

APPLICATION REPORT - PA/344654/20
Planning Committee

Registration Date: 20th March 2020
Ward: Royton South

Application Reference: PA/344654/20
Type of Application: Full Application

Proposal: Change of use of wooded area to land for the sole use of an extended garden area for Dr. Kershaws Hospice, and construction of fencing within the site.

Location: Dr Kershaws Hospice, Turf Lane, Royton, Oldham, OL2 6EU,

Case Officer: Sophie Leech

Applicant: Dr Paul Cook

Agent: Mr Steven Winterbottom

This application is being presented to Planning Committee as it concerns an area of land on which the Council has an ownership interest.

THE SITE

The site relates to a parcel of land adjoining and to the south of Dr Kershaw's Hospice which is sited on Turf Lane in Royton. The area towards the rear of the site has dense tree cover. The land slopes away from the site and emerges at road level on Salmon Fields. The trees are not protected but are on land owned by the Council. The main site is occupied by Dr Kershaw's Hospice which is a local charity providing hospice care for sick people. The hospice building has recently benefitted from permission to extend the building and work has commenced on site.

THE PROPOSAL

This application seeks consent for the change of use of part of the wooded area to the rear of Dr Kershaw's Hospice (on Council owned land) for the use of an extended garden area for Dr Kershaw's, and construction of fencing within the site.

Planning application ref: PA/342384/18 granted consent for the construction of a replacement new single storey extension with associated car parking within the hospice site. The application also included the construction of a temporary medical ward for the duration of the construction.

Construction activity resulting from this development spilled over into the adjacent woodland without adherence to tree protection measures. A number of trees within the woodland have been removed and a significant amount of mixed sub-soil has been deposited around the base of trees both within the grounds of the hospice, and woodland trees.

This sub-soil requires removal and replacement with imported top soil to facilitate replacement landscaping. Remedial works are to take place to remove excess soil/material deposits, remove dead trees, ameliorate the soil of the woodland area affected by works, as well as the root zones of existing trees that have been subject to damage from unregulated construction works.

At present there are no proposals to carry out any further work in the woodland area other than remediation outlined above and the construction of a security fence.

Once the area is re-established, should any further excavation or amendments to this area be required, this would be subject to a further planning application. The original proposal also included the provision of a woodland path for residents of the hospice, and should this be required in the future, it will similarly be subject to a further application. This design and layout will need to take account of the replacement planting which has been undertaken.

RELEVANT PLANNING HISTORY

PA/342384/18 - 1) Demolition of existing single storey extensions and construction of a new single storey extension, with associated car parking and installation of solar panels to the existing retained roofscape. 2) Construction of temporary medical ward premises for the duration of the construction works of the replacement ward. Approved 27 November 2018

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated within a Green Corridor and Link on the plan.

The following Local Plan policies are relevant to the determination of this application.

Policy 9 - Local Environment

Policy 20 - Design

Policy 21 - Protecting Natural Environmental Assets

REPRESENTATIONS

No representations have been received.

CONSULTATIONS:

Trees Officer - No objections, subject to strict compliance with all submitted information.

Ramblers Association - No objections

PLANNING CONSIDERATIONS

Principle of development

The application site forms part of a wooded frontage to Salmon Fields which separates the road from the built development off Turf Lane to the north. It also forms part of a Green Corridor and Link as allocated within the Local Plan.

The proposal will see the introduction of activity into this wooded area. However, physical development will be limited to the proposed new boundary fencing which will be of a green metal design.

Consequently, subject to the matters addressed below, the proposed use would not undermine the objective of protecting the Green Corridor and ensure no conflict with Local Plan Policy 21.

Impact on trees

Policy D1.5 of the Saved UDP states that *“In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:*

- a) the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and
- b) development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas”.

In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission. As a minimum, replacement will be at a ratio of three new native trees for each mature or semi-mature tree lost. Where possible the replacement trees should be accommodated on or immediately adjoining the development site. In exceptional circumstances (e.g. certain small infill sites), where it is agreed that on-site replacement planting is not practicable, arrangements must be made for the planting of replacement trees on a suitable site in the wider locality through a section 106 planning obligation.

Following a number of amendments to the scheme, the Council’s Tree Officer has no objections to the proposals subject to strict compliance with the submitted drawings and the Tree Condition Report: Assessment of Tree Removals and Root Damage (Revision A). These comprehensive details will ensure that both the grounds of Dr Kershaw’s and the wooded area are remediated, developed and replanted to a high standard.

With regards to the future of the site, it is foreseeable that even after the remediation has been undertaken, further tree loss to pre-existing trees due to the damage/disturbance may occur over time and even with best intentions, newly planted trees do not have a 100% survival rate. The condition requires that any trees (pre-existing or newly planted) that die or otherwise require removal within a five-year period from completion should be replaced like for like and to the same standards as per the specifications submitted within this application. Following the submission of revised details, it is now considered that the proposals comply with Policy D1.5 of the Saved UDP.

Design & Appearance

The planting proposals will ensure that the tree coverage from Salmon Fields is not disrupted causing a loss of visual amenity to the area. In terms of the impact within the site, the woodland area has been designed to meet the needs of the residents whilst also ensuring that the development can take place without further harm to the trees. As such, it is considered that the design and overall impact on the area will be minimal and subsequently, the proposals comply with Local Plan Policy 20.

Residential Amenity

The immediate neighbours adjacent to the woodland area are the Salmon Fields Business Village units. As a result, there would be no impact on any residential amenity through development of the site. In addition, the proposals will not have a significant, adverse impact on the visual amenity of the surrounding area. The amended details submitted have been confirmed as acceptable by the Tree Officer, therefore it can be concluded that the proposals will not have an unacceptable impact on the environment, resulting in the proposals complying with Local Plan Policy 9.

CONCLUSION

Following amendments to the scheme, the proposed development is considered to meet relevant policies in the development plan and guidance contained within the NPPF and is recommended for approval.

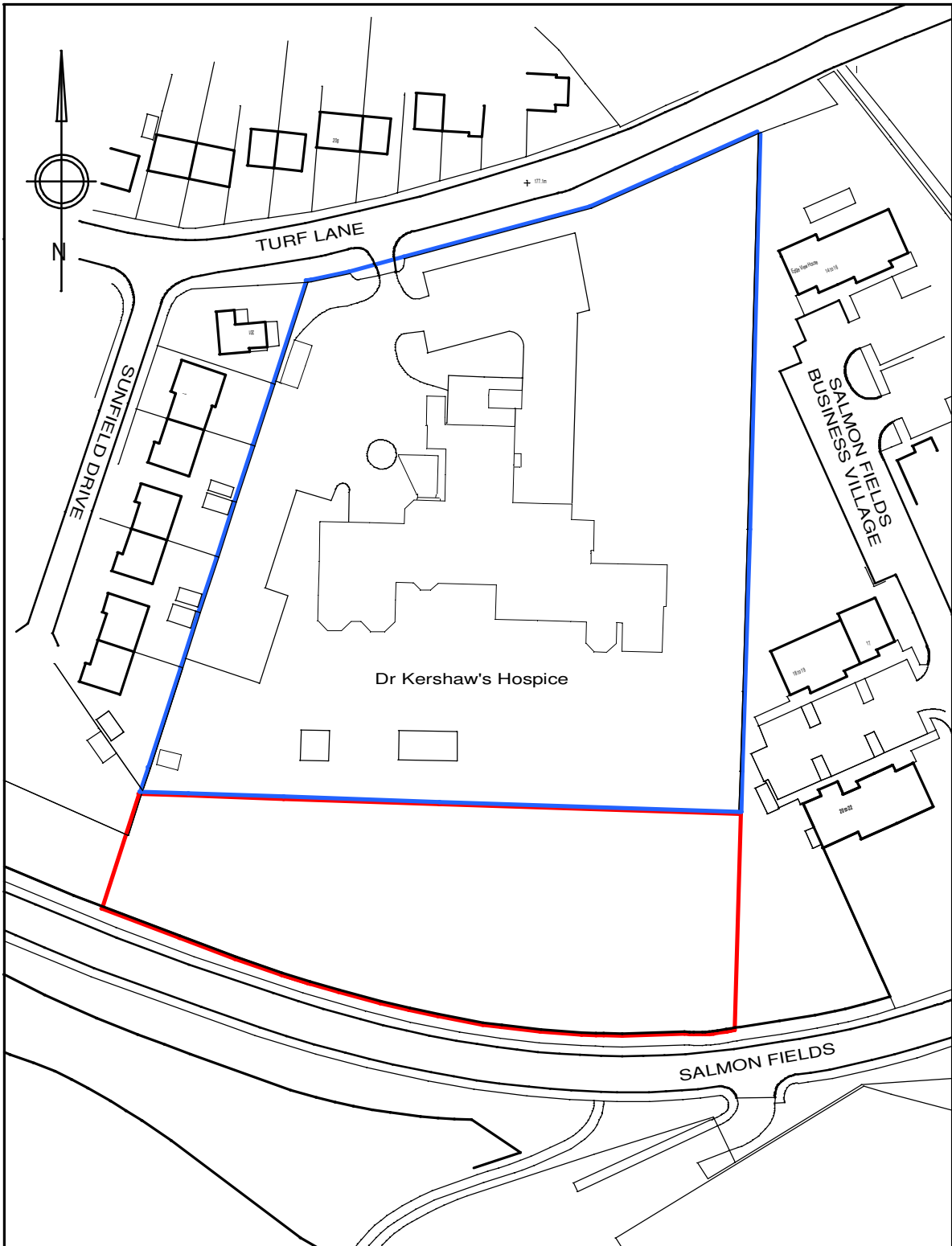
RECOMMENDATION:

Granted, 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3 Any trees (pre-existing or newly planted) that die or otherwise require removal within a five year period from completion of the approved development should be replaced like for like and to the same standards as per the specifications submitted within this application. REASON - To ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.



LOCATION PLAN

Scale 1:1250

SITE AREA - 0.48 Hectares

nicol thomas

Client:	Dr Kershaws Hospice		
Job:	Dr Kershaws Hospice		
Drawing title:	LOCATION PLAN		
Drawing Number: (Job number)	M3225.04.L1		Revision:
Scale:	1:1250 @ A4		
Date:	March 2020		
Drawn by/ checked by:	S		