

# APPLICATION REPORT - PA/343991/19

Planning Committee, 28 January, 2020

**Registration Date:** 02/10/2019  
**Ward:** Failsworth West

**Application Reference:** PA/343991/19  
**Type of Application:** Full Planning Permission

**Proposal:** Erection of 12 no. dwellings and associated works including the laying out of roads, footways and landscaping.  
**Location:** Land at the former Lancaster Club, A663 Broadway, Failsworth, Oldham  
**Case Officer:** Dean Clapworthy

**Applicant Agent :** Bellway Homes (Manchester Division)

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## THE SITE

The proposal relates to a 0.38 hectare area of generally level land west of Broadway, with residential units relating to the associated residential development to the south and west and open land to the north. The Lancaster Club, a Grade II listed building is around 40m south-west across from the nearest proposed dwelling.

The site is presently utilised for materials storage relating to the on-going construction of the neighbouring residential development.

## THE PROPOSAL

The proposal is for the erection of 12 dwellings and associated works. There would be eight detached dwellings and two pairs of semi-detached laid out around new cul-de-sacs. All would be two storey and finished in red brick with grey concrete roof tiles. Each would have two off-street parking spaces. Boundaries would be formed by a mix of piers brick walls with timber infills to frontages and timber fences between gardens.

## RELEVANT HISTORY OF THE SITE:

PA/337955/16: Reserved Matters application relating to access, appearance, landscaping, layout and scale relating to application PA/337778/15 for the erection of 148 no. dwellings and other associated development. Approved. May 2016.

PA/337778/15: Variation of conditions 1 (relating to the reserved matters to be considered), 6 (Energy) and 19 and removal of condition 13 (Removal of emergency access) relating to outline application PA/333602/13. Approved. March 2016.

PA/336254/14: Reserved matters application relating to part of the site (Phase 2) approved under outline permission PA/333602/13 for provision of a new soccer centre. Appearance, Landscaping, Layout and Scale to be considered. Approved. February 2015.

PA/334034/13: Reserved matters application relating to phase 1 of PA/332371/12 for the relocation and construction of allotments. Layout, scale, appearance and landscaping to be considered. Approved. August 2013.

PA/333602/13: Variation to conditions associated with planning permission PA/332371/12. Approved. May 2013.

PA/332371/12: Outline application for a residential-led mixed use scheme, to include engineering works, change of use and construction of new buildings and structures to provide shop (A1), financial and professional services (A2), restaurants and cafe's (A3), drinking establishments (A4), hot food takeaway (A5), dwelling houses (C3), non-residential institutions (D1) and assembly and leisure (D2) together with ancillary and associated development including open space, car parking and vehicular access. Access to be considered. All other matters were reserved. Approved. August 2012.

## **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 by the plan.

The following policies are 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 19: Water and Flooding

Policy 20: Design

Policy 23: Open Spaces and Sports

Policy 24: Historic Environment

Policy 25: Developer Contributions

## **CONSULTATIONS**

Drainage	No comment.
United Utilities	No objection, subject to conditions relating to surface and foul water drainage.
Greater Manchester Police Architectural Liaison Unit	No objection, subject to a condition requiring the implementation of the security measures set out in the Crime Impact Statement.
Environmental Health	No objection, subject to a condition requiring implementation in accordance with the recommendations of the Ground Investigation.
Highway Engineer	No objection, subject to conditions relating to the provision of the access and parking spaces and highway improvements at the junction between the existing and proposed access roads.

## **REPRESENTATIONS**

The application has been advertised by direct neighbour notification and press and site notices. No representations have been received.

## **PLANNING CONSIDERATIONS**

The principal issues pertaining to the assessment and determination of the proposal are:

- Principle of the development;
- Impact on visual amenity (including impact on heritage);
- Access and highway safety;
- Impact on amenity.

### **Principle of the development**

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.

The site is within the urban area, close to local goods and services and public transport routes and is therefore considered to be in a sustainable location for further residential development. The proposal is therefore acceptable in principle, subject to consideration of the following matters.

### **Open space**

The proposal is required to contribute towards the provision of new or enhanced open space, unless it can be demonstrated that it is not financially viable. Given the limited scale of the site and the development it would be appropriate to seek a contribution or the enhancement of existing off-site open space. In this instance, it has been identified that a financial contribution should be provided for the enhancement of Moston Brook. This would be secured by a Section 106 obligation.

### **Impact on visual amenity (including impact on heritage)**

The proposal comprises a variety of housetypes laid out in cul-de-sacs. The layout and housetypes would reflect the broad form, proportions and incorporate similar materials to the on-going related development. The proposal would therefore reinforce the suburban residential character presently being established at the associated site.

The adjacent Failsworth Lodge (the former Lancaster Sports and Social Club) is a Grade II listed Georgian former country house. As a result of the on-going residential development, the only remaining historic elements of the setting of the building that remain legible and make a positive contribution to its heritage significance are the remains of the carriage drive and the open grassed area to the immediate south.

The supporting Heritage Statement finds that the site does not make any positive contribution to the understanding or appreciation of the heritage value of the listed building. Therefore, it concludes that the proposed development would have a neutral effect on the heritage significance and thus no adverse impact on the historic environment, and this is considered to be an appropriate assessment.

Given the above, the proposal would not have any adverse impacts on visual amenity, would reinforce the developing residential character in the adjoining area and would have no adverse impact on the adjacent listed building to accord with Local Plan Policies 20 and 24.

### **Access and highway safety**

The Highway Officer confirms that an additional 12 dwellings in this location would not generate any significant amounts of traffic or demand for on-street parking on the local highway network. Some amendments are required to the existing highway layout to ensure that the proposed development site can be accessed safely, as well as ensuring the continued safe use of the highway by all other users of the highway. This would include the provision of a roundabout at the junction of the existing access and proposed access, which has been agreed in principle.

The proposal would therefore be compliant with Local Plan Policy 5.

### **Impact on amenity**

Due to the layout, orientation and arrangement of fenestration to the elevations of the

proposed dwellings, the development would not have any unacceptable impacts upon neighbouring residential amenity or between the proposed dwellings.

The Technical housing standards - nationally described space standard is a guide to adequate minimum space standards in new dwellings. Taking those standards into consideration, it is considered that the dwellings achieve a satisfactory degree of amenity in accord with Local plan Policy 9.

## **Conclusion**

The proposal would deliver much needed housing in the borough in a sustainable location without detriment to highway safety. Furthermore, the proposal would appropriately assimilate with the on-going adjacent residential development and would not harm the setting of the listed building, and would make an appropriate contribution for the enhancement of nearby open space.

As such, the proposal would comply with the above relevant policies of the Local Plan and the NPPF.

## **RECOMMENDATION**

It is recommended that Committee resolves:

1. To grant planning permission subject to the conditions set out below and to a Section 106 obligation being secured to provide a financial contribution of £60,636 for the improvement and maintenance of off-site open space.
2. To delegate authority to the Director of Economy to issue the decision notice upon satisfactory completion of the planning obligation.

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 following approved plans and specifications:

Location Plan (ref: BHM163/LP02)  
Planning Layout (ref: BHM163/PL01 Rev P4)  
Proposed Mini-Roundabout Arrangement (ref: 2175-F07 Rev C)  
Housetype Range dated January 2020  
Materials Plan (ref: BHM163/ML01)  
Fencing Layout (ref: BHM163/FL01 Rev P1)  
Hard Surfacing Plan (ref: BHM163/HS01 Rev P1)  
Cross-Section Drawing (ref: BHM163/S02)  
Planting Plan (ref. LDS362-04A)  
450 - 900mm high knee rail fence (ref: BH/MAN/SD/FD013)  
900mm / 1100mm high knee rail fence (ref: BH/MAN/SD/FD016)  
1.8m Closed Boarded Fence (Acoustic) (ref: BH/MAN/SD/FD019)  
900mm / 1.2m High Wrought Iron Railings (ref: BH/MAN/SD/WRG002)

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, including boundary treatment, shall be in accordance with those referred to on the approved plans / supporting documentation.

Reason - To ensure that the appearance of the development is acceptable having regard to Policy 20 of the Oldham Local Plan.

4. The drainage for the development hereby approved shall be carried out in accordance with the principles set out in drawing 30153/1 Rev Q (Foul & Surface Water Drainage Design). For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, no surface water will be permitted to drain directly or indirectly into the public sewer.

Reason - In order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.

5. All soft landscape works shall be carried out in accordance with the approved plan (Ref: LDS362-04A) prior to the occupation of any part of the development or in accordance with a programme agreed in writing with 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 landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan.

6. No dwelling shall be occupied until:

a) The access road and car parking space for that dwelling has been provided in accordance with the approved plan Ref: BHM163-PL01 and with details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces.

b) A highway improvement at the junction of the existing access road and the proposed access road into the development site has been provided in accordance with the approved plan Ref: 2175-F07 Rev C and with details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access.

Thereafter, all works that comprise the agreed details in relation to (a) and (b) shall be implemented in full and retained thereafter.

Reason - To ensure safe access into the site and adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

7. No dwelling shall be occupied until a highway improvement scheme comprising the abandonment of the existing access road and gap in the central reservation on Broadway and reinstatement with full footway construction has been implemented in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works that comprise the approved highway improvement scheme shall be implemented in full and retained thereafter.

Reason - To ensure that safe access into the site exists in the interest of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

8. Notwithstanding the approved plans, the dwelling at Plot 1 shall not be occupied until a drawing has been submitted to and approved in writing by the local Planning

Authority that shows that the access to the driveway and parking spaces do not conflict with the operation of the nearby roundabout. Such works that form part of the approved scheme shall be retained thereafter

Reason - To ensure that safe access in to the site exists in the interest of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

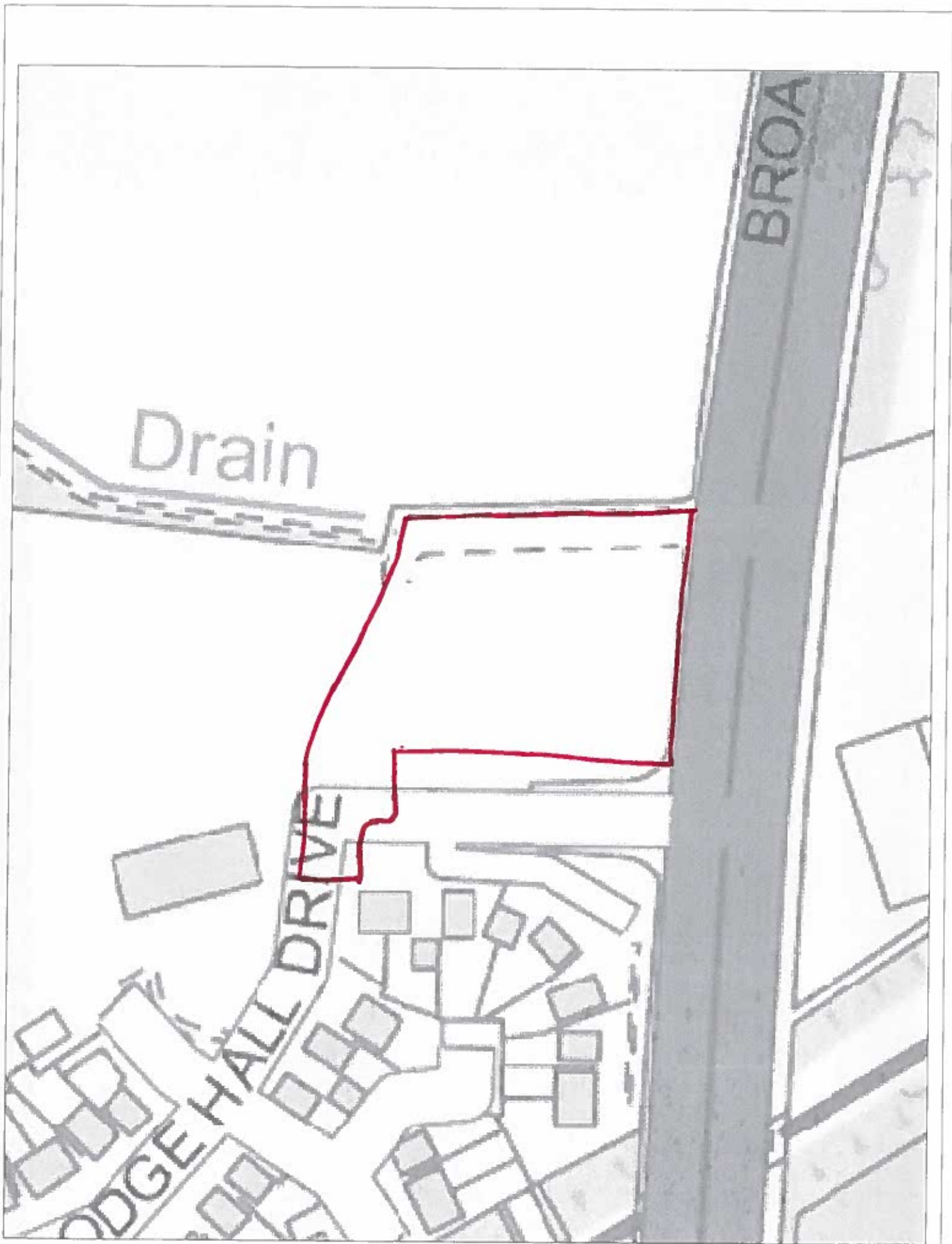
Reason - In the interests of retaining the open plan housing layout and minimising the presence of the housing development within the setting of the Grade II listed Lancaster Club in accordance with policies 20 and 24 of the Oldham Local Plan.

10. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures set out at section 6.0 of the Geo-Environmental Ground Investigation submitted with the application.

Reason - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan.

11. The development shall be carried out in accordance with the physical security measures contained in the Crime Impact Statement (Ref. v1.0 dated September 2019).

Reason - To create safe and accessible environments in accordance with Policy 20 of the Oldham Local Plan.



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