

APPLICATION REPORT - PA/344187/19

Planning Committee 21st April 2021

Registration Date: 19/11/2019
Ward: Royton North

Application Reference: PA/344187/19
Type of Application: Full Planning Permission

Proposal: Residential Development to form 14 no Residential Apartments (Use Class C3) following demolition of existing public house.

Location: 148 Middleton Road, Royton, OL2 5LL

Case Officer: Abiola Labisi

Applicant Agent : Samrum Investments Ltd
Dawson Williamson Ltd

RECOMMENDATION

It is recommended that Committee resolves to grant planning permission subject to the conditions set out below.

At its meeting on 13th May 2020, Planning Committee resolved to grant planning permission for this development subject to completion of a Section 106 obligation to provide a financial contribution of £37,169.31 for the improvement and maintenance of off-site open space and affordable housing.

The applicant has subsequently submitted a Viability Appraisal which seeks to demonstrate that the continued imposition of the financial contribution would impact adversely on the deliverability of the development. The Appraisal has been assessed by the Council's officers and it is concurred that the requirement would prevent the development from progressing.

The site has been the subject of recent concerns regarding its on-going condition which are resulting in amenity problems in the local area. Ensuring that the development is implemented is therefore an important consideration.

The earlier report is set out below.

THE SITE

The site is located at the junction of Holden Fold Lane and Middleton Road. To the west of the site, on the other side of Holden Fold Lane, are some commercial units which are occupied by various businesses, along with Vine Mill, a four-storey brick mill building located to the south of the site. To the north, on the opposite side of Middleton Road, are some dwellings.

THE PROPOSAL

The proposal relates to a residential development of 14 apartments, comprising 9 single bed units and 5 two-bed units, in a replacement building following the demolition of a former public house, which will be connected to a three-storey extension which is presently under

construction approved under planning ref. PA/339829/17 and linked by a communal entrance/circulation area off Middleton Road.

The new building would be constructed of Forterra Farmstead Antique facing brick with blue slate roof over and a combination of uPVC and aluminium windows.

RELEVANT HISTORY OF THE SITE

PA/339829/17 - Three/four storey extension to side and rear of building and conversion of public house to provide a mixed use development comprising four offices and 9 apartments. Approved 12 March 2018

RELEVANT PLANNING POLICIES & GUIDANCE

The 'development plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated within the Proposals Map associated with the DPD.

Policy 1 - Climate Change and Sustainable Development

Policy 3 - An Address of Choice

Policy 9 – Local Environment

Policy 10 - Affordable Housing

Policy 11 - Housing

Policy 18 - Energy

Policy 20 – Design

Policy 23 - Open Spaces and Sports

CONSULTATIONS

Highway Engineer	No objection subject to condition relating to the car parking spaces having been provided in accordance with the approved plan (Ref.R1060-101 Rev 1).
Environmental Health	No objection subject to conditions relating to details of landfill gas and contaminated land investigation.
LLFA	No comments received.
Greater Manchester Ecology Unit	No objection subject to condition relating to submission of a scheme for biodiversity enhancement.
Greater Manchester Police	A Crime Impact Statement was requested.
United Utilities	No objection subject to condition relating to details of surface water drainage scheme and different systems for draining foul and surface water.

REPRESENTATIONS

No representations have been received.

PLANNING CONSIDERATIONS

The main planning issues to consider are:

- Principle of the development
- Design and Impact on the character of the area;
- Impact on Amenity; and
- Highway issues.

Principle of the development

The principle of redevelopment of the site with a primarily residential scheme has previously been approved, along with the loss of the former community facility, and part of that redevelopment has already commenced.

The Council cannot currently demonstrate a five-year supply of deliverable housing land. Paragraph 11d) of the National Planning Policy Framework states 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.

Given the present Housing Land Supply position, the most important policies for determining housing applications are afforded “less weight” in the tilted balance.

Those detailed considerations are assessed below.

In accordance with DPD Policies 10 and 23, the development will be required to contribute towards off-site public open space and affordable, and approval of the application will be subject to the completion of a legal agreement to secure that contribution.

The development will also be required to ensure it achieves it secures carbon reduction targets in line with DPD Policy 18, and this will be subject to a condition of approval.

Design and Impact on the character of the area

NPPF p-Paragraph 127 as well as DPD Policies 9 and 20 require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

Apart from the commercial buildings to the west of the site, the area is characterised by mainly brick buildings oft two to four storeys and of various designs. The proposed development would be in keeping with the general pattern of development in the area, having regard to its scale and design.

In relation to the proposed use, it is also considered that this would be in keeping with the general character of the area as there are residential properties nearby.

Impact on Amenity

NPPF paragraph 127 requires that new development should ensure a high standard of amenity for existing and future users, whilst DPD Policy provides that development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

Having regard to its separation distance from neighbouring properties, its design and the use of the surrounding properties, it is considered that the proposal would not lead to unacceptable adverse impacts on the amenities of the occupiers of neighbouring properties.

The development is in close proximity to some commercial premises. However, it is not considered that the neighbouring commercial uses would impact on the amenities of the

occupiers of the development to an unacceptable degree given the nature of the surrounding commercial uses. The Environmental Health Officer has no objection to the proposal on residential amenity grounds.

Further on amenity, the units would comply with the space standards set out within the Technical housing standards – nationally described space standard, March 2015.

Highway Issues

NPPF Paragraph 108 provides that proposals should ensure that safe and suitable access to the site can be achieved for all users while paragraph 109 provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal includes provision of nine car parking spaces as well as eight cycle storage racks which can be safely accessed. In addition, the site is within walking distance of Royton Town Centre where a range of facilities is available. Given the size of the development, and the proximity to community facilities, it is considered that the number of vehicle parking and cycle storage facilities to be provided would not lead to any severe highway issues and would therefore be acceptable.

CONCLUSION

Given the above, there would be no adverse impact of approving the development that would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as whole and there are no specific policies that indicate that the development should be restricted. In these terms, the NPPF advises that permission should be approved.

RECOMMENDATION

It is recommended that Committee resolves to grant planning permission subject to the conditions set out below.:

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

Reason - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications received on 19/02/2020, which are referenced as:

Drawing No. R1060-101 Rev 2 (Proposed Site Plan)
Drawing No. R1060-102 Rev 1 (Site Elevations as Proposed)
Drawing No. R1060-110 Rev 4 (Proposed Ground Floor Plan)
Drawing No. R1060-111 Rev 4 (Proposed First Floor Plan)
Drawing No. R1060-112 Rev 4 (Proposed Second Floor Plan)
Drawing No. R1060-113 Rev 3 (Proposed Third Floor/Roof Plan)
Drawing No. R1060-114 Rev 1 (Proposed Roof Plan)
Drawing No. R1060-201 Rev 3 (Proposed Front Elevation Plan)
Drawing No. R1060-202 Rev 3 (Proposed Side Elevation Plan)
Drawing No. R1060-203 Rev 3 (Proposed Rear Elevation Plan)
Drawing No. R1060-204 Rev 3 (Proposed Side Elevation 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. Notwithstanding the details shown on the planning application documents, no development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

Reason - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

4. 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 received on 19/02/2020 (Ref. R1060-110 Rev 4) and thereafter the parking spaces shall not be used for any purpose other than for 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.

5. The landscaping works shown on the approved Site Plan and Ground Floor Plan shall be carried out in accordance with the approved details within the first planting season following first occupation of the development hereby permitted. Any shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by shrubs of similar size and species to those originally required to be planted.

Reason - To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in order to enhance the site's biodiversity having regard to Policy 20 of the Oldham Local Plan.

6. Prior to any part of the development hereby approved being occupied, a verification report demonstrating the completion of remediation works set out in the Phase 2 Site Investigation Report prepared by Build Vision Limited (Consulting Engineers) 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 having regard to Policy 9 of the Oldham Local Plan.

7. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts during the demolition and construction phases of the development. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, which shall be maintained for the duration of the construction works.

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.

8. The development shall be implemented in accordance with the physical security measures set out in Crime Impact Statement report prepared by the Greater Manchester Police (Reference. 2017/0238/CIS/01) submitted with the application.

Reason - To create safe and accessible environments in accordance with Policy 20 of the Oldham Local Plan.

9. Prior to the commencement of the development, details of separate proposals for the disposal of surface and foul water shall be submitted to the Local Planning Authority for written approval. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 6 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

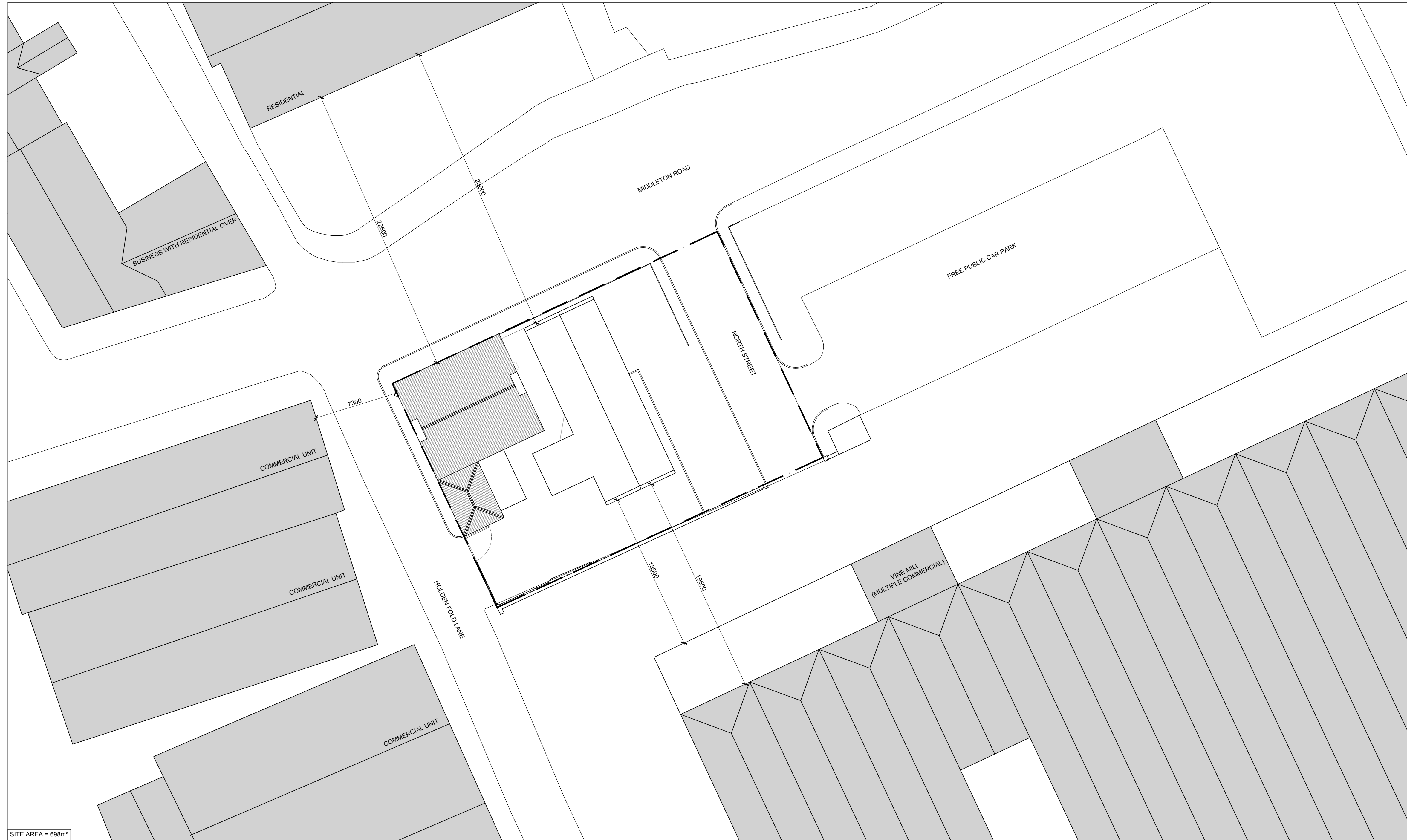
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

10. The demolition of the Dog and Partridge public house building shall not commence until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local plan Policy 18 and shall detail how a target area has been determined; and how the development will meet this target.

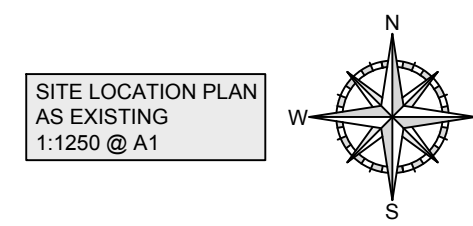
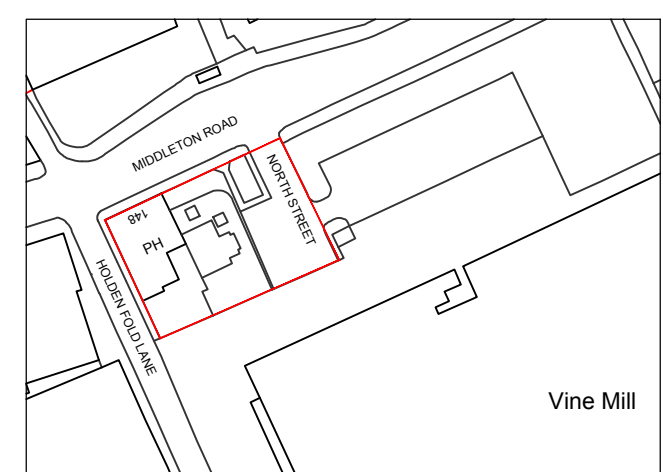
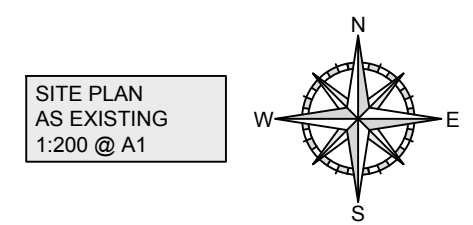
The development shall be carried out in accordance with the approved scheme phasing arrangements and retained as operational thereafter.

Reason – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

NOTE: DRAWING TO BE READ IN CONJUNCTION WITH EXISTING SITE ELEVATIONS DRAWING (R1060 002)



SITE AREA = 698m²



GENERAL NOTES
WRITTEN DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS
MAIN CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCING CONSTRUCTION OR MANUFACTURE TO ENSURE ACCURACY
ALTHOUGH WE ENDEAVOUR TO COMPREHENSIVELY ANNOTATE DRAWING REVISIONS, WE CANNOT NEGATE NONE-DESCRIPTIVE CHANGES TO ALL DRAWINGS

DRAWING ISSUE
 PRELIMINARY PRE-CONSTRUCTION
 FEASIBILITY TENDER
 PLANNING CONSTRUCTION
 BUILDING REGULATIONS RECORD
 NOTE ONLY 'CONSTRUCTION ISSUE' DRAWINGS ARE TO BE USED ON SITE

REV 1 PLANNING ISSUE
30.10.19

R1060-001 Rev 1

TITLE SITE PLAN
AS EXISTING
WITH SITE LOCATION PLAN

SCALE 1:200 / 1:1250 @ A1

PROJECT PROPOSED RESIDENTIAL DEVELOPMENT OF SITE
TO SOUTH EAST OF JUNCTION BETWEEN
MIDDLETON ROAD & HOLDEN FOLD LANE
FORMER DOG & PARTRIDGE PUBLIC HOUSE
OLDHAM
OL2 5LL

CLIENT SAMRUM INVESTMENTS LTD

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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.