

APPLICATION REPORT - MMA/342935/19

Planning Committee, 10 April, 2019

Registration Date: 18/02/2019
Ward: Royton North

Application Reference: MMA/342935/19
Type of Application: Minor Material Amendment

Proposal: Minor material amendment to PA/341270/18 to amend house type design and reduce number of dwellings from 20 to 15.
Location: Land of Royley, Royton, Oldham, OL2 5DY
Case Officer: Graeme Moore

Applicant J Walker Homes Ltd
Agent : Nicol Thomas Ltd

THE SITE

The application site consists of a single parcel of land located at the end of Royley, in Royton.

The overall area of the site is approximately 0.29 hectare. The land rises in levels from south to north and from west to east. The existing site will be formulated to suit required levels. The neighbouring land to the perimeter of the site will be maintained as existing with the introduction of retaining structure walls where necessary. Existing residential development adjoins the site to the north, west, and south, with Highlands Road to the east.

A new site access and cul-de-sac is to be provided from Royley which will serve the majority of the development, with two properties accessed direct from Highlands Road.

Since the previous application was approved, there has been some site works undertaken, but no construction has started on site.

THE PROPOSAL

This application seeks a Minor Material Amendment to approved application PA/341270/18. The main reason for the amendments is that the landowner has come to an agreement with First Choice Homes for them to develop the site and deliver the proposed housing units.

The changes will result in a reduction in the overall number of dwellings from 20 to 15. This is achieved through the replacement of the block of 8 apartments with a pair of semi-detached houses on the eastern side of the site fronting onto Highlands Road, and the addition of a further dwelling on part of the site previously reserved for car parking for the apartments. With the exception of the houses fronting Highlands Road, which will have their own driveways and attached garages, the remainder of the development will continue to be served by an extension to Royley.

Other changes include:

- the removal of single storey rear projections from two different house types;
- deletion of detached garages from two plots;
- the replacement of formerly two-and-a-half storey three bedroom houses with a split-level design;
- various alterations to window detailing and internal layout.

PLANNING HISTORY

PA/341270/18 - Erection of 12 no. dwellinghouses and 8 no. apartments. Approved 08/06/2018

PA/338037/16 – Proposed residential development of 4 no. dwellings. Approved 24/6/2016

PA/053258/07 - Reserved matters application in relation to PA/50959/06 for all reserved matters (scale, appearance and landscaping) for erection of 28 no. apartments. Approved 26/7/2007

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 2018).

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 DPD policies are relevant to the determination of this application.

Policy 1 - Climate Change and Sustainable Development
Policy 3 - An Address of Choice
Policy 5 - Promoting Accessibility & Sustainable Transport
Policy 9 - Local Environment
Policy 11 - Housing
Policy 20 - Design

REPRESENTATIONS

The application has been publicised on the Council's website, by neighbour notification, and by site notice. No written representations have been received.

CONSULTATIONS

Highways Engineer - No objections subject to provision and retention thereafter of the access and parking spaces in accordance with details of construction, levels, and drainage to be approved, and for details of works to Highlands Road to achieve tie-in with the existing highway, relocation of a street lighting column, and adequate highway width for reversing vehicles.

Environmental Health - No objections.

PLANNING CONSIDERATIONS

Principle of the development

The principle of residential development on this site was established under the original approval (PA/341270/18). Consideration is therefore limited in this case to the revised layout and house types.

Design and Amenity

Guidance within Section 12 of the NPPF is relevant, together with DPD Policy 20.

The properties all have an active frontage, either to the new cul-de-sac or to Highlands Road. The siting of the dwellings furthermore provides a secure environment to the front of

the properties with private amenity space provided in the rear gardens of the houses. All houses are designed to have private rear access with all refuse storage areas contained within rear gardens apart from the type 'C' houses which have them in purpose built structures at the front of the dwellings.

The scale of the new build respects the local vernacular, all of which is to a domestic scale and constructed in traditional materials. All elevations facing towards existing dwellings will be a maximum of two storey in height. Consequently, there is considered to be no issues in relation to overlooking with the existing properties. Where properties face directly onto the site from Royley Crescent, the existing houses are at a relatively elevated position in a relationship which is effectively the same as that which was approved under PA/341270/18.

In relation to the properties facing on to Malvern Close to the south, there is a 15m distance from the side elevations of the existing properties to the rear of the new houses, which would maintain adequate levels of privacy.

The amended detached houses which are accessed via Highlands Road will create a more favourable relationship to the existing houses on this street and do not give rise to any concerns in relation to overlooking or visual impact.

Boundary treatments have not been amended from the original permission. These detail retaining walls to be utilised and traditional 1.8m high timber fencing to rear boundaries.

Taking account of the context and character of the site and surrounding area, it is considered that the revised designs and layout of the site would ensure a development which would be acceptable and in accordance with relevant national planning guidance and local planning policy.

Highways

Guidance within Section 9 of the NPPF is relevant, together with DPD Policies 5, 9 and 20.

The application has been assessed by the council's Highways Officer who, following an amendment to the site access road layout, has no objections to the proposal subject to conditions in relation to provision and retention of parking spaces and necessary alterations to Highlands Road.

In addition, it is considered that the proposed development can be adequately accommodated on the local highway network without any detrimental impacts upon pedestrian or highway safety. For these reasons the proposal is considered to be acceptable when assessed against the aforementioned policies.

Conclusion

The proposal has been fully assessed against national and local planning policy guidance. The principle of development has been previously established, and the revised scheme will continue to create a satisfactory form of development which will benefit the surrounding area, make use of a vacant urban site, and protect the amenity of existing and future residents.

For the reasons set out in this report, the proposal is considered to be acceptable and conditional approval of planning permission is recommended.

1. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications received on 28/01/2019, which are referenced as M2873 PL 102-1 Rev C, M2873 C 102-2 Rev A, M2873 PL 103 Rev A, M2873 PL 105 Rev A, M2873 PL 106 Rev A, M2873 PL 107 Rev A, M2873 PL 108 Rev A, and M2873 01 Rev L received 26/03/2019.

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

2. No development comprising the construction of any dwelling shall commence unless and until samples of the materials to be used in the external surfaces of that dwelling have been submitted to and approved in writing by the Local Planning Authority. 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 samples.

Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

3. No development comprising the construction of any dwelling shall commence until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning authority. The scheme shall be completed in accordance with the approved plans before any of the houses are first occupied.

Reason - To reduce the risk of flooding.

4. No development comprising the construction of any dwelling shall commence unless and until details of the construction, levels, and drainage of the access and car parking spaces for the development have been submitted to and approved in writing by the Local Planning Authority. The approved access and parking spaces shall be provided in accordance with the approved details and site layout plan Ref: M2873-01 Rev L prior to first occupation of the dwelling to which it relates. 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.

5. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety and the environment.

6. Prior to the commencement of any development, details of a scheme for protecting the nearby properties from noise and vibration from demolition/construction works shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in full accordance with the approved measures.

Reason - To protect the occupiers of nearby premises from unnecessary disturbance from noise and vibration.

7. No development comprising the commencement of the construction of any dwelling shall take place unless and until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours and hard

surfacing materials. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme.

All hard and soft landscape works for the site to comply with this condition shall be carried out in accordance with the approved details at latest during the first planting season following the first occupation of any dwelling, or in accordance with an alternative programme which has been approved in writing by the Local Planning Authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

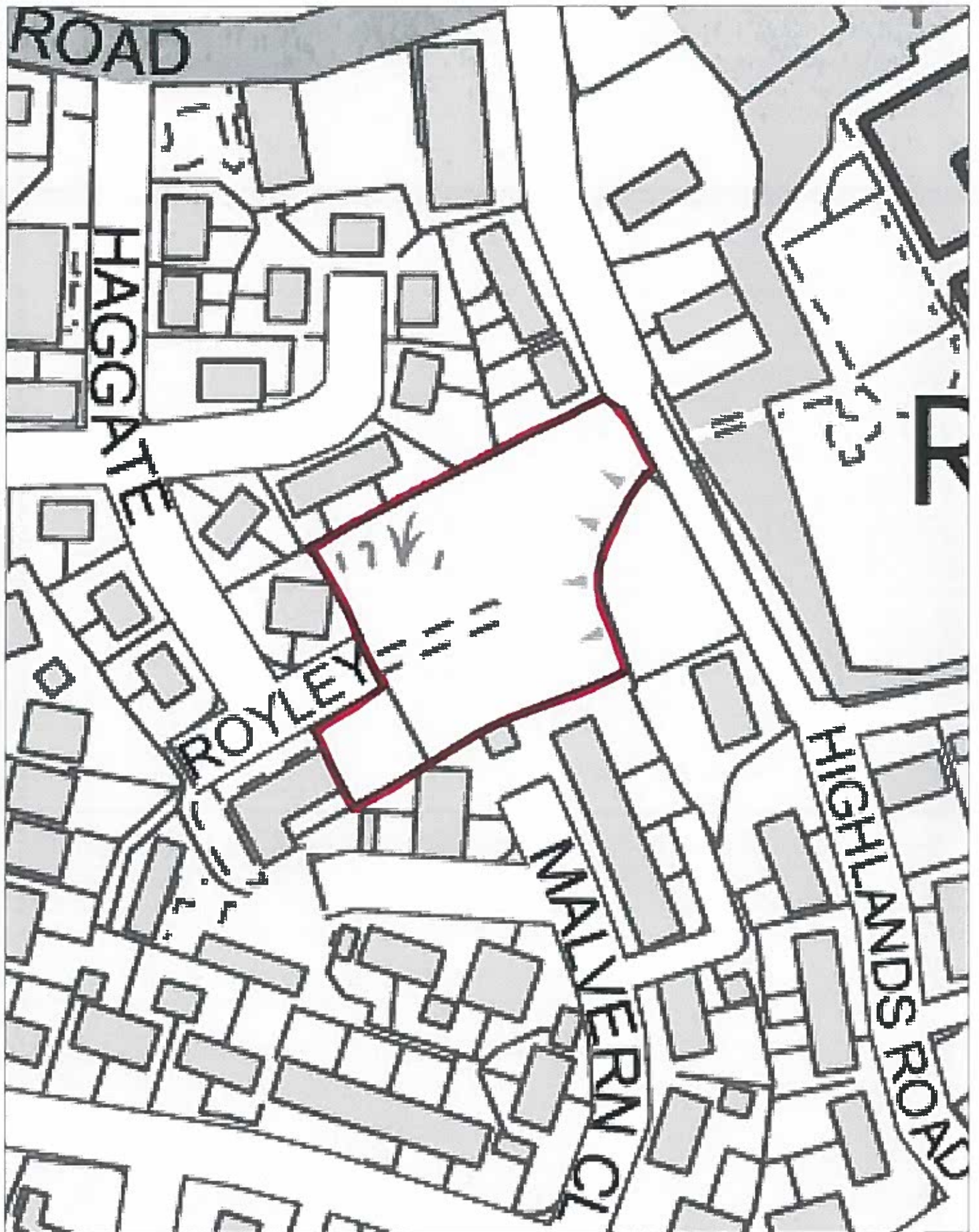
Reason - To ensure that the development site is landscaped to an acceptable standard in the interests of protecting the visual amenity and character of the site and its surroundings.

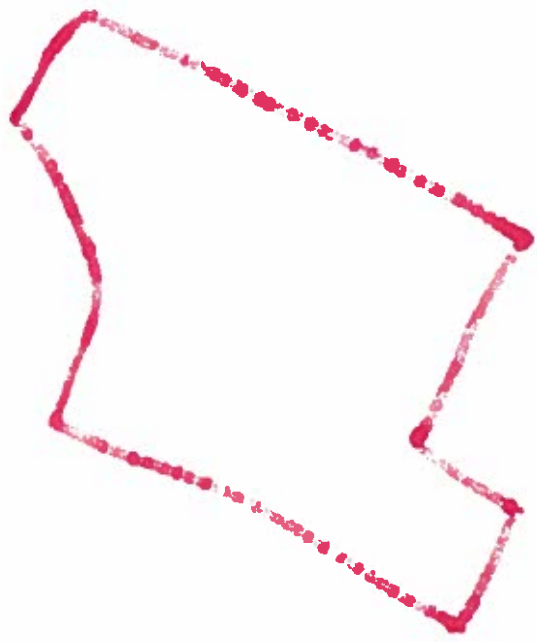
8. No development comprising the commencement of construction of any dwellings shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatments to be erected. The boundary treatment shall be completed before the use of the dwelling to which it relates is commenced in accordance with the approved details.

Reason - To ensure an acceptable form of development is achieved in the interests of amenity as such details were not submitted with the application.

9. Notwithstanding the details shown on the approved Site Layout plan, no works to the dwellings accessed from Highlands Road shall be commenced unless and until details have been submitted to and approved in writing by the Local Planning Authority showing the boundary treatment and tie-in details to the adopted highway near to 24 Highlands Road, including the relocation of the street lighting column, and a clear reversing distance of 6.0 metres for vehicles reversing out of the proposed driveways. All works that form part of the approved scheme shall be implemented before either of the dwellings accessed from Highlands Road are first occupied and shall be retained thereafter.

Reason - To facilitate the movement of pedestrians and vehicular traffic in the interests of highway safety.





PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT 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

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.

