
HOU/352734/24	2 Miller Meadow Close Shaw	NEW	19/11/2024	Installation of a fence 2m in height to the rear and side of the property.
ADV/352833/24	483 Manchester Road Oldham	NEW	24/10/2024	Upgrade of existing 48 sheet advert to support digital poster
HOU/352851/24	11 Eustace Street Chadderton	NEW	08/10/2024	Erection of single storey rear and side extension.
HOU/352933/24	18 Primrose Avenue Uppermill	NEW	22/10/2024	Erection of a first floor rear extension
HOU/353021/24	6 Rochdale Road Denshaw	NEW	01/11/2024	Detached double garage to rear with pitched roof.
HOU/353324/24	5 Penryn Avenue Royton	NEW	19/11/2024	Retrospective application for a single storey front

Item number: 00

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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