

APPLICATION REPORT - FUL/346270/21
Planning Committee 9th June 2021

Registration Date: 9th February 2021
Ward: Coldhurst

Application Reference: FUL/346270/21
Type of Application: Full Application

Proposal: Full planning permission for the demolition of the existing buildings and erection of 88no. dwellings with access, landscaping, a public open space and associated works

Location: Vale Drive Estate, Vale Drive, Oldham

Case Officer: Stephen Gill

Applicant N/A

Agent Katarzyna Gotlibowska

INTRODUCTION

The application is presented to Planning Committee as a Major application in accordance with the Scheme of Delegation.

RECOMMENDATION

It is recommended that the application is approved subject to the conditions set out below.

THE SITE

The site currently comprises two existing blocks of apartments, Crossbank House and Summervale House. It occupies a highly sustainable location just outside Oldham Town Centre's western boundary and is situated in a key gateway location into the town adjacent to Manchester Street. The site forms part of the Vale Drive residential housing estate.

To the northern boundary of the site is the Richmond Academy. The southern boundary of the site adjoins Manchester Street and to the east is the Manchester Metrolink tram line and Oldham Way beyond. The western boundary where the site meets Vale Drive provides the principal vehicular access to the site which is also the location of adjoining commercial business uses including car related services and a cash and carry.

THE PROPOSAL

The proposed development will deliver 88 new residential dwellings, including 26 houses and 62 apartments within a proposed 8 storey building with an access off Vale Drive. The proposed development comprises a wide mix of 2, 3, and 4 bedroom houses, and 1 and 2 bedroom apartments.

In addition, the proposal includes provision for an area of off-site open space at Broome Street, which will include a locally equipped area of play (LEAP).

RELEVANT PLANNING POLICIES

The site is unallocated on the Joint Development Plan Document 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
Policy 9 - Local Environment
Policy 10 - Affordable Housing
Policy 14 - Supporting Oldham's Economy
Policy 20 - Design
Policy 23 - Open Spaces and Sports
Policy 25 -- Developer Contributions

RELEVANT PLANNING HISTORY

There is no relevant planning history.

REPRESENTATIONS

The application has been publicised by neighbour notification and site notice. One representation has been received which relates primarily to issues associated with the objector's own property.

CONSULTATIONS

Highways Engineer - The following comments have been made in respect of the development:

The proposed development is situated in an established residential area close to Oldham Town Centre with the potential to access a wide range of amenities with excellent links to public transport hubs. There are already opportunities for walking and cycling in the area and links directly from the site to them will be required for full integration of the pedestrian and cycle infrastructure.

There is land available within the site for the Council to develop the cycle infrastructure as part of the Mayor's Bee Network programme providing a link from the A62 through to nearby amenities in Westwood including the Metrolink stop. The proposed open space within the site will also provide the opportunity for a green pedestrian and cycle link to be provided through to the A62 with links across the roundabout and into the town centre. In order for this link to be complete and attractive to use, the existing steps down from the A62 will require upgrading so that the link is perceived as safe to use. I have attached a condition to ensure that this is carried out before the development is brought into use.

A Transport Assessment has been submitted with this application and it raises no issues regarding any significant or additional traffic generation. Dedicated parking spaces are provided for the houses, and there are some additional spaces for residents and visitors of the apartments. The improvement of the pedestrian and cycle links and the provision of safe and usable cycle storage facilities are fundamental in order to promote more sustainable modes of travel to and from this site.

The site is located close to the town centre with good access to a wide range of amenities and public transport links. In order to maximise the benefits of the location, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient. Following discussions with the Applicant, the overall layout of the site now ensures that there are good pedestrian routes through the site.

Drainage

No comments received.

Coal Authority	No objection subject to conditions.
Parks and Open Spaces	No objections
Tree Consultations	No objection subject to conditions
Transport for Greater Manchester	No objections subject to the implementation of scheme to improve pedestrian connectivity from the site on to the A62
Environmental Health	No objection subject to conditions.
Greater Manchester Ecology Unit	No objections subject to conditions.
Greater Manchester Police	No objections.

PLANNING CONSIDERATIONS

Principle of the development

In terms of the principle of development, the Council cannot presently demonstrate a 5-year housing land supply position. Therefore, as set out in NPPF Paragraph 11, the presumption in favour of sustainable development is engaged in this instance.

Policy 3 of the Local Plan sets out the council's approach for managing the release of housing land. Policy 3 states that planning applications for residential development on a non-allocated site for will be considered favourably where it meets the three criteria as follows:

- i) A deliverable five-year supply of housing land cannot be demonstrated;
- ii) It contributes to the delivery of the borough's regeneration priorities; or
- iii) It contributes to the delivery of affordable housing that meets the local affordable housing needs.

In terms of the above criteria, the application site is in an accessible and sustainable location, in close proximity to a range of local services and is also served well by public transport within 150m of the site. Local Plan Policy 3 also states that the use of previously developed land and vacant or underused buildings is the council's first preference for residential development.

In terms of affordable housing, the site qualifies for the Affordable Housing threshold, which applies to developments of 10 dwellings or above, as set out within NPPF and it should be noted that the proposal is for 100% affordable housing, which is a significant benefit of the scheme.

Therefore, based on the above, in principle, the development meets the criteria above, the site represents the redevelopment of a brownfield site, which is the Council's first preference. The site sits in a sustainable location and in principle would contribute to meeting housing need in the area. The development would also contribute to the Council's five-year housing land supply position and would deliver significant affordable housing. Therefore, the principle of housing development is accepted at the site.

Affordable Housing

Local Plan Policy 10 states that all residential development of 15 dwellings and above will need to deliver affordable housing. The target is for 7.5% of the total development sales value to go towards the delivery of affordable housing.

As stated above, the scheme is for 100% affordable housing. First Choice Homes Oldham (FCHO) are a Registered Provider of affordable homes. They will own and manage any social or affordable rented units on this site and will be responsible for their future lettings and maintenance. The affordable home ownership units will be marketed for sale and will be part owned by FCHO until the point at which any future occupier decides to 'staircase' their ownership of the property until they own it outright.

In terms of renting and purchasing property, the options and process is set out in the applicant's Affordable Housing Statement. The Statement sets out that rent levels for the affordable rent units will be set at up to 80% of market rent. In addition, affordable home ownership options would include shared ownership, relevant equity loans, low cost homes for sale and rent to buy. FCHO will manage each of these options as the affordable housing provider until the occupier purchases the home through the determined route.

In conclusion, the scheme will be managed by a registered provider and presents a viable opportunity for home ownership in a sustainable location, using a range of affordable methods and this is a strong positive of the scheme and complies with NPPF Section 5 and Local Plan Policy 10.

Housing Tenure

Local Plan Policy 11 states that the council will promote the delivery of a mixed housing stock, based on the findings of local evidence.

The scheme proposes a range of properties, including 2, 3 and 4 bed properties as well as 1 and 2 bed apartments. The proposal caters for a range of tenures, which are needed in the borough, which is a significant benefit of the scheme. Whilst the existing buildings do cater for more units, these are not considered fit for purpose and the proposed scheme offers a far greater level of tenure types and this contributes to addressing the identified needs. Therefore, the development complies with Local Plan Policy 11.

Design & Appearance

In terms of scale and massing, the proposal includes 2 / 2.5 storey dwellings near existing 2 storey housing, which is considered acceptable. The scale and massing increases south of the site to an 8-storey block, which would face Manchester Street. The existing buildings on site are considered unsightly and do not add anything positive from a visual standpoint in the area.

The apartment building is the most prominent building proposed and in relation to design, the building is composed in different materials, to help break up the massing. The base of the building has a two-storey plinth of brick. Above this is the 'middle' section which gathers windows horizontally, but also creates visual interest by changing the window arrangement as the storey heights increase. Finally, the 'top' of the apartment block has a projecting brick detail which adds further interest. A mixture of brick types and cladding will be included on the elevational detail, with black grey upvc windows, with aluminium curtain walling.

In terms of house types, a mix is proposed including a mixture of brickwork and a metal seam cladding with detailing such as vertical stonework strips running through the front elevation and strips of projecting brickwork. All the house types propose to use grey upvc windows, doors and rainwater goods, which add to the contemporary appearance of the development.

The properties that immediately surround the site are terraced, with red brick, white upvc and grey slate tiled roofs, which is a standard approach to design. The proposal offers a

contemporary intervention to the area, which is welcomed, as it will offer a considerable visual improvement on what currently exists. The house types offer a variation in materials that will create visual interest in the area and will improve the visual outlook considerably from what currently exists.

The layout pepperpots each house type to add to the visual interest of the area and the positioning of the apartment block to the south is the best position for such a prominent building. Overall, the layout is well considered and the variation in materials add strongly to the proposal and therefore the development complies with Local Plan Policy 20 & NPPF Section 12.

Residential Amenity

NPPF Paragraph 180(a) seeks to mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. NPPF Paragraph 181 considers air quality and states that decision should consider any individual and cumulative impacts on air quality from development. In addition, Policy 9 seeks to ensure that development does not have an unacceptable impact on the environment or human health caused by air quality, odour, noise, vibration or light pollution

Firstly, in terms of occupier amenity, all the relevant rooms, including bathroom and bedrooms will meet the criteria set out in the National Described Space Standards (NDSS). Giving future residents enough space to achieve a good standard of living is a positive of scheme and is supported.

Considering separation distances, it is generally accepted that the standard is to achieve an approximate 21m distance from habitable room to habitable room and a 12m distance from habitable room to non-habitable room / blank gable. The development does not achieve these standards in some parts of the development. However, in this instance it is considered that the existing development on site is of a very high density, in a very urbanised environment.

The current scheme proposes a considerable reduction in density, in order to create a more modern mixed scheme that is fit for purpose. The applicant has tried to maximise the number of dwellings on site to account for the loss of units from the existing development, which is supported. In this instance, given the urban setting, and the existing properties that surround the site, which offer similar separation distances, and the overall improvement the development offers, these elements together are considered to off-set the shortfall in separation distances. In relation to garden depths, not all the proposed dwellings can offer a 10m garden depth, however, to help maintain the privacy of future occupants, a condition will be attached that will remove Permitted Development Rights for future extensions from the properties.

The Urban Design Guide SPD (Section 8), states that development proposals should provide for natural daylight and sunlight to illuminate the interior of buildings, reducing the need for artificial lighting. The proposed layout comprises of one apartment block to the south-east of the site and houses within the south-west part of the site. A sun path analysis has been included with the application which demonstrates that all rear gardens at some point throughout the day, receive some natural sunlight, which is important for the health and wellbeing of residents. However, it is clear from the sun path analysis that the apartment block, does have some impact on access to sunlight, especially in the early part of the day, however, this would ease in the afternoon as the sun tracks round to the west and it is at that point that the proposal gives adequate access to sunlight.

The submitted noise assessment concludes that appropriate internal noise levels can be achieved through facade treatments, such as appropriate acoustic glazing and ventilators. The Noise Assessment sets out what specification of glazing and ventilator is required, as some parts of the site are exposed to greater noise levels, depending on the position. In terms of the potential noise levels in external amenity areas, (such as garden spaces) these are likely to exceed the noise targets set out in BS 8233:2014 in some areas of the development. However, this is a site in a central location, in close proximity to a main highway network and it is reasonable to expect some noise in this area within the external amenity spaces (gardens).

Notwithstanding this, Environmental Health have reviewed the assessment and have no objection on noise grounds, which is considered acceptable.

In terms of air quality, the submitted Air Quality Assessment (AQA) concludes that during the construction phase of the proposal, there is the potential for air quality impacts as a result of dust emissions from the development. However, if appropriate dust control measures are implemented, the residual significance of these activities are predicted to be not significant. The AQA sets out a list of mitigation measures for each phase of development, to help protect air quality. The AQA also concludes that due to the reduction in anticipated vehicle trips from the site as a result of the proposals, road traffic exhaust impacts were predicted to be negligible.

Overall, based on the above, the development complies with the NPPF and Local Plan Policy 9.

Open Space

Local Plan 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 goes on to state that regard should be given to the proposed development and the open space surpluses and deficiencies in the area (identified through the Council's Open Space Study) to determine where appropriate whether on-site or off-site new provision or enhanced existing provision or a financial contribution will be required.

The area subject of the application has been identified in the Open Space Study as being sufficient in accessibility to all the required types of open space; however, there are deficiencies in quality and quantity for five typologies of open space, including parks and gardens, provision for young people, provision for children, outdoor sports facilities and natural/ semi-natural. There are also deficiencies in the quality of amenity greenspace. Where a site is identified as being deficient in at least one of the standards of open space provision (accessibility, quality and quantity), overall, the area is classed as being deficient in that typology of open space.

In addressing the above, the proposals will provide for an area of off-site open space at Broome Street, which will include a locally equipped area of play (LEAP), which will be situated approximately 200m west of the housing site. The LEAP confirms that this can accommodate 10 elements, including 7 types of play equipment (roundabout, spring rider, see saw, junior and toddler swing and 2 x multi play units), 2 benches and a bin. A low-level timber knee rail is proposed to maximise the security and the playground will be surrounded by soft landscaping features, including hedgerows. FCHO propose to manage the play area in perpetuity and this is considered acceptable.

The provision for off-site useable open space is a positive of the scheme and provides some much-needed recreational space for younger children in the area. It is also a significant benefit

of the scheme that FHCO will be managing the space for the lifetime of the LEAP. On that basis and overall, the development complies with NPPF Section 8 and Local Plan Policy 23.

Highways

Guidance within Section 9 ('Promoting sustainable transport') of the NPPF is relevant, together with Local Plan Policies 5, 9, 13, and 20.

Parking associated with the development is provided at a rate of 1 space per dwelling in a driveway type arrangement. The apartment block will be served by an internal car park that provides seven spaces, including one disabled person's space. External parking spaces for apartment residents are also provided to the west of apartment block (three spaces), bringing the total apartment provision to ten spaces (15% provision). A further four spaces are provided on the western boundary of the site. In addition, cycle parking will be provided at a rate of 100% for the development and storage will be provided in the garden of each property and within the apartment building itself.

Whilst parking provision within the site may be considered less than expected on a housing development of this magnitude, it should be noted that the site sits in a very accessible location directly adjacent to the Town Centre. The site is within close proximity to bus stops on Manchester Street that operate very frequent services into Oldham and Manchester and within 800m of a metrolink stop (Westwood) north of the site. Based on the above, the site is considered as being 'very highly accessible' in accordance with Local Plan Policy 5.

In terms of walking, Oldham town centre can be accessed in a five-minute walk and all of the town centre is within a 15-minute walk of the site. Access can be gained in just over 10 minutes to the Sainsburys on Union Street. This coupled with the edge of town centre location of the site, means that there are good opportunities for residents to undertake their daily journeys without necessarily needing to use a car.

To ensure pedestrian linkages are enhanced within the site, the developer has agreed to submit a scheme to improve the existing stepped pedestrian link to the A62 Manchester Street, the details of which will need to be secured through a suitably worded condition. In addition, to further encourage residents to use alternative modes of transport (other than car), a cycle path will also be introduced south-west of the site. Therefore, based on the accessible nature of the site and the improvements proposed, it is considered that the reduced levels of parking provision proposed in this case are justified.

The Highways Engineer has reviewed the application and has no objections to the housing scheme or provision of the LEAP subject to conditions. A Stopping Up Order will be required on Broome Street to help deliver the LEAP scheme; however, this will be dealt with under the Highways Act.

In conclusion, given the site's high accessibility, and the improvements proposed to enhance cycle and walking linkages, the development on balance is considered to be acceptable and, on that basis, the development complies with NPPF Section 9, together with Local Plan Policies 5, 9, 13, and 20.

Trees and Ecology

The application includes the submission of an Ecological Assessment. Greater Manchester Ecology Unit (GMEU) has reviewed the documents and confirmed that no objections are raised to the application. The report concluded that the site supports buildings of negligible value to bat roosting and the surrounding habitats within the site are of only local and in part limited value to biodiversity.

The Ecological Assessment recommends protection measures for retained hedgerows, trees and scrubs and the design of a suitable lighting scheme, particularly along the site boundaries, both of which can be secured by way of a suitably worded condition. The Ecological Assessment also indicates that the buildings may have suitable platforms for breeding peregrine and that a condition should be applied to ensure that demolition is carried out outside the breeding season (March- August).

Based on the above, GMEU has no objections to the application and the development complies with NPPF Paragraph 175d and Local Plan Policy 21.

Retained UDP Policy D1.5 states that development should maximise the retention of existing trees where practicable and in cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required at a ratio of 3:1.

The Arboricultural Impact Assessment (AIA) has been submitted by the applicant and lists 17 trees to be removed. Therefore, on the basis of a 3:1 ratio of replanting, this would require at least 51 new trees.

The applicant has confirmed that 51 new trees will be planted as part of the new development. The specific position, species and type of trees will be agreed by condition. Therefore, the development complies with retained UDP Policy D1.5.

Flood Risk & Drainage

National guidance within NPPF Section 14, the NPPF technical guidance document and Local Plan Policy 19 are relevant.

The site is not within an area identified as being at risk from flooding within the Environment Agency's Indicative Flood Maps and sits in Flood Zone 1. Given the site is less than 1ha, a Flood Risk Assessment is not required in this instance.

The Council expects that proposals for all new development will use Sustainable Urban Drainage Systems in accordance with the Surface Water Drainage Hierarchy. A Drainage Strategy Report has been submitted with the application. In terms of a proposed drainage strategy, this has been assessed in line with the Surface Water Hierarchy and concludes that infiltration and discharge to an existing waterbody are not possible, due to site conditions and therefore, the proposal is to discharge to the surface water sewer.

The site is a brownfield site and therefore, the site should also achieve a 50% betterment on the existing run off. The Drainage Strategy states that the development will achieve this betterment (from 71.1 l/s to 35.6 l/s) through the use of oversized pipes, manholes and a flow control device, situated in two separate areas of the site.

United Utilities has reviewed the proposed drainage details and confirmed the proposals are satisfactory in principle. A Condition has been requested for final details of the drainage strategy as some elements appear to be 'high level'. Therefore, subject to condition, the development complies with NPPF Section 14 and Local Plan Policy 19.

Landfill Assessment & Contaminated Land

National guidance within NPPF paragraphs 178 and 179 and Local Plan Policy 9 are relevant, which seek to ensure that a site is suitable for its use, taking account of ground conditions, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The Environmental Health team has advised that having reviewed the application and the site history, there are no objections to the proposal subject to conditions requiring that a landfill gas investigation and contaminated land assessment is submitted before development commences on site.

CONCLUSION

In conclusion, the proposed development is acceptable. The development contributes to addressing housing need in Oldham, by delivering much needed affordable housing in the form of a mixture of 2, 3 and 4 bed houses and 1 & 2 bed apartments in a highly accessible location.

The scheme replaces housing that is no longer fit for purpose and also in appearance and design terms is extremely poor. The proposal's proximity and siting mean neighbours' amenity would not be impacted to unacceptable levels and highway and pedestrian safety will be maintained. Therefore, the proposal satisfies relevant local and national 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 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 Notwithstanding the submitted details, no development comprising the erection of any external walls shall take place until a detailed specification 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 Prior to the commencement of development hereby approved (excluding demolition and clearance), details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained thereafter.

REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy 19 of the Oldham Local Plan.

5 No development shall commence (excluding site clearance and demolition) until a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to

the development by past coal mining activity, and b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the proposed development. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

REASON - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and to mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

6 Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

REASON - To mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

7 No development shall commence (except for site clearance and demolition) until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's written report and recommendation 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 completion report, to discharge the condition.

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

8 No development shall commence (except for site clearance and demolition) unless and until a site investigation and assessment to identify the extent of land contamination 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 completion report, to discharge the condition.

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 having regard to Policy 9 of the Oldham Local Plan.

9 Notwithstanding the submitted scheme, prior to the first occupation of any dwelling hereby approved a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the requirements of the submitted Ecological Assessment (dated March 2020) and replacement tree provision at a ratio of 3:1 and shall also include the following: -

- a. The exact location and species of all existing trees and other planting to be retained;
- b. All proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities per sq. m of all new planting;
- c. An outline specification for ground preparation;

- d. Details (supporting elevations and construction details) of any boundary treatments, retaining walls and structures;
- e. Details of materials and colours of all proposed hard landscape elements and pavings.
- f. The proposed arrangements and specifications for initial establishment maintenance and longer-term maintenance of all planted and/or turfed areas.
- g. Details of any external lighting proposed in relation to the scheme

The planting shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage. All hardscaping boundary treatments shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

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.

10 Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause as specified in the submitted Urban Green Arboricultural Impact Assessment dated April 2021. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

11 No works to trees or shrubs shall take place 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, having regard to Policy 21 of the Oldham Local Plan.

12 No dwelling shall be occupied until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plan and with the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. 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 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 having regard to Policies 5 and 9 of the Oldham Local Plan.

13 The dwellings/apartments hereby approved shall not be occupied until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.

REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

14 No dwelling shall be occupied until a scheme of improvements to the existing stepped pedestrian link to the A62 Manchester Street, including an implementation timetable, has been submitted to and approved in writing by the local planning authority. The improvements shall be fully implemented in accordance with the approved scheme.

REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

15 Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan, the occupier shall submit their travel plan to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of first occupation of the dwellings.

REASON - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.

16 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development under Parts 1 and 2 of Schedule 2 to that Order shall be carried out without the express permission of the local planning authority.

REASON - To protect the amenity of future residents having regard to the approved layout in accordance with Policy 9 of the Oldham Local Plan.

17 Prior to the commencement of any development hereby approved, including demolition and site clearance, the recommendations of the submitted Demolition Construction Environment Management Plan (D Hughes Demolition & Excavation Ltd Revision 1) shall be fully implemented and be maintained for the duration of the construction works.

REASON – To ensure local amenity is maintained throughout the demolition and construction phases of development in accordance with Policy 9 of the Oldham Local Plan.

18. Prior to the commencement of the construction of any external walls of the development hereby approved, details of the measures to be incorporated into that property to satisfy the recommendation of the submitted Noise Impact Report (27746/NIA1) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented fully in accordance with the approved details.

REASON – To protect the amenity of future residents having regard to Policy 9 of the Oldham Local Plan.

19. Prior to the commencement of the construction of any external walls of the development hereby approved, a detailed scheme of measures to enhance and protect natural habitats within the site, such as nesting opportunities and control of external lighting, and the implementation programme for such measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented fully in accordance with the approved details.

REASON – To protect the amenity of future residents having regard to Policy 9 of the Oldham Local Plan.

20. The development shall be managed in accordance with details submitted in the Broom Street LEAP Management Plan Version 1 (January 2021). The development shall be fully implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

REASON – To ensure that the LEAP is managed and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

21. The Affordable Housing shall be delivered and managed in accordance with the details set out in the Affordable Housing Statement submitted by NJL Consulting. The development shall be fully implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON – To ensure an appropriate mix of dwellings is provided and remains affordable in perpetuity having regard to Policies 10 and 11 of the Oldham Local Plan.

SITE LOCATION PLAN

