

APPLICATION REPORT - PA/342503/18

Planning Committee, 13 February, 2019

Registration Date: 14/11/2018
Ward: Royton North

Application Reference: PA/342503/18
Type of Application: Full Planning Permission

Proposal: Erection of detached two storey building for use as a medical centre (D2 Use Class), creation of 18no. car park spaces, erection of 2m high fencing to site perimeter and associated landscaping works.

Location: Former Royton Youth Centre, Chapel Street, Royton, OL2 5QL
Case Officer: Matthew Taylor

Applicant Agent : Royton Medical Centre
DGA Architects Ltd

REASON FOR REPORTING TO COMMITTEE

Councillor Chauhan is one of the partners of the proposed medical centre. The Council's Scheme of Delegation requires applications made by (or on behalf of) Councillors to be referred to the Planning Committee for determination.

THE SITE

The application relates to the site of the former Royton Youth Centre – a rectangular parcel of land measuring circa 0.21 hectares in area at the junction of Sandy Lane and Chapel Street, Royton.

The site was previously occupied by a single storey; flat-roofed building to the eastern end of the site and a Multi-Use Games Area (MUGA) enclosed by weldmesh fencing reaching approximately 4m in height located to the western end of the site alongside Thorp Road.

THE PROPOSAL

The application seeks full planning permission for the erection of a two storey medical centre, creation of a 18 space car park and erection of a perimeter fence. Opening hours for the medical centre are proposed between 07:00 and 22:00 Monday to Sunday (including bank holidays).

The proposed building would occupy a rectangular footprint measuring 25.3m in length and 19.3m in width and would be two storeys in height reaching 3.1m to the eaves and 8.5m to the ridge. The front roof slope will have two pitch-roofed dormers set back 0.7m from the eaves line and 2.9m below the main ridgeline either side of a central, full-height two storey facing gable protruding 1.2m from the front (north facing) elevation of the building facing onto Chapel Street which would form the building's main entrance. The rear roof slope includes three pitch-roofed dormers set back 0.7m from the eaves line and 2.9m below the main ridgeline.

The development will include the laying out of an 18 space car park with vehicle access from Thorp Road on the footprint of the MUGA at the eastern end of the application site.

The proposed 2m high paladin fencing to the site perimeter would be colour treated 'light moss green' (RAL 6005) and will be staggered from the footways of flanking highways in order to avoid existing trees on Chapel Street and Thorp Road; and a 2m buffer provided with the site's frontage onto the junction of Sandy Lane/Chapel Street. A 1m wide strip of planting would be introduced in front of the fence where it extends around the junction in order to screen this from vantage points on Sandy Lane.

RELEVANT HISTORY OF THE SITE:

PA/338786/16 - Enlargement and extension of building to provide medical centre including: 1) addition of pitched roof, two storey front extension and erection of front and rear dormers to form first floor accommodation above existing building; 2) two storey side extension; 3) change of use of existing playground to form car park with access off Thorp Road; 4) Installation of roller shutters to openings on all elevations; and 5) erection of 2m high fencing to site perimeter – Approved 09/03/2017.

PA/335321/14 – Increase existing fence height – Approved 15/07/2014.

PA/333404/12 – Creation of multi-use games area and ramp overlaying existing surface with tarmacadam installation of fencing and games equipment (Resubmission of PA/332857/12) – Approved 08/02/2013.

PA/332857/12 – Creation of multi use games area (to be used 16:00 to 21:00 Tuesdays, Thursdays, Fridays, Sundays and 11:00 to 14:00 Saturdays) 2) Erection of ramp 3) Erection of fencing 4) Installation of games equipment 5) Erection of floodlights – Withdrawn 07/11/2012.

RELEVANT PLANNING POLICIES & GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated by the Proposals Map associated with this document.

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

DPD Policies:

Policy 1 – Climate Change and Sustainable Development
Policy 2 – Communities
Policy 5 – Promoting Accessibility and Sustainable Transport Choices
Policy 9 – Local Environment
Policy 19 – Water and Flooding
Policy 20 – Design
Policy 21 – Protecting Natural Environmental Assets
Policy 23 – Protection of Open Spaces

Saved UDP policies:

D1.5 – Protection of Trees on Development Sites

CONSULTATIONS

Highway Engineer

Recommends conditions to address the pedestrian access to the site across Sandy Lane, cycle storey on site and the provision of the car park and access prior to

Environmental Health	the occupation of the development. Recommends a condition to address the provision of a bin store within the site.
Drainage	No objection
Trees	Originally raised concerns over the impact of the proposed development on the root protection areas of T4-T7. However, the applicant has submitted further details to address this matter.
Greater Manchester Police Architectural Liaison Unit	No objection.

REPRESENTATIONS

This application was publicised by way of a site notice and neighbour notification letters. No responses have been received to this public consultation

PLANNING CONSIDERATIONS

Main issues to consider are:

- Principle of the development
- Character and appearance;
- Residential amenity;
- Highways; and
- Trees.

Principle of development:

DPD Policy 1 states that, when determining planning applications, the Council will ensure the effective and efficient use of land and buildings by promoting the reuse and conversion of existing buildings and development on previously developed land prior to the use of greenfield sites.

The majority of the site was previously occupied by a building and hardstanding area. These are both features which fall within the definition of previously developed land in Annex 2 of the NPPF. Accordingly, the proposal would make efficient use of previously developed land in accordance with the objectives of DPD policy 1.

DPD Policy 2 states the council will support proposals for new and improved community facilities that meet an identified need, where appropriate, by working with partners and through the use of developer contributions. Moreover, the LPA will support improvements in the health and well-being of Oldham's residents by working with the NHS, PCT and other health partners and through the use of developer contributions to facilitate the development of new and improved health-related facilities.

It is clear from the approval of the previous application at Planning Committee that members considered a new medical practice on the edge of Royton centre would provide a new and improved community/health related facility that meets the local community's needs.

In addition, DPD Policy 5 indicates that minor developments of this type should, as a minimum, achieve 'low accessibility' with respect to their access to public transport. This is defined in the policy as sites "Within approximately 400 metres of a bus route with a service, or a combination of services, running less frequently than the medium accessibility [two per hour daytime Monday to Saturday]".

The site occupies a prominent location in an established setting on the edge of (but outside) the boundaries of Royton Centre as defined on the Proposals Map. The busy thoroughfares of Rochdale Road (to the east) and Middleton Road (to the south) are located approximately 150m and 180m walking distance from the site respectively. There are bus stops on both

these roads which are served by frequent public bus services. These stops are located within the 400m distance for 'low accessibility' specified in DPD policy 5 and the frequency of services are in excess of the requirements of the policy. Accordingly, the site meets exceeds the accessibility criteria set out in DPD Policy 5.

Character and appearance:

DPD Policy 9 requires that developments do not have a significant, adverse impact on the visual amenity of the surrounding area, including local landscape and townscape, whilst DPD Policy 20 states that the Council will promote high quality design in developments in order that they reflect the character and distinctiveness of the area

The proposed appearance of the building is similar to the design of the previously approved development (Ref: PA/338786/16).

The surrounding area is dominated by residential properties which vary in age, style, density and scale. Owing to its position to the eastern end of the site, the proposed building would be most closely related to the three-storey flats to the rear; the three-storey pub on the junction to the north-east and two storey dwellings on Chapel Street to the north. Moreover, the most prominent public vantage points are on Sandy Lane to the east.

The proposed two storey building would be of a substantial scale and massing in comparison to the flat-roofed building that previously occupied the site. Nevertheless, the building's eaves height would be lower and the pitch of the roof would not be particularly steep. As such, the ridge would be approximately similar in height to the eaves level of the three-storey block of flats on Sandy Walk to the south and would be only marginally higher than the ridgelines of two storey dwellings on the opposite side of Chapel Street.

As such, it is considered the proposed development would be compatible with the scale, height and massing of surrounding buildings, and would not appear as a dominant or overbearing feature in the street scene.

Residential amenity:

DPD Policy 9 states it is necessary to consider how the proposal impacts on the amenity of the occupants of adjoining residential properties from the impacts likely to be associated with the proposal.

With the exception of the nearby Hope and Anchor public house and precinct car park, surrounding uses are principally residential in character. The adjacent pub will generate evening trade and has an outdoor seating area to the rear which has the potential to give rise to noise and disturbance, particularly late in the evening. Passing road traffic on Sandy Lane and comings and goings from the precinct car park represent other local noise sources. As such, it is not considered that the proposed medical centre would generate unacceptable levels of additional noise and disturbance which would adversely affect the amenity of surrounding occupiers.

Given the proposed two storey design has a similar massing to the previously approved scheme, it would appear prominent in the outlook from surrounding dwellings. The front and rear elevations of the building would achieve minimum separation distances of 18m and 8m with properties on Chapel Street and Sandy Walk respectively.

The three storey flats to the rear have windows at each level facing onto the site and are set at a slightly higher level. Dwellings on Chapel Street are set on lower lying ground and their front-facing windows overlook the site.

It is clear from the previous planning application's Committee decision that the Council considered the main outlook from these properties would be across a sloping roof rather than of a vertical wall. Whilst the dormers and two storey entrance would introduce some vertical bulk, they would be seen as modest features against the much larger backdrop of the roof space, with substantial spacing between them, and the dormer ridge heights would be set below the ridgeline of the main building. Therefore, it is not considered that the

development would appear as an oppressive or overbearing feature in the outlook of neighbouring dwellings and would not unduly affect their amenity through overshadowing or loss of outlook.

In regards the dormer windows, it is clear they would afford views towards neighbouring dwellings from first floor level. Whilst the 18m separation with houses on Chapel Street is considered to be sufficient to avoid any undue effects due to a loss of privacy, additional controls are necessary to the rear dormer windows to restrict any opportunities for overlooking towards the front-facing windows of these neighbours properties. Therefore, a condition is recommended for the rear dormer windows to be fitted with obscured glazing.

Highways:

DPD Policy 5 requires that developments do not compromise pedestrian or highway safety and DPD Policy 9 states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users.

The Highway Officer considers that the proposed access arrangements to the car park would be suitable for the volume and characteristics of traffic using the site and acknowledges that the applicant has maximised the level of parking provision that can be provided on site.

The Highways Officer has raised concerns regarding the lack of a pedestrian crossing to the site over the highway of Sandy Lane when the site is approached from routes to the eastern side of Sandy Lane, including from the nearby precinct car park.

The precinct car park includes two footpaths to the north-west corner which create desire lines directing pedestrians towards the junction with Sandy Lane, Radcliffe Street and Chapel Street. Whilst there is a signalised pedestrian crossing with roadside barriers to the southern end of Sandy Lane, this is on an uphill stretch travelling away from the site and located approximately 100m away from the junction.

Given the nature of a medical practice it is clear the scheme will result in an increase in the number and frequency of vulnerable users visiting the site. Accordingly, it is considered that there is a need to provide improved pedestrian crossing facilities over Sandy Lane in the vicinity of its junction with Radcliffe Street and Chapel Street, and that these works are fairly and reasonably related in scale and kind to the development and use being applied for.

Given these works have costs attached it is considered appropriate, as on the previous application, to impose an appropriately worded condition to secure the delivery of the off-site highway works. The physical works will be implemented through a Section 278 agreement under the Highways Act.

Conditions have also been recommended requiring the vehicle parking and manoeuvring areas shown on the plans to be marked out prior to first occupation, and for the provision of secure cycle parking facilities within the site.

Subject to the implementation of the off-site highway improvement works, the proposed development would provide a safe and suitable means of access to the site for all users. The scheme would also make adequate provision for off-street parking and the level of traffic generated by the use would not have an adverse impact on the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site.

Trees:

Saved UDP policy D1.5 encourages, where possible, the retention of existing trees on development sites. Where losses are permitted, these should be compensated for by replacement planting.

The features with the greatest value in terms of biodiversity are the trees and shrubs to the

site perimeter. A tree survey has been submitted as part of the application which assesses the health, condition and amenity value of each specimen on the site, and provides details of their root protection areas.

In regards the impact on the existing trees on site, the Council's Arboriculturist has been consulted, and originally raised concerns regarding the development's impact on trees T4 and T5, given that the site layout would have resulted in the creation of the car park entrance and two car parking spaces within the root protection areas these mature trees. Any construction activity here will negatively affect the trees.

However, the revised site plan shows that the proposed car park access is to be gained off Thorp Road, which would have a minimal impact on the root protection areas of existing mature trees on site. As such, the proposed car park entrance is considered acceptable and in accordance with UDP policy D1.5.

In addition, it has been confirmed that part of the new hardstanding proposed to be created (i.e. parking space No's 7 and 8) will be constructed using cellular confinement and no dig methods within root protection areas of T4 and T5. This will be controlled by way of an appropriately worded condition. This results in the proposed car parking layout having an acceptable impact the root protection areas of existing trees on site. As such, the proposed car parking spaces are considered to be in accordance with UDP policy D1.5.

To protect all the existing trees on site during the construction works, it is considered appropriate to attach an appropriately worded condition for the submission of a scheme for tree protection measures, to be implemented during the construction period.

CONCLUSION

With the above in mind, it is considered that the proposed scheme would not have a harmful effect on neighbour amenity, nor have a detrimental impact on the character of the existing street scene. It therefore complies with the Oldham LDF Joint Core Strategy and Development Management Policies DPD and it is recommended that permission be granted subject to conditions.

RECOMMENDATION

Approve the scheme subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Project Number 18.007, Drawing Number 01 – Location plan.
- Project Number 18.007, Drawing Number 03 – Proposed Site plan.
- Project Number 18.007, Drawing Number 04 – Proposed Ground Floor Plan.
- Project Number 18.007, Drawing Number 05 - First Floor Plan
- Project Number 18.007, Drawing Number 06 – Proposed Elevations Sheet 1 of 2.
- Project Number 18.007, Drawing Number 07 – Proposed Elevations Sheet 2 of 2.
- Project Number 18.007, Drawing Number 08 – Proposed roof plan.

Reason - For the avoidance of doubt and to ensure a satisfactory standard of

development.

3. The medical centre hereby approved shall only be open to patients and for any other trade or business (including deliveries) between the hours of 07:00 and 22:00 Monday to Sunday (including Bank Holidays).

Reason - To safeguard the amenity of neighbouring occupiers and to minimise the potential for noise and disturbance at unsocial hours.

4. Unless alternative details have been submitted to and approved in writing by the Local Planning Authority, the 2 metre high perimeter fencing hereby approved shall: (i) be installed in the positions shown on Drawing Number 03; (ii) be of a weldmesh (paladin) design; and (iii) be colour treated 'Light Moss Green' (RAL 6005). The perimeter fencing shall be maintained as such thereafter.

Reason - To ensure use of appropriate materials which minimise the visual impact of the fencing in the interests of visual.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), all windows to the dormers on the south facing (rear) elevation of the building hereby approved shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed prior to first occupation of the building. The duly installed windows shall be retained as such thereafter.

Reason - To safeguard the privacy of occupiers of neighbouring dwellings on Sandy Walk.

6. No development shall take place until a scheme for tree protection measures (both above and below ground) to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of all the trees shown to be retained on Drawing Number 03, received 24th October 2018
- Details of any excavation to take place within the root protection areas of those trees shown to be retained on Drawing Number 03, received 24th October 2018
- Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees shown to be retained on drawing Drawing Number 03, received 24th October 2018.

The development shall thereafter be carried out in strict accordance with the protection measures contained within the duly approved scheme throughout the entirety of the construction period.

Reason - To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence.

7. The development hereby approved shall not be brought into use unless and until the

access and car parking spaces have been provided in accordance with the approved plan received on 24th October 2018 (Ref: Dwg No. 18.007 03). The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that 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.

8. The development hereby approved shall not be first occupation until the works below have been fully implemented to the written satisfaction of the Local Planning Authority:

(i) The provision of dropped kerbs with tactile paving to provide a pedestrian crossing point over Sandy Lane in the vicinity of the Sandy Lane/Radcliffe Street/Chapel Street junction.

(ii) The installation of pedestrian guardrails on Sandy Lane.

(iii) The widening of the footways of Sandy Lane to the rear of the pedestrian crossing and pedestrian guardrails by a minimum of 1 metre.

Reason - To secure improvements to the highway network in order to ensure safe and convenient access to the medical centre for pedestrians in the interests of highway safety and to promote modal shift and increased use of sustainable methods of travel.

9. The development hereby approved shall not be brought into use until a bin store has been provided in accordance with a scheme which has been previously submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the provision of satisfactory facilities for the storage of refuse and to ensure that the design of the bin store is compatible with the character of the area in the interests of visual amenity.

10. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development.

11. Notwithstanding any details contained within the application and the requirements of condition 2 of this permission, a scheme for the installation of any external lighting on the building and the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any external lighting is installed. The scheme shall include details of the lighting: (i) position and height on the building and/or site; (ii) spillage, luminance and angle of installation; (iii) timing of operation; and (iv) any hoods to be fixed to the lights. Any external lighting shall thereafter only be installed in accordance with the duly approved scheme.

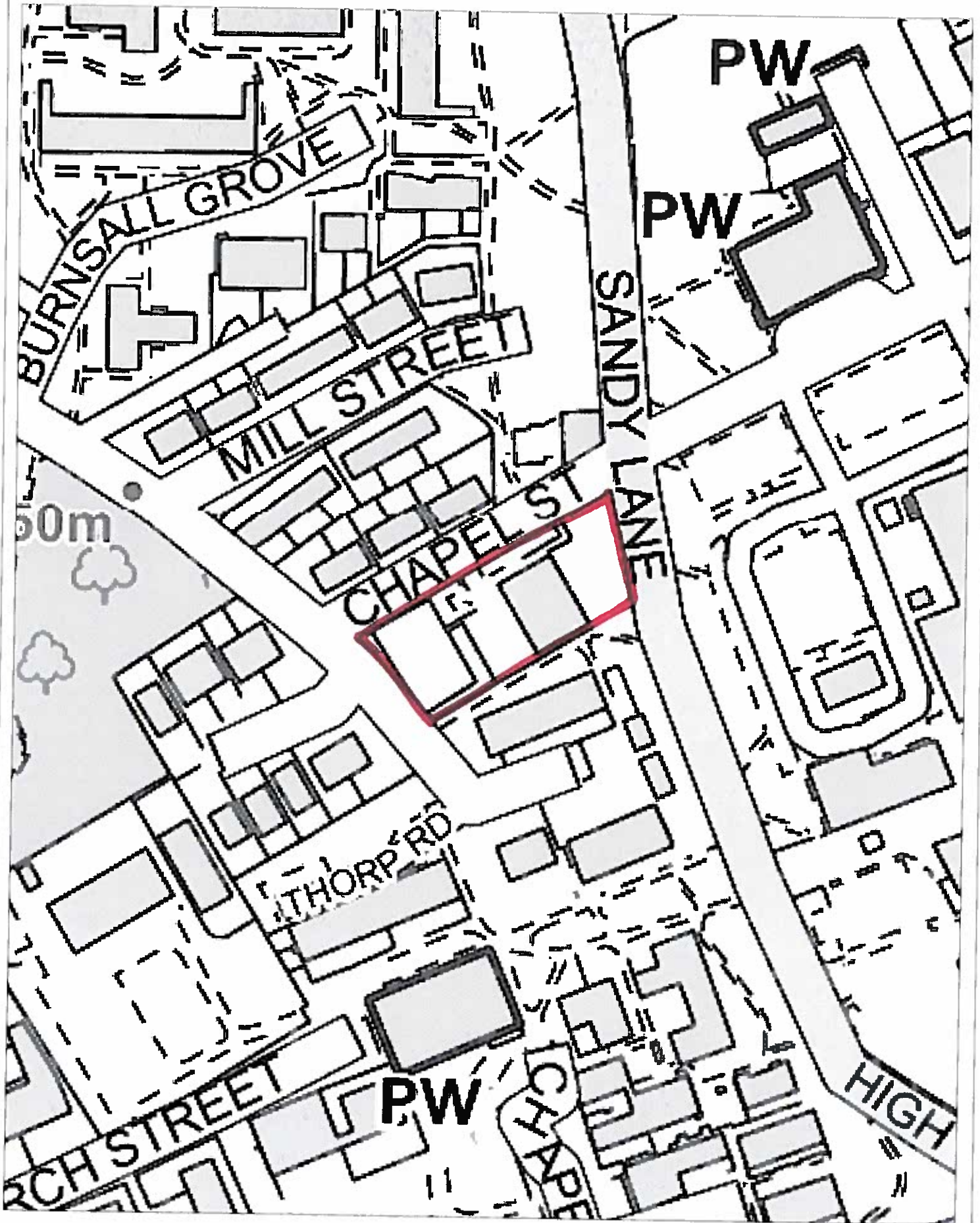
Reason - To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or detract from visual amenity in the surrounding area as a result of light pollution.

12. Prior to the commencement of any development, a surface water drainage scheme,

based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG



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