

APPLICATION REPORT - PA/345261/20

Planning Committee, 16 September, 2020

Registration Date: 06/08/2020
Ward: Waterhead

Application Reference: PA/345261/20
Type of Application: Full Planning Permission

Proposal: Proposed residential development comprising the construction of 12 No 2 bedroom apartments (revision to PA/343332/19)
Location: Fernec Works, Stephenson Street, Oldham, OL4 2HH
Case Officer: Graham Dickman

Applicant Multi Build UK
Agent : Nicol Thomas

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as a 'Major' application.

RECOMMENDATION

It is recommended that Committee resolves to grant planning permission subject to the conditions below, without the financial contribution required in connection with the previous decision of Committee having regard to the subsequent viability implications.

BACKGROUND

At the meeting on 28th August 2019 Planning Committee resolved to grant this development under application PA/343332/19 subject to the completion of a Section 106 legal agreement in respect of a contribution of £48,596.64 towards improvements to Waterhead Park.

The applicant has subsequently submitted a viability statement. This considers four scenarios:

- a. A fully open market for sale scheme for 12 apartments with zero on site affordable housing and full other S106 contributions.
- b. A fully open market for sale scheme for 12 apartments with zero on site affordable housing and zero other S106 contributions.
- c. A scheme of 12 affordable rented dwellings full other S106 contributions.
- d. A scheme of 12 affordable rented dwellings zero other S106 contributions

The Appraisal confirms that implementation of the development would be compromised if the payment remained necessary. Officers have considered the submitted information and are satisfied that the evidence is sufficient to recommend to members that the application should be approved without the financial contribution, and that the benefits of ensuring the provision of much needed housing on a sustainable urban site outweigh any loss.

The report considered by members at the August 2019 meeting, and recommended conditions is as follows (updated to reflect the above change)

THE SITE

The development site is currently vacant following the recent demolition of a derelict building that formerly accommodated a heavy steel engineering fabricator, Marton Engineering, which closed a number of years ago.

This 0.12ha site is around 60 metres long by 20 metres wide and is irregular in shape. The site is generally flat as it has been cut into the hillside.

From Huddersfield Road (A62), Stephenson Street climbs 3.0 metres at a consistent gradient of around 1 in 12. The site has a fall in the region of 10 metres from south to north, though a large element of this has been altered by the historic construction of the existing building. The site topography east to west is generally level.

The site is surrounded on all sides with residential dwellings, with the exception of a small number of retail premises, and a filling station on the opposite side of Huddersfield Road.

THE PROPOSAL

This application proposes the erection of a single block of 12 two-bedroom apartments, with 1 parking space per unit. The proposed three storey, pitched roof, building would measure 24m in width, 14m in depth, 9m to the eaves height and 11.5m to the roof ridge. The proposed development would be externally clad in red brick slips and grey roof tiles.

RELEVANT HISTORY OF THE SITE:

CD/344795/20 - Discharge of conditions 3, 5, 6, 7 and 8 in respect of application PA/343332/19. Awaiting determination.

PA/343332/19 - Proposed residential development of 12 no. 2 bedroom apartments. Approved 9 April 2020

CONSULTATIONS

Highway Engineer	No objection, subject to conditions requiring car and secure cycle parking.
Environmental Health	No objection, subject to conditions re-landfill gas and contaminated land.
Coal Authority	No objection, subject to a condition to protect against risks associated with coal mining.
LLFA/ Drainage	No objection.
United Utilities	No objection, subject to a drainage condition.
Greater Manchester Police	No objection.
Architectural Liaison Unit	

REPRESENTATIONS

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

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 Proposals Map associated with the Joint Development Plan Document. Therefore, the following DPD policies are considered relevant:

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

Policy 23 - Open spaces and sports.

Saved UDP Policy D1.5 and the NPPF are also relevant.

PLANNING CONSIDERATIONS

The main issues for consideration include::

- Principle of development;
- Residential amenity;
- Design and appearance;
- Parking and highway safety
- Public Open Space.

Principle of development

DPD Policy 1 prioritises development on previously developed land. Furthermore, it states that residential development should be focused on land in sustainable and accessible locations and should be of high quality and respect the local character of the environment.

The application site is previously developed, evident by historic mapping showing development on site up to 1989.

The proposal accords with DPD Policies 3 and 11 which give preference to the use of previously developed sites for residential development.

DPD Policy 3 clarifies the Council's aims to promote development in sustainable locations and on previously developed sites. In the case of proposals on a non-allocated site, it states that such developments will only be considered favourably where a deliverable 5-year supply of housing land cannot be demonstrated, where it contributes towards the delivery of the borough's regeneration priorities, or where it contributes to the delivery of affordable housing needs.

DPD Policy 3 states that new 'Major' residential developments should be located within 480m of at least three 'key services'. These are specifically defined as areas of employment, major retail centres, local shopping parades, health related facilities and services, schools, post offices and community uses.

Holy Trinity Waterhead Parish Church, Carrion Crow public house and Littlemoor Primary School are within a ten minute walk of the application site.

It is therefore reasonable to conclude that the site is located in a sustainable position in close proximity to at least three key services as required by Policy 3.

Policy 5 requires all major developments to achieve 'High Accessibility' or 'Very High Accessibility' unless it can be demonstrated that this is neither practicable nor desirable or it provides exceptional benefits to the surrounding environment and community. 'High Accessibility' is defined as being within approximately 400 metres of a frequent bus route or approximately 800 metres of a rail station or future Metrolink stop.

There are a number of bus stops within close proximity to the application site, the nearest being 80m from the proposed development. The nearest bus stop serves a variety of bus routes. As such, it is considered that the site is well placed in terms of access to bus routes.

Overall it is considered that there is no objection to the principle of residential development in land use terms and the development is located in a sustainable location.

Residential amenity

DPD Policy 9 outlines that new development proposals must not have a significant adverse impact upon the amenity of neighbouring properties.

With regard to the impact on neighbouring terraced properties on Huddersfield Road to the north, given the distance between the proposed development and these properties of approximately 26m at the nearest point, it is not considered that the proposal would result in significant loss of light or overbearing impact to these neighbours. Due to the topography of the site, the proposed building would be seen largely against the backdrop of the rising ground and existing tree cover at the rear of the site.

In reaching this conclusion, it should be noted that the proposed building would be significantly smaller than that approved under application no. PA/336658/15, and the proposal broadly occupies the same footprint as the former building. In terms of the impact on privacy, a degree of overlooking may occur from the proposed building towards properties on Huddersfield Road and Ann Square, but not at unacceptably close range. Properties at the rear of the site on Beech Avenue would not be significantly affected by the proposed development as they are further away from the site and are on higher ground. There is also significant tree cover between the site and the properties at the rear.

In regard to the future occupiers of the proposed development, the internal layout of the proposed development would comply with the DCLG 'Technical Housing Standards – nationally described space standards', and is therefore considered to be acceptable.

Given the physical confines of the site, it is noted that bedroom windows of the apartments at the rear of the building will face the adjacent steep banking at close proximity. However, the layout of the units has been designed to ensure that the primary living accommodation in the lounge and linked kitchen areas have side facing elevations giving open aspects from those rooms.

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

Design and appearance

DPD Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

The proposal will replace a former derelict building with a three storey block of contemporary design and appearance. The proposed development will be on a larger scale than the former Fernec Works building but will be set well back from Huddersfield Road and its scale and resulting impact will not adversely impact on the street scene. The proposal will largely respect the local vernacular and the site topography and will be constructed in a palette of both traditional and contemporary materials.

Given the above, it is considered that the design of the proposed development is acceptable in accordance with DPD Policies 9 and 20.

Parking and Highway safety

A car park with a facility to accommodate 12 vehicles will be provided with access via Stephenson Street. There are no highway objections.

Public Open Space

DPD Policy 23 states that all residential developments should contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable. It is considered that a contribution in lieu of on-site provision would be appropriate in this case to address the public open space deficiencies in this ward.

No on-site public open space has been proposed. As noted above, it has been adequately demonstrated that the originally proposed £48,596.64 contribution towards the provision or improvement of existing public open space would compromise the viability of the

development, and therefore, it is recommended that this requirement should no longer apply.

Conclusion

The proposed development will make a positive contribution towards housing land supply whilst assisting with the regeneration of a presently vacant site. The relationship with neighbouring properties, highway impact, and design and appearance of the development are satisfactory. It therefore conforms, to the objections of relevant national and local planning policies.

Recommended conditions

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications received on 6th August 2020:

M3031 PL 100
M3031 PL 01 revision D
M3031 PL 02 revision B
M3031 PL 03
Proposed Materials Schedule dated 06/08/20

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 development hereby approved shall not be brought into use unless and until the car parking spaces have been provided in accordance with the approved plan (M3031 PL 01 revision D) and thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided 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.

4. Notwithstanding the approved plans, full details of the secure cycle parking facilities to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be implemented in full prior to the first occupation of the development hereby permitted. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development having regard to Policy 5 of the Oldham Local Plan.

5. The development hereby approved shall be carried out in accordance with the recommendations set out within the Ground Gas Assessment Report (ref. S150117/G) and the Phase 2 Site Investigation Report (ref. S150117) submitted with application CD/344795/20 and a validation report of any remedial measures will be required in order to discharge the condition.

Reason - In order to protect public safety and the environment, because the site is

located within 250m of a former landfill site having regard to Policy 9 of the Oldham Local Plan..

6. The development shall be fully implemented in accordance with the submitted drainage layout 1257-900 P1.

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

PROPOSED RESIDENTIAL DEVELOPMENT AT Stephenson Street, Waterhead, Oldham. LOCATION PLAN 1 - 1250



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Revision	Date	Details

Client:	Canon Corporation
Job:	Stephenson Street, Waterhead
Drawing title:	Location Plan
Drawing Number:	M3031 PL 100
Scale:	As shown
Date:	April 2019
Drawn by/Checked by:	CS

PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT APPLICATIONS

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

THE BACKGROUND PAPERS

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.

