

# APPLICATION REPORT - PA/344179/19

Planning Committee, 26 August, 2020

**Registration Date:** 18/11/2019  
**Ward:** Crompton

**Application Reference:** PA/344179/19  
**Type of Application:** Outline Planning Permission

**Proposal:** Outline planning application with all matters reserved except for the principal means of access from Cocker Mill Lane for a residential development following demolition of existing buildings

**Location:** Cowlshaw Abattoir, Cowlshaw, Shaw, OL2 7BX

**Case Officer:** Jill Nixon

**Applicant** Mr/Mrs Fitton  
**Agent :** Avison Young

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## RECOMMENDATION

It is recommended that Committee resolves:

1. To approve the application subject to the conditions below, and to the applicant entering into a Section 106 agreement to cover a financial contribution towards any additional education provision related to the development.
2. To authorise the Director of Economy to issue the decision notice upon satisfactory completion of the legal agreement.

## THE SITE

The application relates to the Cowlshaw Abattoir, a 10.2 hectare site including abattoir buildings and adjacent open fields. The current developed extent is approximately 1.69 hectares which includes some large abattoir buildings. Natural England's Agricultural Classification mapping considers the land to be poor quality.

The site abuts residential properties including those on Cowlshaw, Longfield Park, Higham Close, Springvale Way, Hey Hill Close, Broadbent Close, Cocker Mill Lane and Greencroft Meadow in Shaw. The main access to the site is from Cocker Mill Lane. To the west of the site is the Crompton and Royton Golf Club. The land slopes upwards from the A663 Shaw Road, but is somewhat screened by existing residential properties from this major route into Oldham.

## THE PROPOSAL

All existing buildings on the site will be demolished.

The application is submitted in outline form and seeks approval for the principle of residential development along with the means of vehicular access from Cocker Mill Lane. Detailed matters of appearance, layout, landscaping, and scale are reserved for subsequent approval.

The applicants are the abattoir landowners seeking only outline permission.

The application includes a 'Land Use and Maximum building height parameter plan' which indicates the areas of the site intended for residential use with a maximum build height of

2.5 storeys, with a green fringe around the edge to protect and enhance existing hedgerows and trees. A 2.44 hectare area of public open space area will be provided around the Site of Biodiversity Importance at the northern end of the application site. A public footpath (OH/CROMP/88) will be diverted to the proposed planting/green edge abutting the western boundary rather than retaining the existing route through the housing area.

The application includes a voluntary Environmental Statement which includes assessment of alternatives and a Landscape Impact Assessment.

Other supporting documents include:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Heritage Assessment
- Noise Impact Assessment
- Preliminary Arboriculture Assessment
- Transport Assessment
- Ecological Assessment
- Air Quality Assessment
- Geo Environmental report

### **RELEVANT HISTORY OF THE SITE:**

PA/337616/15 - Outline application for residential development (125 dwellings and associated works). Demolition of abattoir and other associated buildings. Access to be considered. All other matters reserved. Withdrawn 05.09.16

### **RELEVANT PLANNING POLICIES**

The 'development plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. Local Plan Policy 22 (Protecting Open Land) defines the site within an area of Other Protected Open Land (OPOL). Land further to the west and north-west is Green Belt.

The site was part of a draft allocation in the Greater Manchester Spatial Framework, known as 'Policy GM Allocation 16 - Cowlshaw'. The proposed draft allocation identified the potential for around 460 homes to be delivered in total. This allocation included additional land to the north of the application site with associated open space, recreation and mitigation measures.

The following Local Plan 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 6 - Green Infrastructure;
- 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 21 - Protecting Natural Environmental Assets;
- Policy 22 - Protecting Open Land;
- Policy 23 - Open Spaces and Sports;
- Policy 24 - Historic Environments;
- Policy 25 - Developer Contributions.

### **CONSULTATIONS**

National Casework Unit	Notified due to submission of an Environmental Statement. No representation received.
Highway Engineer	No objections subject to a condition restricting the number of properties to be accessed from Cocker Mill Lane, highway improvements to the Cocker Mill Lane junction, and submission of a Green Travel Plan.
Transport for Greater Manchester	No objection
Environmental Health	No objection subject to conditions for a contamination assessment and Construction Environmental Management Plan.
Coal Authority	The site is located within a Development Low Risk area where standing advice applies.
Drainage/LLFA	No objection subject to conditions requiring a detailed drainage scheme.
United Utilities	Note that a water main crosses the site. No objection subject to conditions.
Environment Agency	No objection subject to appropriate conditions.
Natural England	No objection
Trees Officer	No objection subject to an Arbricultural Impact Assessment and method Statement, including boundary planting enhancements and tree protection measures.
G M Ecology Unit	No objections subject to conditions in relation to biodiversity enhancement and protection of species.
G M Archaeological Advisory Service	There is some potential for archaeology to exist and therefore an appropriate condition is required.
Oldham NHS	No comment received.
National Grid	No objection, noting gas pipes and equipment in the vicinity.
Ramblers	Object on the grounds of loss of breathing space between Royton and Crompton, footpaths being diverted along estate roads, harm to biodiversity and natural springs, and sufficient brownfield land.

## REPRESENTATIONS

Councillor Murphy has requested that the application be determined by Planning Committee in view of the public interest and as the development involves building on OPOL land.

82 letters of objection were received summarised as follows:

- Loss of Green Space
- Contrary to OPOL Policy
- Coalescence of the two neighbouring communities of Shaw and Royton
- Development should take place on brownfield land first and empty homes should be occupied first
- Development should be more equally spread around the district.
- Loss of good agricultural Land/ should be directed to areas of lower environmental value.
- Council shouldn't approve just because meeting 5-year supply or boosting council revenue.
- Question whether a 5-year housing supply deficit exists
- Premature to allocate site in Greater Manchester Spatial Framework.
- Indicative scheme lacks open space/is overly dense, should be reduced in number
- Prefer low density sheltered housing for the elderly
- Oldham Highways objected to the previous application that was withdrawn
- Doubt on reliability of Transport Assessment.
- Increased traffic congestion and safety concerns to an already overwhelmed network
- Poor access (from Cocker Mill Lane onto Shaw Road)
- If the junction is signalised, two sets of lights nearby will lead to congestion
- Highway safety concerns of both pedestrians and drivers
- Insufficient parking at point of access and on Shaw Road should be addressed

- Emergency services require alternative access with concerns over impact on unadopted road
- Harm to existing footpath network. Public Right of Way from Spring Vale Road appears to have no exit.
- Urbanising harm to the Crompton circuit, an 11 mile circular route of footpaths largely through open countryside.
- Metrolink car park is inadequate to cope with additional burden
- The impact on existing schools, doctors, services already under pressure
- Harm to biodiversity and wildlife
- Concerns about building housing on contaminated land
- Development will result in unacceptable levels of noise and air pollution
- Flood and drainage concerns including impact on a natural spring within the site
- Employment loss of the abattoir and loss of agriculture. Job creation will be temporary only.
- Increased crime and anti-social behaviour
- Crompton and Royton Golf Club objected regarding the site impacting on land within its ownership. The applicant has addressed this, revising the boundary and no further comment has been received.

Crompton and Shaw Parish Council object on the grounds that there was insufficient detailed (technical) information in relation to the access and the surrounding infrastructure (in particular traffic flow) as the Parish Council did not believe that there would be zero impact on the current traffic congestion along Manchester Road.

## **PLANNING CONSIDERATIONS**

### **Principle of development and the 5-year Land Supply**

NPPF paragraph 67 requires local authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) to understand the land suitable, available and economically viable for housing in their area to meet local needs. The National Planning Practice Guidance section 'Housing and economic needs assessment' sets out the methodology for preparing a SHLAA.

Oldham's most recent SHLAA (as at 1st April 2019) was published in January 2020 and sets out a baseline assessment of potential housing land within Oldham, and indicates when it may come forward for development, in line with NPPF requirements.

The findings of the SHLAA are that in the short (0-5 years), medium (6-10 years) and long term (11+ years) there is suitable, available and achievable land identified that has the potential to accommodate 10,357 dwellings, taking into consideration clearance and small sites allowances. 71% of all dwellings identified within the housing land supply are on brownfield land.

In terms of meeting local housing need, the adopted Local Plan set out a housing requirement of 289 dwellings to be delivered per year. Since 2018/19 the housing requirement has been superseded by the standard methodology as introduced by the Government for calculating local housing need. Oldham's current local housing need based on this standard methodology is 692 new homes per year.

At present the 10,357 dwellings identified within the SHLAA, is not sufficient to accommodate Oldham's local housing need as set by the Government's standard methodology over the long term as is required by NPPF, or over the remaining plan period up to 2026. The Annual Monitoring Report (2018/19) sets out the level of housing provision required over the remaining plan period (up to 2025/26 based on the Local Plan).

Based on the Housing Delivery Test (HDT) measurement, introduced by the government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need, Oldham has achieved delivery of only 64% of the housing required over the past three years. The significant step change in the annual housing requirement, from 289 to 692 new homes per year, means that whilst the previous levels of housing

completions have been able to meet the housing requirement, going forward in order to meet this increased housing need, a significant increase in the number of housing completions is required.

Therefore, according to the evidence Oldham cannot meet its requirement over the remaining plan period and there is insufficient brownfield land to meet the Council's need.

As the Council cannot currently demonstrate a five-year supply of deliverable housing land, 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:

- i. 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
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Whether Local Plan Policies 1 and 22 (in relation to 'Other Protected Open Land') are strictly policies relating to the provision of housing does not remove this requirement. The Supreme Court has clarified that where there is a 5 year housing land supply shortfall, *"it matters not whether the failure is because of the inadequacies of the policies specifically concerned with housing provision, or because of the over-restrictive nature of other non-housing policies, this shortfall is enough to trigger the tilted balance"*.

Nevertheless, in implementing the 'tilted balance', consideration still needs to be given to adopted policies, and the weight given to policies is a matter for the decision maker. However, in reaching an assessment of weight to be applied, consideration should also be given to the policy's compatibility to the wider aims of the NPPF, particularly as the Local Plan was adopted prior to the NPPF.

### **Policy 22 Other Areas of Protected Open Land**

The aims of OPOL are to protect the openness, local distinctiveness or visual amenity of an area. OPOL is effectively a blanket 'no development policy' (except for the limited exceptions).

Therefore, OPOL plays an important part in the process of determining housing applications. The OPOL policy when considered as part of a suite of housing policies is considered to impact on the performance of the Council in housing delivery. Given the Council's poor performance in delivering housing, the OPOL policy is considered contrary to Section 5 of the NPPF. This situation does not apply to Green Belt land, which is listed in the footnote to NPPF paragraph 11d)i) as an exemption.

Policy 22 aims to protect green space and the countryside, a sustainable aim of Section 8 of the NPPF (Promoting Healthy and Safe communities), and Section 15 (Conserving and enhancing the natural environment). NPPF paragraph 96 stresses the importance of a network of high quality open spaces and the importance to the health and well-being. Public access to the application site is limited to footpaths which pass through or skirt the site. Therefore the main value is the use of the site in relation to the public footpaths. This is acknowledged and addressed in the proposals.

Section 15 of the NPPF refers to the areas of higher status (Areas of Outstanding Natural Beauty or Green Belt for example). This site is not of such status. Therefore, the degree of compatibility is limited with both Sections 8 and 15.

However, in considering OPOL and determining the application, any harm to openness should be considered. This includes:

- The loss of open views to residents/houses immediately abutting the site;
- The loss of views slightly further from the site looking across from Shaw towards Royton (east-west) or from residents further away to the north looking downwards

- towards Shaw Road;
- Views from Cocker Mill Lane looking upwards to the access area;
- The loss of views for walkers using the site's public footpath network.

In considering the loss of views across the site from adjacent residents, it is acknowledged that some loss of openness is inevitable with all developments. However, there are no rights to a view across third party land. Due to the positioning of existing abattoir buildings, the outlook from properties in the vicinity of Cowlshaw is already restricted. Those properties in the cul-de-sacs served off Crocus Drive which adjoin the site are orientated gable-on with limited direct views from principal windows. Only those properties on Greencroft Meadow face across the site and will lose immediate views. Clearly other properties more distant could see the site, but with distance the impact reduces.

Concerns have been expressed that any loss of openness by implication could result in the production of a sense of coalescence, in this instance between the communities of Shaw and Royton. However, given the presence of the Golf Course and the Green Belt status of adjacent land, a significant green space separating the two communities remains. Coalescence is therefore avoided in this instance.

The loss of openness as seen by passing traffic on Shaw Road where views are largely screened by existing housing, is unlikely to be sensed significantly. Therefore, the harm in terms of loss of openness, whilst impacting on some residents to the south, is not considered by itself a demonstrable reason on which to refuse the development.

In conclusion, in the context of all the above, there is only limited accord between OPOL with the wider aims of the NPPF.

## **Landscape Impact**

The submitted Environmental Statement (ES) includes considerations of the Landscape Impact. The adopted Local Plan used the evidence base which included the Oldham Landscape Character Assessment (2009) which considered the site to be within the Oldham Urban Area, i.e. an area where no description of landscape characteristics was considered necessary. The site abuts the Type 3a Rolling Pasture Land, a sub section of the Chadderton Rolling Hills area. The applicant's Landscape Impact Assessment following appropriate guidance from the Landscape Institute.

The applicant considers the following baseline status that *"The site is considered to be in Ordinary Condition. This conclusion is reached on the basis that the site comprises agricultural grassland with a distinguishable landscape structure, and features worthy of conservation, including mature yet often 'gappy hedgerows' along the site boundaries, areas of woodland to the east of the site, and Site of Biological Interest located to the northern area of the site. The site also exhibits some detracting features, including the existing abattoir facility located to the eastern area of the site, and also exhibits potential to improve management of vegetation within the site and along its boundaries"*.

Therefore, *"Upon completion of the development, once the mitigation planting has established and matured, the change in the appearance of the site will result in predominantly Negligible adverse to Moderate adverse effects on the landscape and visual receptors which are Not Significant. However, some Moderate / Major adverse effects are anticipated on the OPOL designation and footpath positions in the site (a small element of the overall assessment in the immediate term)"*.

As regards landscape mitigation, embedded mitigation for the proposed development includes:

- *Retention and enhancement of vegetation within the site and along its boundaries;*
- *Implementation of a soft landscaping scheme;*
- *Provision of an appropriate range & mix of housing types, in keeping with local vernacular;*
- *Maximum building heights across the scheme will be restricted to 2.5 storeys;*
- *Public open space to the northern site boundary will protect the existing SBI; and*

- *Public open space to the southern and western boundaries will reduce the visual impact on residents, footpath users, road users and retained OPOL.*

It is considered that the Landscape Impact Assessment has followed a logical and recommended process, and reasonably identifies the relevant national, regional and local character studies.

Whilst it is acknowledged that the application is in outline form; the green infrastructure and the rural character of the main public right of way is considered to require safeguarding. Therefore, parameters requiring minimum depth of green corridors, management, conditions requiring the inclusion for tree-lined avenues and the minimum width of the green fringe, and details of how the public rights of way will not become estate footpaths will be safeguarded. The degree of public open space accords with policy requirements, the majority being the SBI and the green fringes.

Overall, although the loss of the protected open space will result in some adverse impact, the site contains no specific features or designations which would carry sufficient weight to outweigh the presumption in favour of sustainable development and the provision of much needed additional housing land.

## **Highways**

The main access to the site will be taken from Cocker Mill Lane. This will be from the junction with A663 Shaw Road. The site is in an established residential area with links to public transport and opportunities for walking and cycling.

A Transport Assessment was submitted in support of the proposed development. The assessment was based on the access serving a maximum of 250 dwellings. It was shown that there is expected to be an additional 156 two way trips during the morning peak period and 143 during the evening peak period. It is not considered that the amount of traffic generated will have any significant or detrimental impact on the local or strategic highway network.

A robust assessment of the proposed access arrangements and its impact on the highway network has been carried out by both the Local Highway Authority and Transport for Greater Manchester who have proactively worked with the applicants to agree amendments.

The Highway Engineer is satisfied that a highway scheme which will highlight the presence of the junction and enable the continued safe use can be designed and implemented . it is anticipated that the works will include a localised highway improvement with improvements to kerbing, surfacing, road markings and traffic signs and a timetable for implementation . A condition securing the submission of the scheme at reserved matters stage is proposed.

## **Loss of employment land**

The application site includes the loss of the abattoir, which represents an existing employment site. Local Plan Policy 14 states that in such circumstances it must be demonstrated that it is no longer appropriate or viable to continue the site's existing use.

The application was supported by a socio-economic report which outlines the potential economic impact of the development. The applicants acknowledge the loss of the 22.5 jobs, but submit that the numbers employed in the abattoir has declined in recent years and it is anticipated this decline is likely to continue. The proposed development would create 32 Full Time Equivalent jobs during the 5 year housing construction period and the spending associated with the new households would amount to £2.76m per year locally, which equates to the creation of 22 local jobs. The loss of jobs will be offset by the creation of new jobs within the economy. Furthermore, the existing contracts associated with the Abattoir's operation are likely to be serviced by another facility, 11 of which are available in the Greater Manchester area.

On balance it is considered that the proposed economic benefits associated with the

development would outweigh the loss of the business use, and that the proposal would therefore accord with Policy 14

## **Ecology**

The application is accompanied by an Ecological Appraisal. A Site of Biological Importance (SBI), comprising two ponds and a marsh is located towards the north of the site, with the southernmost pond within the application site boundary.

Greater Manchester Ecology Unit (GMEU) had requested additional information leading to submission of an updated report, and on the basis of this information GMEU is satisfied that ecological issues can be addressed by means of condition.

In respect of impact on the SBI, the outline proposals have demonstrated that the proposed quantum of development can be implemented on the site, whilst ensuring the retention and protection of the SBI. Nevertheless, any future layout for development should maintain a minimum 20 metre stand-off from the SBI boundary from all built, hard infrastructure and earth moving; it should demonstrate how the hydrological functioning of the pond will be maintained post construction, and address the features of value within the SBI within the Landscape Ecological Management Plan.

The design and layout of the development will be required to achieve 10% biodiversity net gain (BNG) within the site boundary and should include individual species enhancement measures. In the longer term, a condition will require any future submission to provide the management details and appropriate resourcing to implement 25 years land management of the built landscape, the retained SBI, on-site and off-site BNG.

As a bat roost may be present in the abattoir buildings, a Natural England licence will be required before demolition of relevant buildings. Suitable conditions required at reserved matters stage.

Regard has been given to the Derogation Test under the Habitats Regulations that there are no feasible alternative solutions to the plan or project which are less damaging, there are "imperative reasons of overriding public interest" (IROPI) for the plan or project to proceed, and that compensatory measures will be secured to ensure that the overall coherence of the network of European sites is maintained

A Reserved Matters/Full application should be supported by an updated bat survey of the building complex, details of proposed mitigation measures and any necessary timing works or other demolition methods which would be sufficient to allow for the ultimate grant of a Licence. This will be required by condition. No other protected species have been identified which would be adversely affected by the development.

In conclusion, there are no features of ecological value for which adequate mitigation cannot be achieved, and which would justify refusal of the application.

## **Flood Risk**

The site is within Flood Risk Zone 1, an area at lowest risk of flooding and appropriate for residential development and as such the proposal passes the sequential test required by the NPPF.

The FRA includes indicative Foul and Surface Water Drainage schemes. In terms of surface water the scheme would use a network of pipes across the site to attenuate water at times of flooding into a detention basin and release flows at a greenfield run-off rate into the nearby watercourse. This form of approach for sites of such ground conditions is usually acceptable to the drainage authorities.

However as no specific housing layout has yet been submitted the detailed drainage scheme would need to be submitted and reserved by planning condition. Any proposed detention area would need to consider amenity issues for any nearby neighbours, and



therefore the positioning as shown on the indicative layout may not be considered acceptable. Nevertheless, concerns of existing residents regarding existing groundwater flooding, are likely to be captured and improved by a drainage system that attenuates and releases at greenfield rates only.

Subject to relevant conditions, the Environment Agency, United Utilities, and the Lead Local Flood Authority have no objection. The proposal is therefore considered acceptable subject to conditions.

### **Developer Contributions**

The developer will be required to have regard to ensuring compliance with relevant policies which seek to ensure the development contributes where necessary towards local infrastructure and services, and ensuring provision of housing to meet the needs of a range of potential occupiers. This will be secured by a mix of legal agreement and planning conditions.

### Education

The applicant will be required to provide a policy compliant education contribution having regard to the availability of school places at the time of payment in respect of the reserved matters. This has been calculated by the Education Department. Contributions can only be used by the Council towards the provision of school places to meet the need generated from the development and for no other purpose.

### Open Space

The applicant proposes to provide the public open space on site in accordance with Policy 23 requirements and this will be designed as an integral part of the proposed development . It is therefore proposed that a condition securing the scheme at reserved matters stage should be imposed. The condition will include timescale triggers for implementation.

### Affordable Housing

The applicant agrees the provision of affordable housing in accordance with the Council's Local Plan Policy.

### **Conclusion**

The status of the site as Other Protected Open Land (OPOL) was designated within the Oldham Local Development Framework Development Plan Document - Joint Core Strategy and Development Management Policies in 2011. In doing so the Council recognised the contribution of the area to preserving the distinctiveness of the area.

The development would result in harm comprising some loss of openness and landscape harm, specifically in relation to users of the public footpaths. Nevertheless, it has been demonstrated that the value of the site in landscape terms is limited, and the scheme is capable of incorporating measures to secure enhancement of the natural environment to mitigate for any loss, including biodiversity enhancement.

There are clear environmental and social benefits in considering whether the site comprises sustainable development in the context of Part 2 of the NPPF. Part 2 also points to the social and economic benefits of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations in a sustainable location.

In weighing up these considerations, the aforementioned lack of a 5 year housing land supply in the borough tilts the balance of those considerations. In particular, to outweigh the inherent benefits of providing much needed new housing, it is necessary to conclude that any adverse harms **significantly and demonstrably** outweigh the benefits. In this regard it is concluded that such a demonstration cannot be achieved.

It therefore recommended that the proposal is considered to represent sustainable development and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, planning permission should be granted.

### **Recommended Conditions**

1. Application for approval of the reserved matters of 1) Appearance 2) Landscaping 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 plans and specifications which are referenced as:

UG198\_LAN\_PL\_DRW\_01 rev P06 (Location Plan),  
2437-F01 (Principal means of access - Cocker Mill Lane),  
UG198\_LAN\_PL\_DRW\_02 Rev P04 (Demolition Plan)  
UG198\_LAN\_PP\_03 (Land Use and maximum building heights parameters 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. The vehicular access from Cocker Mill Lane hereby approved shall serve no more than 250 residential units.

Reason – In the interest of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

4. Any application for the approval of reserved matters in respect of layout shall include details of an emergency access to be constructed to serve the site

The access shall be constructed and made available for use prior to first occupation of any dwelling hereby approved and the emergency access shall be used for emergency purposes only at all times thereafter.

Reason - To ensure that adequate facilities are available in cases of emergency having regard to Policies 5 and 9 of the Oldham Local Plan.

5. Any application for the approval of reserved matters in respect of layout shall include a detailed highway improvement scheme in the vicinity of the Cocker Mill Lane / Shaw Road junction, including the provision of all appropriate signs, markings and construction on the approach to the site along Shaw Road. The scheme shall also include a timetable for implementation.

The improvement works shall be implemented and retained in full accordance with the approved scheme and implementation timetable.

Reason - To facilitate the safe movement of pedestrians, cyclists and other highway users in the vicinity of the development having regard to Policies 5 and 9 of the Oldham Local Plan.

6. Any application for the approval of reserved matters in respect of landscaping or layout shall include details of the measures for the protection or diversion of the

routes of public footpaths 83CROMP, 84CROMP and 88CROMP, including the construction form, width, and landscaping of any alternative or retained routes.

Reason - To ensure the retention of footpaths of an appropriate character and convenience having regard to Policies 5 and 23 of the Oldham Local Plan.

7. Any application for the approval of reserved matters in respect of layout shall include 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 highways.

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

8. Any application for the approval of reserved matters in respect of landscaping, layout or scale shall be accompanied by a scheme detailing levels. The scheme shall include;
  - a) Existing and proposed ground levels;
  - b) All finished floor levels of the proposed buildings relative to a datum or datum points, the location of which has previously been approved in writing by the Local Planning Authority;
  - c) Gradients for gardens, parking areas, footpaths and cycleways;
  - d) Cross sections within and beyond the site, the location of which have previously been approved in writing by the Local Planning Authority.

Reason - In order to ensure adequate information is submitted to fully assess the impact of the development having regard to Policy 9 of the Oldham Local Plan.

9. Any application for the approval of reserved matters in respect of landscaping or layout shall include an Arboricultural Impact Assessment and an Arboricultural Method Statement with an accurate tree survey, and any measures to protect trees identified as worthy of protection. The survey details shall be at a scale of not less than 1:500, indicating species, position, height, girth, crown spread, health, condition, structural defects, life expectancy and desirability for retention of all existing trees, shrubs and hedgerows within the site and on land adjacent to the development which may be affected by it. On the plan shall be marked the positions of spot heights, changes of levels, all proposed buildings, hard landscaping, roads, service trenches and footpaths. The plan shall indicate all trees, shrubs and hedgerows it is proposed to prune or remove, to BS3998.

Reason - To ensure that the development site is landscaped to an acceptable standard and in the interests of nature conservation having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

10. Any application for the approval of reserved matters in respect of layout, scale, or appearance, shall include an Energy Statement which details an average completed energy performance for each dwelling of 15% improvement on Part L of the Building Regulations. All dwellings shall be constructed in accordance with the approved energy statement and retained as operational thereafter.

Reason – In the interests of sustainability to ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

11. Any application for the approval of reserved matters in respect of landscaping or

layout shall include a scheme for the provision of public open space within the overall development site.

The scheme shall include;

- a) Details of the areas to be allocated;
- b) Proposed soft planting and hard landscaping details;
- c) Details of proposed levels and gradients;
- d) Context within the proposed development;
- e) Timescale triggers for implementation;
- f) Proposed future management details.

Reason - To ensure delivery of public open space having regard to Policy 23 of the Oldham Local Plan.

12. Any application for the approval of reserved matters in respect of landscaping or layout shall be accompanied by the following up to date ecology surveys and schemes.

- a) Breeding Bird Survey;
- b) Construction Environmental Management Plan (CEMP);
- c) Biodiversity Net Gain Proposals;
- d) Landscape Ecological Management Plan, including details of measures proposed to retain and protect the SBI;
- e) Badger survey.

Any protection or mitigation measures or other recommendations of the reports shall be undertaken in accordance with a timetable to be approved in writing by the local planning authority.

Reason - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and the Wildlife and Countryside Act 1981.

13. Any application for the approval of reserved matters in respect of layout or scale shall be accompanied by a scheme for the provision of affordable housing. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- a) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of total units;
- b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing] (if no RSL involved);
- d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure the residential development provides appropriate affordable housing having regard to Policies 10 and 11 of the Oldham Local Plan.

14. Any application for the approval of reserved matters in respect of landscaping or layout shall include details of a sustainable surface water, and foul water, drainage scheme.

The scheme shall be designed in accordance with the principles set out in the submitted Flood Risk Assessment (Ref No. JAG/AD/JF/42915-RP001, Dated October 2019) prepared by Alan Wood & Partners, and include proposed site levels and landscape design along with :

(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 having regard to potential elevated concentrations of contamination;

(ii) A restricted rate of discharge of surface water where infiltration is discounted by the investigations;

(iii) A timetable for its implementation.

The approved scheme shall be restricted to a 8.4 litre per second forward flow rate of discharge (unless otherwise agreed) and shall also be in accordance with the other requirements of 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 having regard to Policy 19 of the Oldham Local Plan.

15. Prior to first occupation of any dwelling hereby approved, 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;
  - 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 having regard to Policies 9 and 19 of the Oldham Local Plan.

16. No part of the development hereby approved, including any works of excavation or demolition, shall commence until a Demolition/ Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include:

- Provision for demolition and construction vehicles to access the site from the primary access road on Cocker Mill Lane, unless otherwise agreed as part of the approved Statement;

- The times of demolition and construction activities on site which, unless agreed otherwise as part of the approved Statement, shall be limited to between 07:30am - 6pm Monday to Friday and 8am - 2pm Saturday only (no working on Sundays or Bank Holidays). Quieter activities which are carried out inside buildings such as electrical works, plumbing and plastering may take place outside of agreed working times so long as they do not result in significant disturbance to neighbouring occupiers;
- The spaces for and management of the parking of site operatives' and visitors' vehicles;
- The storage and management of plant and materials (including loading and unloading activities);
- The erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- Wheel wash measures to prevent the deposition of dirt on the public highway during demolition and construction;
- Measures to control the emission of dust and dirt during demolition and construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works;
- Measures to minimise disturbance to any neighbouring occupiers from noise and vibration during demolition and construction;
- Measures to prevent the pollution of watercourses.

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.

17. No demolition of the abattoir buildings shall take place (other than building 'H') until a report concerning the use of the site (including trees) by bats, prepared by a suitably qualified person, has been submitted to and approved in writing by the local planning authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be undertaken in accordance with a timetable to be approved in writing by the local planning authority.

Reason - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and the Wildlife and Countryside Act 1981.

18. No commencement of any part of the development (except for demolition and enabling works) shall take place until a site investigation and assessment to identify the extent of land contamination and landfill gas risk 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 verification report, to discharge the condition. Any proposed remediation measures must take account of any levels and gradients approved as part of the reserved matters applications.

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, and because the site is within 250m of a former landfill site, having regard to Policy 9 of the Oldham Local Plan.

19. No part of the development hereby approved shall commence until a programme of archaeological works in the form of a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The implementation of any of the approved development works including demolition shall

be in full accordance with the approved WSI

The WSI shall cover the following:

- (i) A phased programme and methodology of investigation and recording to include:
  - historic building survey (Historic England level 2);
  - archaeological evaluation;
  - targeted open area excavation and recording.
- (ii) A programme for post investigation assessment to include:
  - analysis of the site investigation records and finds;
  - production of a final report on the significance of the archaeological and historical interest represented.
- (iii) Dissemination of the results in a manner commensurate with their significance.
- (iv) Provision for archive deposition of the report and records of the site investigation.
- (v) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - The undertaking of archaeological investigations, prior to the commencement of development, is considered necessary to ensure that adequate information pertaining to archaeological resources are appropriately identified and mitigation measures are implemented having regard to Policy 24 of the Oldham Local Plan.

20. No piling or any other foundation designs using penetrative methods shall be undertaken unless the prior written approval of the Local Planning Authority has been obtained, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

21. Prior to first occupation of any dwelling, a travel plan shall be issued to all new occupants in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The plan shall include but shall not be limited to:
  - Identifying travel choices for occupants prioritising sustainable travel means such as walking, cycling, public transport or car share schemes;
  - Details of the budget and resources for the implementation and day-to-day management of Plan measures;
  - A timeframe for the delivery of Plan mechanisms;
  - Targets and monitoring arrangements;
  - Measures which address specific barriers or take advantage of the opportunities presented by the site; and
  - Details of the specific incentives being offered to encourage sustainable travel to/from the site.

The approved Plan shall be implemented and reviewed in accordance with the timetable embodied therein.

Reason - To encourage use of sustainable modes of transport having regard to Policy 5 of the Oldham Local Plan.

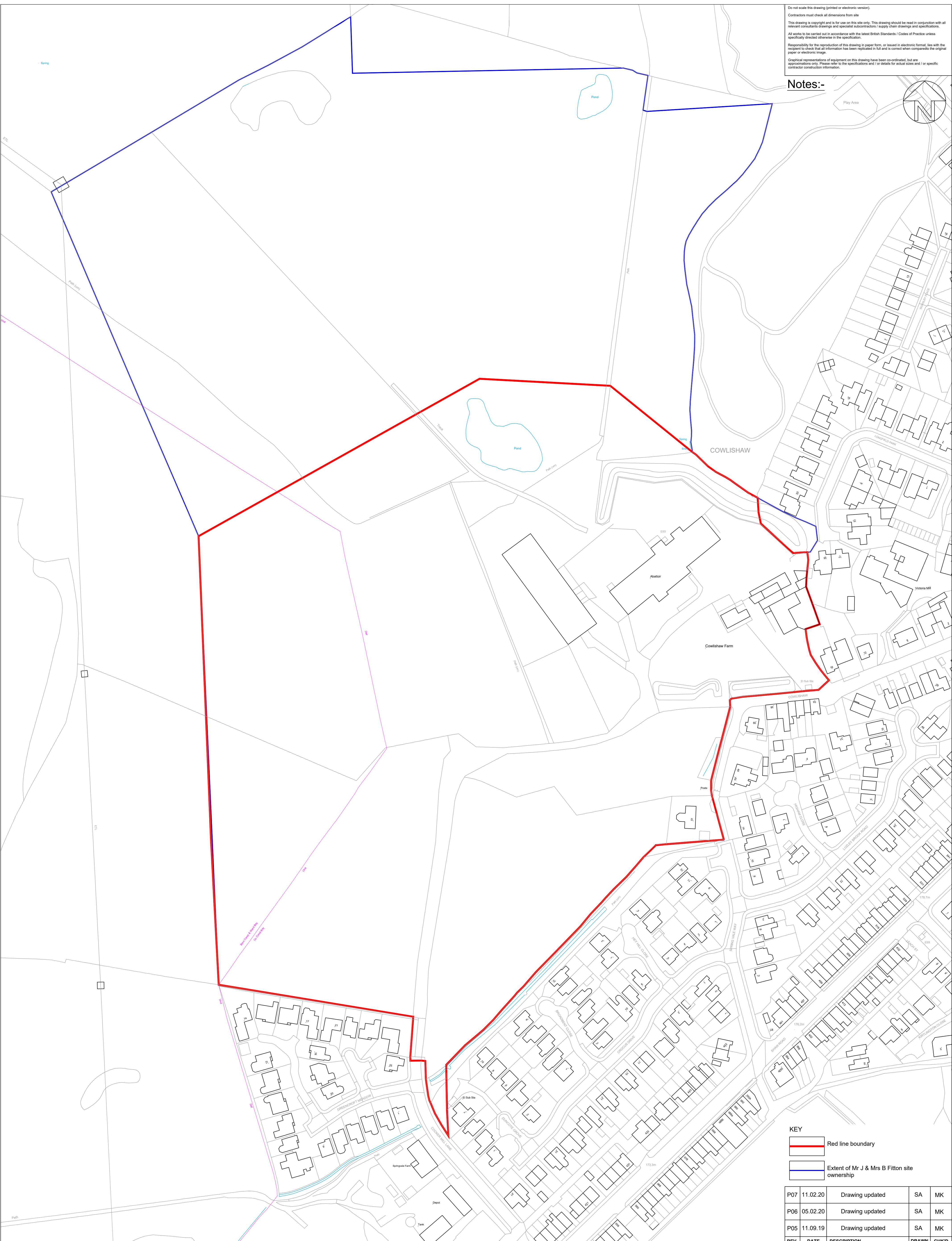
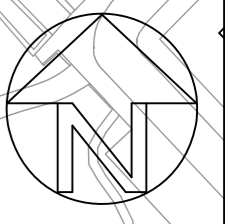
22. Prior to first occupation of any dwelling a detailed scheme of street lighting shall be implemented in accordance with a scheme which has previously been submitted to and approved in writing by Local Planning Authority. The scheme shall comply with the requirements of BS5489 (Road Lighting) and have due regard to Bat Conservation Lighting Guidelines.

Reason - In the interests of highway safety and biodiversity having regard to Policies 5, 9 and 21 of the Oldham Local Plan.



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**Notes:-**



**KEY**

	Red line boundary
	Extent of Mr J & Mrs B Fitton site ownership

P07	11.02.20	Drawing updated	SA	MK
P06	05.02.20	Drawing updated	SA	MK
P05	11.09.19	Drawing updated	SA	MK
REV.	DATE	DESCRIPTION	DRAWN	CHK'D

<b>Client:</b> MR J & MRS B FITTON	<b>Project:</b> COWLISHAW ABATTOIR, OLDHAM	<b>Drawn:</b> SA	<b>Checked:</b> ME	<b>Approved:</b> MT	<b>Date:</b> 31/07/19
<b>Issue:</b> PLANNING	<b>Title:</b> RED LINE PLAN	<b>Dwg No:</b> UG198_LAN_PL_DRW_01	<b>Scale @ A1:</b> 1:1000	<b>Revision:</b> P06	



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