

# APPLICATION REPORT - PA/344572/20

Planning Committee, 27 May, 2020

**Registration Date:** 25/02/2020  
**Ward:** Shaw

**Application Reference:** PA/344572/20  
**Type of Application:** Full Planning Permission

**Proposal:** Full application for the erection of 65 no. dwellings and associated works.

**Location:** P AND D NORTHERN STEELS LTD, Mosshey Street, Shaw, OL2 8QL

**Case Officer:** Graham Smith

**Applicant Agent :** Mulbury Homes Ltd and Great Places Housing Group  
PWA Planning

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## THE SITE

The site covers approximately 1.9 hectares to the south of Moss Hey Street on the edge of Shaw District Centre. The site is brownfield scrub land which was previously occupied by P & D Northern Steels Ltd, who distributed steel plates. The company have since moved to Royton. To the east is the Metrolink line. To the west is a former 'Site of Biological importance'. There are several mature trees on the western boundary.

## THE PROPOSAL

Proposed development of 65 Dwellings. The houses include 12 x 2 bed, 38 x 3 bed and 15 x 4 bed houses. It provides 44 affordable rent or shared ownership and 21 open market houses. The layout has been amended to address concerns regarding an easement to a main water supply crossing the site.

The applicant has included a viability assessment which indicates that due partly to abnormal costs involved in mitigating the contaminated nature of such a brownfield site, there is insufficient profit to enable the development to be provide the full open space contribution required under DPD Policy 23.

## RELEVANT HISTORY OF THE SITE:

PA/3501/19 - Application for approval of Reserved Matters of appearance, landscaping, layout and scale relating to the proposed development of 65 no. dwellings and associated works in connection with outline planning approval PA/331731/11. Undetermined.

PA/331731/11 - Outline application for demolition of existing buildings and erection of 80 residential units. Access to be considered and all other matters reserved (Re-submission of PA/57631/10) - Approved subject to Section 106 legal agreement and conditions 25 March 2013.

PA/057631/10 - Outline application for demolition of existing buildings and erection of 80 no. residential units. Access to be considered and all other matters reserved. Granted subject

to legal agreement and conditions 8 July 2011.

## **CONSULTATIONS**

Highway Officer - No objection subject to provision of highway improvements and conditions.

Transport for Greater Manchester - No objections subject to conditions regarding noise protection on properties near the Metrolink line, a construction management plan, and controls to avoid vehicular access to the line and or water discharging to culverts that cross the line.

Environment Agency - No objection subject to conditions regarding contamination measures.

United Utilities - There is a large water trunk main running through the site with an easement. UU has worked with the Council and the applicant, and a revised plan protects the easement. Final comments will be reported in the Late List.

Greater Manchester Ecology Unit - No objections. The new landscaping should represent a biodiversity gain on what is now a predominantly brownfield site.

GM Archaeology Unit - A condition is requested to record historic archaeology due to likely historic remains.

Environmental Health - No objection subject to noise mitigation and ground investigation conditions.

LFA - Accept that the only reasonable discharge is to the United Utilities combined sewer. The applicant's proposed finished floor levels take on board existing and likely flood levels and allow for climate change.

## **REPRESENTATIONS**

The application was publicised by letter, site notice and press advertisement. No representations have been received.

No comments have been received from Shaw & Crompton Parish Council.

## **RELEVANT PLANNING POLICIES AND GUIDANCE**

The application site is unallocated on the Oldham Local Plan (DPD).

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

Policy 2 - Communities;  
Policy 5 - Promoting accessibility and sustainable transport options;  
Policy 9 - Local environment;  
Policy 10 - Affordable housing;  
Policy 18 - Energy;  
Policy 19 – Water and Flooding  
Policy 21 – Protecting Natural Environment  
Policy 23 - Open Space  
Policy 24 – Historic Environment  
Policy 25- Developer Contributions

## **PLANNING CONSIDERATIONS**

## **Principle of Development**

The Council cannot currently demonstrate a five-year supply of deliverable housing land at this time. Paragraph 11d) of the National Planning Policy Framework requires that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

1. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework

Given the present position, Oldham Local Plan Policies 1, 3, 11, which are relevant to the delivery of housing, are to be considered out-of-date. Therefore, in this case planning permission should be granted unless the above points 1 or 2 apply taking consideration of any relevant Local Plan policies. This will be considered later in the Planning Balance section of the report.

Furthermore, a Reserved Matters application is presently undetermined and remains extant and capable of determination. As the principle of the residential use of the site has been established through the earlier outline approval, this also remains a material consideration in support of the principle of the development.

The site is considered to be well located, in terms of access to services and facilities, and as such is in a sustainable location.

The proposal for a mix of affordable rent and shared ownership represents 67% affordable provision which more than accords with policy and will be a welcomed addition to affordable housing in Oldham. The affordable housing will be safeguarded via a planning condition. The direct provision of affordable housing is welcomed.

The development would normally be required by DPD Policies 23 and 25 to provide new open space or contributions towards off-site provision. The applicant has submitted a Viability Assessment arguing that the development would not be viable if the contribution was sought. Following assessment by the Council's expert advisor, the applicant now agrees to include a contribution of £17,500 towards open space, along with the required highway improvements. The proposal is therefore considered to represent a viable development.

The applicant has submitted an energy statement which demonstrates a capability of compliance with 10.99% reduction in energy beyond part L of the Building regulations; this was due to the outline planning application having 10% conditioned as the target on the previous outline approval. Given the position regarding the extant reserved matters submission, it is not considered reasonable to require DPD Policy 18's 15% energy reduction above the building regulations level. Nevertheless, it is a minor negative environmental impact in the planning balance.

### **Flood risk and drainage.**

The site is in Flood Risk Zone 2. The NPPF advises that development should be directed to areas at least risk of flooding and in such cases, applicants are required to undertake sequential tests to demonstrate that sequentially preferable sites are not available.

However, having regard to the previous outline approval, the applicant has submitted a Flood Risk Assessment (FRA) which is considered thorough in nature. It proposes surface

and foul water to be discharged to United Utilities existing combined sewers. It also details that finished floor levels of all houses will be at 176.5 AOD which is at 600mm above the 1 in 100-year flood level plus 35% due to climate change event following on from original discussions with the Environment Agency.

The Lead Local Flood Authority has assessed the FRA and considers the proposed finish floor levels to be acceptable.

Late in the process, United Utilities requested amendments to the layout to address conflict between the development and the easement around a large water trunk main supply. It is understood the revised layout, which now indicates the easement crossing only the rear garden of Plot 53, is broadly acceptable, but final comments will be reported on the late list. A planning condition is proposed to remove relevant permitted development rights to extend Plot 53. The applicant has also updated the Construction Management Plan to address United Utilities' concerns. Subject to United Utilities further comments the proposal is considered to accord with DPD Policy 19.

### **Amenity**

All properties achieve reasonable rear gardens. Separation distances are considered to accord with the aims of DPD Policy 9.

The applicant has undertaken a noise survey. Transport for Greater Manchester (Metrolink) had requested details seeking acoustic barriers on all the abutting land. However, after submitting a more detailed noise assessment the Council's Environmental Health Officer considers the proposed noise mitigation measures to be satisfactory and no further details need be submitted. Metrolink has been informed and has no further concern. It is considered that subject to implementation of the approved protective measures the proposal will provide acceptable levels of amenity for future occupiers.

### **Design**

The applicant amended external materials after discussions with officers. House-types now include the use of reconstituted stone block walls (with two colours to provide some contrast) and with some cream rendered areas, grey tiled roofs and buff stone sills and heads. Doors and windows are timber finished in grey with some additional decorative details. The use of the pallet of materials will both enhance, and is in keeping with, the character of the area. The design of the houses proposed are considered to accord with Policy 20 requirements.

Tree planting is proposed but almost entirely within individual plots. There are two narrow strips of shrub planting alongside private drives and the edge of the site near plots 49/50 and 65. Whilst the scheme requires minimal maintenance it does result in a densely designed layout (34 dwellings per hectare); however it is acknowledged that this would be in character with the area.

### **Highways**

The proposed development site is situated in a sustainable location with excellent links to public transport and access to a wide range of amenities. A Transport Statement was submitted with this application which found that the additional traffic will not have a significant impact on the wider highway network in terms of volumes. It will have some impact on Moss Hey Street, where there are significantly lower levels of traffic.

The Applicant has agreed to fund improvement works to ensure that the site can be accessed safely and that the highway network immediately surrounding the site will continue

to operate safely. A highway improvement scheme will be required at the junction of Moss Hey Street and the new access road into the development carried out under a Section 278 Agreement.

Waiting restrictions will be required along the western side of Moss Hey Street and at the junction of Moss Hey Street and the new access road to ensure that access to the site is not obstructed by parked vehicles. The pedestrian links to the site need to be improved to safely accommodate the additional pedestrians. Pedestrian crossings including the provision of dropped kerbs and tactile paving will be required from the site towards Shaw District Centre. Additional road marking and improvements to existing traffic signs will be required at the junction of Moss Hey Street and the entrance to the supermarket. This work will be carried out under a Section 106 Agreement for a contribution of £12,100

The internal layout meets current design standards and the parking provision is considered sufficient so that there should be no additional demand for on-street parking on the nearby existing highway network.

In this context, neither the Highways Officer or Transport for Greater Manchester has any objection to the proposed development in terms of its impact on the local or strategic highway network.

### **Ground conditions & Archaeology**

The applicant has undertaken a phase 1 Ground condition survey. The site has both significant contamination and landfill gas issues and the Environment Agency request appropriate conditions be imposed. The Environmental Health Officer (EHO) has also addressed contamination issues and agreed to detailed bespoke conditions which include vapor testing. A verification condition is recommended and details of necessary elements are attached as an informative. The EHO has no further objection and therefore issues of noise, contamination and landfill gas are considered appropriate.

The Greater Manchester Archaeology Advisory Service (GMAAS) request the standard condition requiring on-site investigations. The applicant has addressed the early part of the process and GMAAS has confirmed the appropriate condition required attached in accordance with NPPF advice.

### **Ecology**

The application is not considered to have any detrimental impact on biodiversity. The applicant proposes a bat and bird box scheme which is considered acceptable and will be required by planning condition. The proposal is considered to accord with DPD Policy 21.

### **Planning Balance and Conclusion**

As noted earlier, the Council cannot demonstrate a five-year supply of deliverable housing land and as such, in accordance with NPPF Paragraph 11, the policies which are most important for determining the application are considered to be out of date and planning permission should be granted unless either Paragraph 11(d)(i) or 11(d)(ii) apply. In considering Paragraph 11(d)(i), the site is not located near any assets of particular importance. In terms of Paragraph 11(d)(ii), there is a presumption in favour of sustainable development unless the adverse impacts of approving the development would significant and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

NPPF Paragraph 8 states that achieving sustainable development means that the planning

system has three overarching objectives: the 'economic objective', the 'social objective' and the 'environmental objective'. The tilted balance favouring sustainable development applies. In this instance the benefits are considered to include the following:

- The significant social benefit of the direct provision of 44 affordable dwellings
- The significant social benefit of 65 dwellings towards Oldham's 5-year land supply (this is considered the most significant benefit)

The following benefits would be normally identified as good planning practise, and therefore carry some reduced weight in the balancing exercise.

- The social economic and environmental benefit of the site having good access to services and facilities.
- The social and environmental benefit of a good layout resulting in good levels of amenity for future occupiers.
- The economic benefit of development of a derelict site and the additional vitality of occupancy of a new residential development for the community.
- The environmental benefit of development of a brownfield contaminated site where no significant assets of particular importance (i.e. triple SSSI) exists and results in no harm to the landscape.
- Houses designed in character with the area, a medium environmental gain.
- The development has overcome any flood risk concerns considered a medium social/environmental benefit.

Set against the benefits are the following resulting negative aspects as follows;

- The medium Social and Environmental harm of the inability to fully contribute toward open space contrary to Policies 23 and 25. However weight given to any such harm should be reduced due to the applicant having proven the development would be unviable. It is considered that this by itself due to the applicant's viability argument would not be a reasonable reason on which to refuse the application.
- Minor Environmental harm of being 4% below current Energy reduction target being contrary to DPD Policy 18.

Assessing the tilted balance, and being mindful of the remaining link to the previous planning permission, it is considered that whilst there is some harm identified, there are however no significant or demonstrable adverse impacts that outweigh the benefits provided.

The proposal is considered to represent sustainable development. Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, planning permission should be granted.

## **RECOMMENDATION**

It is recommended that Committee resolves:

1. To approve the application subject to the following conditions, and to the applicant submitting a satisfactory Unilateral Undertaking to cover the following matters:

The provision of £17,500 towards open space provision.

A contribution of £12,100 towards necessary highway improvements including:

Waiting restrictions will be required along the western side of Moss Hey Street and at the junction of Moss Hey Street and the new access road to ensure that access to the site is not obstructed by parked vehicles.

Improving pedestrian links to the site, including pedestrian crossings dropped kerbs and tactile paving from the site towards Shaw District Centre

Additional road marking and improvements to existing traffic signs at the junction of Moss Hey Street and the entrance to the supermarket.

2. To authorise the Director of Economy to issue the decision notice upon receipt of a satisfactory unilateral undertaking.

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 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 received on 25.02.2020, which are referenced as:

1272-M-LP01 (Location Plan),  
1272-M-MB01 Rev E (Materials),  
1272-M-HT- A to G (Housetypes),  
1272-M-PL01 Rev Z(Master Layout),  
UG\_11991\_LAN\_GA\_DRW\_01(General Arrangement Plan),  
UG\_11991\_LAN\_HL\_DRW\_02 Rev P05, (Hard Landscaping),  
UG\_11991\_LAN\_SL\_DRW\_04 Rev P05 sheets 1 and 2 (Soft Landscaping)

and plans received on 03.03.2020

40-01 P6 (Drainage Layout),  
40-16 Rev P4 (External Works)  
1272-RF-01 rev E (Refuse strategy),

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 shall commence unless and until a site investigation and assessment in relation to the landfill gas and vapour risks 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.

Reason - In order to protect public safety, because the site is located within 250m of a former landfill site having regard to Policy 9 of the Oldham Local Plan.

4. No development shall commence unless and until a supplementary site investigation and assessment to identify the extent of land contamination has been carried out (post demolition and following the necessary enabling works) 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 during

the enabling works and, on receipt of a satisfactory completion report, to discharge the condition.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in any phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

5. No property shall be occupied until the boundary fencing as detailed on the approved fencing and furniture plan ref UG\_11991\_LAN\_FF\_DRW\_03 and Materials Boundary plan ref 1272-M-MB01 E, has been completed in accordance with the approved details.

Reason - In the interest of the amenity of the future occupiers and for the mitigation of noise from the Metrolink having regard to Policy 9 of the Oldham Local Plan.

6. No occupation of any dwelling shall take place until the noise mitigation measures detailed in the applicant's Noise Assessment report ref 50 - 142-R1 dated 25th February 2020, has been implemented for that dwelling, including glazing and ventilation requirements to all floors and facades and acoustic screening of 1.8 metre and 2.4 metre high acoustic fencing as detailed on fencing plan ref UG\_11991\_LAN\_FF\_DRW\_03 Rev P05.

Reason - In the interest of the amenity of the future occupiers and for the mitigation of noise from the Metrolink having regard to Policy 9 of the Oldham Local Plan.

7. Prior to the commencement of any part of the development hereby approved, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans (Arboricultural Assessment), shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

Reason - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

8. All hard and soft landscape works shall be carried out in accordance with the approved plans (Ref:UG\_11991\_LAN\_GA\_DRW\_01 Rev P05 (General Arrangements) and plan ref UG\_11991\_LAN\_HL\_DRW\_02 Rev P05 (Hard Landscaping) and UG\_11991\_LAN\_LSN\_DRW\_06 (Landscaping notes) UG\_11991\_LAN\_SL\_DRW\_04 and UG\_11991\_LAN\_SL\_DRW\_05 (Soft Landscaping) and in accordance with the implementation programme approved in writing by the Local Planning Authority prior to occupation of any dwelling. 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, and saved Policy D1.5 of the Unitary Development Plan.

9. The development shall be implemented in full accordance with the Energy Statement submitted in support of the application dated February 2020 by PB Sustainability, which details an average completed energy performance of 10.9% above Part L of the Building Regulations and shall be retained as operational thereafter.

Reason – In the interests of sustainability and having regard to Policy 18 of the Oldham Local Plan.

10. Prior to the commencement of the construction period, adequate wheel cleaning equipment, the details of which shall be submitted to and approved in writing by the Local Planning Authority, shall be installed on the site. Before leaving the site all vehicles, which have travelled over a non-tarmac surface, shall use the wheel cleaning equipment provided, such that they are in such a state of cleanliness that they do not foul the highway with mud or other material. The equipment shall, for the duration of the construction works, be maintained in good working order and shall not be removed unless approved in writing by the Local Planning Authority.

Reason – Prior approval is necessary since the facility is fundamental to the initial site preparation works in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

11. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
  - (iii) foul and surface water drainage on separate systems;
  - (iv) mitigation measures required to protect the groundwater environment identified by condition [1]; and
  - (v) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and having regard to Policy 19 of the Oldham Local Plan.

12. Prior to any occupation of the development 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 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 resident's 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.

Reason - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development and having regard to Policy 19 of the Oldham Local Plan.

13. No development groundworks shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Oldham Planning Authority. The WSI shall cover the following:
  1. A phased programme and methodology of investigation and recording to include:
    - i) - archaeological desk-based assessment
    - ii) - targeted evaluation trenching
    - iii) - (dependent upon the evaluation results) targeted open area excavation and recording
  2. A programme for post investigation assessment to include:
    - i) - analysis of the site investigation records and finds
    - ii) - a detailed analysis of the fieldwork records
    - iii) - production of a final report on the significance of the archaeological and historical interest represented.
  3. Deposition of the final report with the Greater Manchester Historic Environment Record and dissemination of the results in a manner commensurate with their significance. This may include production of a volume in the Greater Manchester's Past Revealed series, and a report in a more academic journal.
  4. Provision for archive deposition of the report and records of the site investigation.
  5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible and having regard to Policy 24 of the Oldham Local Plan.

14. No dwelling shall be occupied until the access road and car parking space for that dwelling has been provided in accordance with the approved parking plan Ref: 1272-2020-05-PL02 REV C and the 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. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure 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 having regard to Policies 5 and 9 of the Oldham Local Plan.

15. No development above slab level to the site shall take place until a highway improvement scheme on Moss Hey Street at its junction with the new access road, has been carried out which will ensure all users of the highway can use the junction safely. Details of construction, drainage, road-marking and signs shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter all works that form part of the approved scheme shall be retained.

Reason - To ensure that all users of the highway can use the junction of the junction of Moss Hey Street and the new access road safely having regard to Policies 5 and 9 of the Oldham Local Plan.

16. The development shall be implemented in accordance with the details within the Construction Environmental Management Plan (CEMP) submitted by Mulbury Homes dated 18/05/2020, and the Traffic Management Plan drawing ref 876.TMP.001 Rev A received 15/05/2020, and these measures shall be maintained for the duration of the construction works.

Reason - To safeguard the amenities of the adjoining premises and the area having regard to Policies 9 and 19 of the Oldham Local Plan and in the interest of highway safety, and in the interests of protection of a main water supply.

17. Prior to the commencement of development, a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment shall be submitted to and approved in writing by the Local Planning Authority. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system (pipework, trenches, manholes, pumping stations and attenuation features). The development shall be implemented in accordance with the approved details.

Reason - To ensure a satisfactory form of development and to prevent pollution of the groundwater environment and having regard to Policy 19 of the Oldham Local Plan.

18. If any unsuspected invasive species are encountered during construction, eradication measures in accordance with advice from the Environment Agency regarding control of invasive plant species, shall be undertaken immediately. In such circumstances evidence of implementation of such measures shall be provided to the Local Planning Authority in order to discharge this condition.

Reason - In the interests of the protection of the natural environment having regard to Policy 9 of the Oldham Local Plan.

19. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, E and F and Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development shall be carried out without the express written permission of the Local Planning Authority.

Reason - To protect the existing water mains, the water environment and public drinking water supplies and in accordance with Policy 19 of the Oldham Local Plan.

20. Prior to occupation of any dwelling any measures set out in the Bat and Bird Box

scheme Report Ref: 80-024-R2-3 submitted by the applicant shall be implemented in accordance with the detailed document and shall be retained thereafter.

Reason - In the interest of biodiversity and having regard to Policy 21 of the Oldham Local Plan.

21. No above ground works shall take place until a scheme for the provision of affordable housing on the site has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework (or any future, equivalent guidance that replaces it) and shall include details of:
- (i) the type, tenure and location of the affordable housing provision,
  - (i) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
  - (i) the arrangements for the transfer of the affordable housing to a registered affordable housing provider or the management of the affordable housing (if no registered provider is involved);
  - (i) the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
  - (i) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced. The affordable housing shall thereafter be provided in full accordance with the details, phasing and timetable contained within the duly approved scheme.

Reason - To ensure an appropriate affordable housing is provided and retained having regard to Policies 10 and 11 of the Oldham Local Plan.