

APPLICATION REPORT - PA/343374/19

Planning Committee, 28 January, 2020

Registration Date: 15/05/2019
Ward: Medlock Vale

Application Reference: PA/343374/19
Type of Application: Outline Planning Permission

Proposal: Outline application for the re-development of the Hadfield Works site (to include the demolition of all existing buildings) and erection of up to 19 dwellings. Access to be considered; all other matters reserved.

Location: Hadfield Works, Hadfield Street, Oldham, OL8 3BU
Case Officer: Graham Smith

Applicant Agent : North West Fans (NWF) Limited
Cordingleys Chartered Surveyors

THE SITE

This 0.36 hectare site is on the southern side of Hadfield Street to the west of Ashton Road. Access into the site is currently off Hadfield Street. The existing site (formerly in industrial use) has two-storey buildings currently in poor condition. The site was last occupied by Northwest Fans Ltd with a total of 3 employees.

The site is alongside single-storey residential units on the corner of Wyndale Road/Hadfield Street. To the south and east the site abuts other employment activities and an ambulance depot.

THE PROPOSAL

The proposal includes the demolition of the existing buildings and outline permission for residential development of up to 19 dwellings and includes a 5.5metre wide adoptable access off Hadfield Street.

The application includes an indicative layout and a viability assessment which states that the site is no longer viable as an employment site and that the development of housing would not be viable if it provided policy compliant contribution for affordable housing.

RELEVANT HISTORY OF THE SITE:

None.

RELEVANT 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.

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

- Policy 1 - Climate change and sustainable development;
- Policy 2 - Communities;
- Policy 3 - An address of choice;
- Policy 5 - Promoting accessibility and sustainable transport options;
- Policy 9 - Local environment;

Policy 10 - Affordable housing;
Policy 14 - Supporting Oldham's Economy
Policy 18 - Energy;
Policy 19 – Water and Flooding;
Policy 20 - Design;
Policy 25 - Developer Contributions

CONSULTATIONS

Highway Engineer	No objections subject to condition and a legal agreement for waiting restrictions.
Environmental Health	No objections subject to conditions regarding landfill gas and ground contamination and the control of noise.
GM Archaeological Unit	No objection
Drainage	No objection subject to conditions relating to surface and foul water drainage and provision of SUDS Management.
United Utilities	No objection subject to conditions.
Transport for Greater Manchester	No objection.

REPRESENTATIONS

This application was publicised by site notice, press notice and neighbour letters. No representations were received.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of Development
- Amenity
- Highways
- Ground conditions.

Principle of Development

This site was last used for employment purposes. DPD Policy 14 states '*Development proposals which would result in the loss of a site currently or most recently used for employment purposes to other uses should include measures to outweigh the loss of the site and support Oldham's economy and the regeneration plans of the borough.*' The applicant has failed to fully demonstrate that the employment use is no longer viable.

However, at present the Council is not able to demonstrate a 5-year housing land supply and the Housing Delivery Test indicates that the delivery of housing has been substantially below the housing requirement for the past 3 years. Therefore, Local Plan policies that affect the supply of housing are considered to be out of date and the 'tilted balance' provided by paragraph 11 (c) (d) of the NPPF applies to the consideration of this application. Planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF when taken as a whole or, where specific policies in the NPPF indicate development should be restricted.

In this instance there is a negative economic aspect, i.e., the loss of employment land/buildings contrary to Policy 14. However, there is no apparent evidence that the loss of this employment site, in its somewhat run-down condition, will result in substantial harm to Oldham's economy and is therefore considered only minimal negative economic harm. This harm should be weighed against the positive benefits of a development of a brownfield site currently in disrepair.

Subject to the submission of an acceptable layout at the reserved matters stage, the development is not considered likely to result in environmental harm. A development of housing is likely to have some social and economic benefits for the locality. Furthermore, the development would add up to 19 dwellings on the council's 5-year supply of housing.

Development exceeding 15 dwellings is within the threshold for affordable housing. In this instance the applicant has argued that the site has minimal viability. The Council has assessed the viability considering a total contribution of £35,000 is viable. Therefore, a legal agreement requiring contributions totalling £35,000 should address the following:

- Off-site affordable provision,
- Open space laying-out and maintenance costs,
- £5,000 for the Traffic Regulation Order regarding provision of waiting restrictions alongside the proposed access.

A legal agreement providing these elements would accord with policies.

On balance it is not considered that the harm of the loss of the employment site significantly or demonstrably outweighs the wider positive benefits of the development. Overall the proposal is considered to represent sustainable development and there is not a substantial or demonstrable reason on which to refuse the application.

Amenity

Details of proposed layout, scale, form or house types are not for determination at this stage, and would be subject to a further application. In principle up to 19 dwellings could be accommodated on this site, but this will be assessed fully once details of a layout are submitted.

Highways

The proposed access is capable of meeting adoptable standards. The Local Highway Authority has no highway safety concerns subject to recommended conditions. A detailed layout including parking provision would be subject to a further application. In terms of highway safety, the application is considered to accord with DPD Policy 5 and the relevant sections of the NPPF.

Ground Conditions

The site is within the Coal Authority referral zone and a suitable condition is recommended. Precautionary planning conditions are also recommended regarding contamination and landfill gas surveys and remediation measures to ensure safe and satisfactory development.

CONCLUSION

It is considered that the benefits of the scheme overall outweigh any harm caused by the proposal. As such, the development accords with the aims and provisions of NPPF and the scheme is considered to broadly accord with relevant policies of the Oldham Local Plan.

RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the following conditions, and to the applicant entering into a Section 106 agreement to cover the following matters:

A contribution of £5,000 for the cost of a Traffic Regulation Order preventing parking on Hadfield Street at the site access, and £30,000 for off-site provision of Affordable Housing and/or Open Space'

2. To authorise the Director of Economy to issue the decision notice upon satisfactory completion of the agreement.

1. Application for approval of the reserved matters of 1) Appearance 2) Landscape 3) Layout and 4) Scale shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or two years from the date of approval of the last of the reserved matters.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plan which is referenced as 3301 Location Plan.

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

3. Any application for the approval of reserved matters in respect of Layout for the development shall show full details of the means of access to the buildings, gradients, sightlines, the means of servicing the buildings, the provision made for parking and/or garaging facilities clear of the highway, and the means of draining the development.

Reason - To ensure adequate highway and drainage standards are achieved having regard to Policies 5, 9 and 19 of the Oldham Local Plan.

4. No development shall commence until a site investigation and assessment into landfill gas risk and ground contamination has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. 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 - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.

5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in National Planning Practice Guidance with evidence of an assessment of the site conditions, and a sustainable drainage management and maintenance plan for the lifetime of the development, 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 13 l/s.

The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage

scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan and drainage scheme..

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

6. Prior to the commencement of the built development hereby approved, the following details should be submitted to and approved in writing by the local planning authority:
 - a) The undertaking of a scheme of intrusive site investigations for the mine entries;
 - b) The submission of a report of findings arising from the intrusive site investigations for the mine entries;
 - c) The submission of a scheme of treatment for the mine entries and any necessary mitigatory measures to be incorporated in the development to address movement derived from the shafts, for approval;
 - d) The submission of a scheme of proposed remedial works for past shallow coal mining activity for approval.

The above works shall be undertaken in accordance with the approved details.

Reason – Prior approval of such details is necessary as they are fundamental to the initial site preparation works and to mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

7. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, which shall be maintained for the duration of the construction works.

Reason - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

8. No development comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local Plan Policy 18 and shall detail how a target area has been determined and how the development will meet this target. The development shall be carried out in accordance with approved scheme phasing arrangements and retained thereafter.

Reason – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.



