

# APPLICATION REPORT - PA/343212/19

Planning Committee, 28 August, 2019

**Registration Date:** 15/04/2019  
**Ward:** Saint James'

**Application Reference:** PA/343212/19  
**Type of Application:** Reserved matters

**Proposal:** Application for approval of all Reserved Matters following outline approval PA/337690/15 for 23 no. dwellings and 6 no. apartments, with associated parking and access arrangements. Access, appearance, landscaping, layout and scale to be considered.

**Location:** Domalo Nurseries Ltd, Hillside Nursery, Sholver Lane, Oldham, OL1 4NT

**Case Officer:** Graham Dickman

**Applicant Agent :** First Choice Homes, Casey group  
Nicol Thomas

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## THE SITE

The application relates an overgrown area land south and west of Hillside Nursery and formerly associated with it. A strip of open land with a footpath adjoins the western boundary and there is further open land to the south. Existing residential properties adjoin the site to the west (Wilkes Street), south (Pilgrim Way and Doncaster Close) and east (Ashdene Rise).

## THE PROPOSAL

The application seeks approval of all Reserved Matters for 22 no. semi-detached and 1 no. detached 2 storey dwellings and a two storey block of 6 apartments. The proposed dwellings will be externally clad in red brick and grey roof tiles.

The proposed development would utilise an existing access from Sholver Lane, and on-site car parking will be provided for all properties.

The proposal offers 100% affordable housing.

## RELEVANT HISTORY OF THE SITE:

PA/337690/15 - Outline application for residential development of 28 No. dwellings and 4 No. apartments. Access and scale to be considered. Approved 14th September 2018.

PA/333962/13 - Outline application for residential development of 30. dwellings and conversion of existing nursery building to 4 no. apartments. Approved 5 December 2014

PA/059452/11 - Application for extension of the time limit for implementing existing planning permission for residential development of 11 no. dwellings approved under reference PA/054894/08. Approved 4th May 2011.

PA/054894/08 - Full application for a residential development of 11 no. dwellings. Approved 23rd July 2008.

PA/051851/06 - Outline application for 12 no. 2 bed apartments. Approved 09th November 2006.

PA/041530/01 - Erection of nursery. Approved 13th September 2001.

PA/035992/97 - Outline application for residential development. Approved 10th September 1998.

## **CONSULTATIONS**

Highway Engineer	No objection, subject access & parking conditions to
Environmental Health	No objection, subject to contaminated land and waste storage conditions.
United Utilities	No comment.
Drainage	No comment.
Greater Manchester Police	No objections following submission of an amended
Architectural Liaison Unit	Crime Impact Assessment.
Greater Manchester Ecology Unit	No objection, subject to ecology condition
Coal Authority	No comment.

## **REPRESENTATIONS**

This application was publicised by way of a site notice, press notice and neighbour notification letters. One letter of objection has been received which comments that the proposed development would be harmful to local wildlife.

## **PLANNING POLICY**

The 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham (DPD). The application site is unallocated by the Proposals Map associated with the Joint Development Plan Document. Therefore, the following DPD policies are considered relevant:

- Policy 1 - Climate change and sustainable development;
- Policy 3 - An address of choice;
- Policy 5 - Promoting accessibility and sustainable transport choices
- Policy 9 - Local environment;
- Policy 11 - Housing;
- Policy 22 - Protecting Open Land; and,
- Policy 23 - Open spaces and sports.

## **PLANNING CONSIDERATIONS**

The main considerations are:

- Principle of Development
- Residential amenity
- Design and appearance
- Parking and highway safety
- Affordable housing and public open space

### **Principle of development**

The principle of residential development on this site was considered in detail at outline stage and the development was found to be in accordance with relevant policies.

### **Residential amenity**

As the site boundary is some 24m from the nearest dwelling on Wilkes Street, it is considered unlikely that there would be any significant impact on residential amenity. Within the application site, it is considered that the proposed dwellings have adequate separation distances between them and adequate private amenity space.

Consequently, it is considered that the impact on neighbouring amenity, and the amenity of future occupiers, is acceptable in accordance with DPD Policy 9.

### **Design and appearance.**

The area is of a mixed character and the proposed development is sympathetic in terms of layout, scale, appearance and external facing materials and would fit well within the streetscene..

Given the above, it is considered that proposed development would have a positive impact on the streetscene and character of the area and would be acceptable in accordance with DPD Policies 9 and 20.

### **Parking and highway safety**

The proposal provides acceptable arrangements for parking and access, and will not have any impact on the surrounding highway network.

### **Affordable Housing and Public Open Space**

The application proposed 100% affordable housing, and therefore greatly exceeds the requirement of both DPD Policy 10 and paragraph 64 of the NPPF.

With regard to public open space, DPD Policy 23 states 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. It is considered that a contribution in lieu of on-site provision would be appropriate in this case to address the public open space deficiencies in this ward.

A £20,000 contribution (as required under the outline approval PA/337690/15) towards the provision or improvement of existing Public Open Space has been secured by legal agreement with the applicant.

### **Ecology**

Most matters in regard to ecology were addressed during the outline application. However, the Greater Manchester Ecology Unit have requested the inclusion of a condition addressing the need for further ecology surveys before work commences on site.

### **RECOMMENDATION**

Approve, subject to the following 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 the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications:

- Drawing no. (PA) 01 Rev Q
- Drawing no. (PA) 03 Rev C

- Drawing no. (PA) 04 Rev A
- Drawing no. (PA) 06 Rev A
- Drawing no. (PA) 07 Rev A
- Drawing no. (PA) 08 Rev F
- Drawing no. (PA) 09 Rev D
- Drawing no. (PA) 10 Rev C
- Drawing no. (PA) 11a Rev A
- Drawing no. (PA) 11b Rev A
- Drawing no. (PA) 16
- Drawing no. (PA) 18
- Drawing no. (PA) 19 Rev A
- Drawing no. (PA) 21 Rev A
- Drawing no. 19.B.12332/02

- Proposed Materials Schedule by Nicol Thomas.

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 construction of external walls or roofs shall take place unless and until samples of the materials to be used 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.

4. The development hereby approved shall not be brought into use unless and until details of facilities for the storage and removal of refuse and waste materials have been submitted to and approved in writing by the Local Planning Authority and the agreed scheme has been fully implemented. Thereafter approved facilities shall at all times remain available for use.

Reason - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking and re-enacting that Order with or without modification) no development in Classes A, B, C, D, E, F, G or H of Part 1, or Class A of Part 2, of Schedule 2 to that Order shall be carried out on the site without the prior written consent of the Local Planning Authority.

Reason - The Local Planning Authority considers it expedient, having regard to the density, type and appearance of the development, to regulate any future alterations/extensions to ensure that the character and appearance of the area are not detrimentally affected.

6. No dwelling shall be brought into use unless and until the access road and car parking space for that dwelling has been provided in accordance with the approved plan ref: PA 01 Rev Q. 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 construction of the access road or parking spaces. 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.

7. Secure cycle parking facilities shall be provided for each dwelling prior to the first occupation of that dwelling, in accordance with details that shall first have been submitted 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

8. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development. 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 landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

9. Prior to the first occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. No further boundary treatment is to be erected on the site without the prior written consent of the Local Planning Authority.

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

10. No development shall take place unless and until all trees, shrubs and hedges within the site and/or trees whose root structure may extend within the site, which are to be retained as shown within the Tree Survey Report prepared by Arbtech Environmental Services (dated 17th October 2013) have been fenced off in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order to avoid damage to trees/shrubs within the site which are of important amenity value to the area.

11. Prior to commencement of any development, a survey of the site and within 30m of the external boundaries shall be undertaken to confirm that badger setts are not present, and the results submitted in writing to the Local Planning Authority. Should such presence be established, no work shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to ensure appropriate measures are undertaken to prevent harm being caused.

Reason - To ensure the protection local wildlife.





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