

APPLICATION REPORT - MMA/344478/20

Committee Report, 11 November 2020

Registration Date: 31/01/2020
Ward: Failsworth East

Application Reference: MMA/344478/20
Type of Application: Minor Material Amendment

Proposal: Variation to Condition 2 of approved application PA/343302/19, including amendments to site layout, levels, house layouts and roof heights.

Location: Land to the rear of the Dog and Partridge PH, Medlock Road, Failsworth, Oldham, M35 9NP

Case Officer: Matthew Taylor

Applicant Mr Sheridan
Agent : Studio OL3 Ltd

The application was referred to Planning Committee in accordance with the Scheme of delegation at the request of Councillor Briggs.

RECOMMENDATION

Approve subject to the conditions set out below

THE SITE

The application site is a roughly 'L' shaped 0.7ha plot of land that gently slopes down from north to south. It is bounded by the Brookdale Golf Course to the west and the Dog and Partridge public house bowling green/beer garden and a local park to the east. The area comprises cleared ground with self-seeded grass and shrubs covering the site, but also encompasses 111 Medlock Road.

The site is located within the Woodhouses Conservation Area.

Development work relating to the erection of 17no. dwellings has commenced on site (Ref: PA/3433302/19).

THE PROPOSAL

The proposed minor material amendments to the previously approved application PA/343302/19 relates to the following:

- Removal of a house type No.4 (this type has been switched out for house type 1 and a new house type 5 on the layout plan);
- House type No's. 5, 6 and 7 have also been added to allow for alternate design versions of house type 1, 2 and 3. As they allow for a better balance of masonry and glazing to retain the traditional feel of the overall street scene and development.
- The increase in ridge heights of house type No's. 1, 2 and 3, due to the revised existing site levels taken from site, as more topographical survey has been

undertaken and the construction requirements dictated by structure have required a lift in ridge height; and

- Ground level alterations across the site again due to the revised levels take from site which are more accurate than the previous levels provided.

RELEVANT HISTORY OF THE SITE:

PA/344685/20 - Variation of conditions 1, 2, 3, 4, 5, 6, 8, 10 & 13 relating to app no. PA/343302/19. Pending determination.

PA/343302/19 Erection of 17 houses with vehicular access from Medlock Road. Amended application relating to PA/341467/18. Granted 13/1/2020 subject to conditions and to a Section 106 Agreement for the submission of a payment of £160000 for the improvement of the play equipment on the adjacent park and the provision of off-site affordable housing.

PA/341467/18 - Erection of 17 houses with vehicular access from Medlock Road. Refused 15 February 2019.

RELEVANT PLANNING POLICY

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

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

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 20 – Design

Policy 21 - Protecting Natural Environmental Assets

Policy 23 - Open space and sports

Policy 24 - Historic Environment

Saved UDP - Phase 2 Housing allocation

CONSULTATIONS

Highway Engineer

Originally raised concerns about the proposed site layout changes (in terms of off-street parking) and the proposed estate entrance gates. However, amended plans have been provided removing the proposed gates and resolving the site layout concerns raised.

REPRESENTATIONS

This application was publicised by way of a site notice, neighbour notification letters and press notice. 3 individual letters of objection have been received, in which the concerns raised can be summarised as follows:

- It seems to be a trend that once building work starts on the site that a new application is made to significantly alter the original application that was passed.

- The houses' proposed new height will result in them towering over the properties in the area. They are not in keeping with the area and much taller than the ones on Medlock Road.
- The size of the glazing was previously objected to as not in keeping with the village
- The proposed gates will cause problems with traffic and parking.
- Drainage system within the locality is not sufficient for such an addition of dwellings; and information provided does not provide true picture of the developments impact.
- It is not clear how children/young adults etc, who now access the park from Stamford Drive only, can retrieve objects should they fall into the new development area.

PLANNING CONSIDERATIONS

The principle of the residential development of this site has previously been established and the assessment of the present application is therefore restricted to the amendments now sought.

DPD Policy 9 stipulates that the proposed development should not cause significant harm to the amenity of neighbouring occupants through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances. Furthermore, the development should not have a detrimental impact on the visual appearance of an area. Policy 20 'Design' further advocates that development must meet design principles relating to local character, good streets and well-designed buildings. DPD Policy 24 which seeks to protect, conserve and enhance the historic character and setting of a Conservation Area.

In terms of the general appearance of the proposed changes, it is considered the proposed layout, levels and house type alterations are of an acceptable and relatively minor deviation from the original approval. It is not considered that the proposed amendments would have any significant cumulative impact on the street scene and conservation area, over and above the previously approved permission.

In regards the impact on residential amenity, it is considered the proposed changes will have no adverse impact on residential amenity of the future occupiers and the surrounding existing dwellings.

Taking the above matters into consideration, the minor material amendment to the previously approved scheme complies with the relevant policies of the LDF Joint Development Plan Document and the NPPF.

RECOMMENDED CONDITIONS

That Committee resolves to approve the application subject to the following 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 which are referenced as:

570 - 003 Rev Q
570 - 004 Rev G
570 - 005 Rev K
570 - 006 Rev C
570 - 008 Rev C
570 - 007 Rev E
570 - 009 Rev A
570 - 101P3 - Medlock Road House Type 1
570 - 201P3 - Medlock Road House Type 2
570 - 301P3 - Medlock Road House Type 3
570 - 501P1 - Medlock Road House Type 5
570 - 601P1 - Medlock Road House Type 6
570 - 701P1 - Medlock Road House Type 7
STR.TS.14 Medlock Road Woodhouses - Topo Survey STR.TS.1

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

3. Development hereby approved shall be carried out in accordance with the approved Material Schedule (Ref no. 570) and T138-Driveway-permeable-base-v8. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

4. No dwelling shall be brought into use unless and until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plans/details:

- T138-Driveway-permeable-base-v8;
- 570 -003 Rev Q;
- EW01 Rev B;
- EW02 Rev D;
- EW03 Rev C;
- EW04 Rev E;
- EW06 Rev D;
- D001 Rev F; and
- D002 Rev K.

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 that 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.

5. Prior to occupation of the development, the sustainable drainage of the site, outlined in the following details shall be completed and a full survey of the watercourse undertaken and submitted for the written approval of the Local Planning Authority.

- Drg no. 19500-D001- Rev F

- Drg no. 19500-D002 - Rev K
- Drg no. 19500-D003
- Drg no. 19500-D004
- Drg no. 19500-D005- Rev C
- Drg no. 19500-D006- Rev C
- Drg no. 19500-D007- Rev A
- Drg no. 19500 – D008 – Rev B
- Drg no. 19500 – D009 – Rev F
- Drg no. 19500 – D0010 - Rev A
- Hydrobrake product – CTL-SHE-0106-7400-2327-7400
- Calculations – labelled Medlock Attenuation – 26.08.20 Karl Hill
- Geo-environmental Site Investigation Report Phase II Site Investigation – H0388 JL (GS10833) October 2017

The subsequently completed drainage scheme shall be maintained and managed in accordance with all the approved details and the Flood Risk Assessment & Drainage Strategy prepared by Waterco.

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.

6. All measures outlined in the approved 'Phase 1 Ecological Survey & Appraisal & Amphibian Habitats Suitability Index Assessment (Update)', Produced by Sensible Ecological Survey Solutions, shall be implemented and maintained for the duration of the construction period of the development in accordance with the approved details.

Reason - To protect the watercourse and Brookdale Golf Course SBI.

7. The development shall only be carried out in full accordance with the approved remediation proposals outlined in the Phase II Geoenvironmental Site Investigation Report by GEOCON, dated October 2017. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority, and the approved measures shall be implemented in full.

Reason - To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.

8. All trees to be retained shall be protected in accordance with the submitted Tree Protection Plan Job (Ref: CW /904-P- TP) Thereafter no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence and tree during the construction period.

Reason - In order to avoid damage to trees/shrubs within the site, which are of important amenity value to the area.

9. All hard and soft landscape works for the site shall be carried out in accordance with the approved details as follows:

Drawing Nos. 570 – 003 Rev Q;
Drawing Nos. 570 – 004 Rev G;
Material Schedule (Ref no. 570); and
T138-Driveway-permeable-base-v8.

The works shall be carried out prior to the occupation of any part of the development or in accordance the programme approved in writing by the Local Planning Authority. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

10. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local planning Authority.

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981.

11. The development shall only be carried out in full accordance with the following approved Landfill Gas remediation details:

- 570-04-D-000 Rev B - External Wall to Floor Junction Details Plots 1 to 8 and Level Access Detail
- 570-04-D-012 Rev A - External Wall and Beam and Block Floor Junction Detail - Plots 9 to 17
- Vent form Data Sheet- Cordek Ventform

A verification report providing detail to demonstrate that the works set out in the above details are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted prior to occupation of the dwelling to which the measures relate.

Any changes to these components require the written consent of the local planning authority, and the scheme shall be implemented as approved.

Reason - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

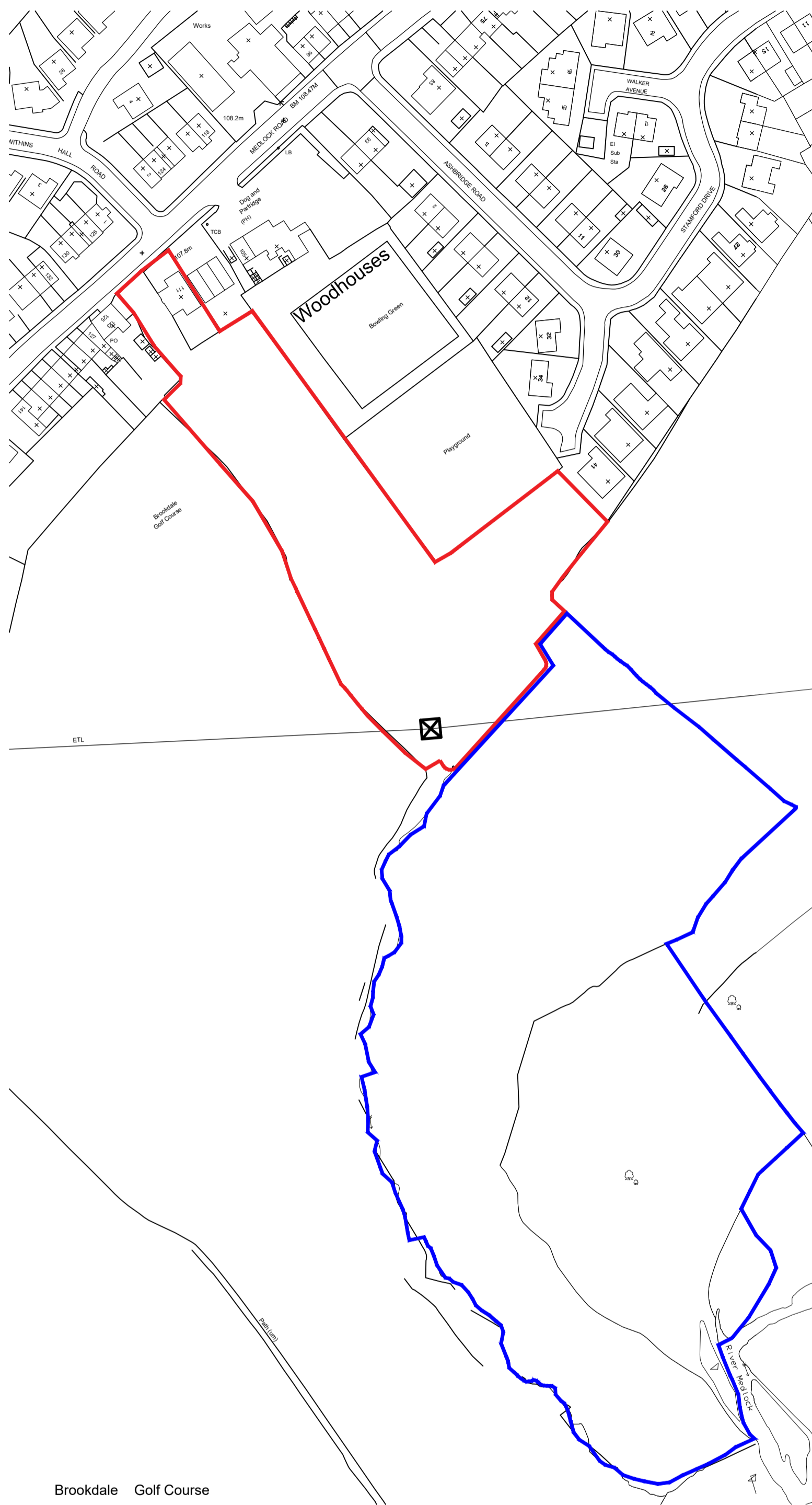
12. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved

verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

13. The boundary wall to the front of 111 Medlock Road shall remain re-sited in accordance with the detail shown on plan ref: 005 Rev k and J930/access/Fig 1 at all times. Thereafter the area between the fence line and the access shall be permanently kept clear of all obstructions.

Reason – To ensure satisfactory visibility in the interests of highway safety.



Note:
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 The following notes are intended to be used for planning and building regulations approval only. No works should take place until these approvals are in place in writing from the authorities. All works carried out prior to approval are at the owners risk and studio ol3 take no responsibilities for these works. All dimensions are to be checked by the main contractor prior to work commencing and during the progress of the works. Any discrepancies in dimensions or construction information are to be reported to the designer for resolution before any further work is carried out. No components to be ordered or fabricated without all relevant associated dimensions being checked and confirmed. Do not scale from drawings, work to figured dimensions only. This drawing to be read in conjunction with all other relevant consultants details and specifications.

GENERAL NOTE:
 Workmanship and materials to comply with:
 Building Regulations, N.H.B.C. requirements, British standards or codes of practice, other authoritative documents or technical approval certification including:
 Construction Products Directive (89/106/ee).
 The International Standards Organisation (iso).
 The European Committee for Standardisation (cen).
 The British Board of Agreement.
 Current at the time of the Building Regulations application.

All materials shall be fixed, applied or mixed in accordance with manufacturers instructions and specifications. All materials shall be suitable for the purpose for which they are used.

The contractor shall take into account everything necessary for the proper execution of the works, to the satisfaction of the "inspector" whether or not indicated on the accompanying drawings or in the specification.

Note: subject to confirmation of the designer - similar "approved" materials of equal performance may be substituted where those specified are not available.

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No.	Date	Description	Issued by
A	18.04.19	Red line boundary amended.	DT

THE SHERIDAN GROUP LTD

LAND OFF MEDLOCK ROAD

Location Plan

Drawing Number	Project number	570
009	Date	07.02.18
Current Revision	Drawn by	DT
A	Checked by	OL3
	Scale @ A2	1:1250



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