

APPLICATION REPORT - RES/345691/20
Planning Committee 7th July 2021

Registration Date: 21st October 2020
Ward: Chadderton Central

Application Reference: RES/345691/20
Type of Application: Reserved Matters

Proposal: Details of reserved matters for Appearance, Landscaping, Layout and Scale for development of Linear Park at Zone L1 of the Broadway Green Masterplan

Location: Land at Broadway / Foxdenton Lane, Chadderton, OL9 9QR,

Case Officer: Stephen Gill

Applicant: Amanda Oakden

Agent : Mr Richard Purser

INTRODUCTION

The application is presented to Planning Committee as a Large Scale Major application.

RECOMMENDATION

It is recommended that the application should be approved subject to condition as set out below.

THE SITE

The development site is located to the west of Broadway (A663) and to the north of Foxdenton Lane (B6189). The Linear Park itself forms part of a wider Foxdenton strategic site granted planning permission in 2013 (PA/334355/13), and subsequently varied under PA/337091/15. The site is referred to as Phase L1 in the approved masterplan.

The site sits in a wider residential and commercial context, with local pockets of green space, including Foxdenton Park to the south and Crossley playing fields to the east.

Elevated above much of the application site to the east is an area (R5/R6) for which planning permission has recently been granted for residential development, whilst Lydia Becker Way lies at a similarly elevated level to the north offering wide public views across the site.

THE PROPOSAL

The proposal is for a reserved matters application that seeks approval for the Appearance, Landscaping, Layout, and Scale relating to the proposed Linear Park (Phase L1).

RELEVANT PLANNING POLICIES

The site is located within a Business Employment Area (BEA Foxdenton) within the Local Plan.

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

Policy 1 - Climate Change and Sustainable Development

Policy 6 - Green Infrastructure

Policy 9 - Local Environment

Policy 19 - Water and Flooding

Policy 20 - Design

Policy 21 - Protecting Natural Environmental Assets

Policy 22 - Protecting Open Land

Policy 23 - Open Spaces and Sports

RELEVANT PLANNING HISTORY

PA/337091/15 – Variation of conditions 29, 30, 31 (Part A), and 41, 42 and 43 (Part B) of permission PA/334355/13 Hybrid planning application comprising A) Full planning permission for: 1) A new spine road connecting the A663 'Broadway' and B6189 'Foxdenton Lane' with associated ground re-modelling 2) The means of vehicular access into the site 3) The demolition of all existing buildings within the site B) Outline planning permission for an employment-led mixed use development with access to be considered and all other matters reserved for: 1) Office (Use B1a use); Light Industrial (B1c use); General Industrial (B2 use) and Storage and Distribution (B8 use) floorspace 2) Residential (C3 use) units 3) Area of public open space in the form of a new linear park, to allow phased development and occupation of floorspace and dwellings specified within the 'trip generation threshold' (as defined within Curtins note ref. TPMA1328/STRAT001) prior to the completion of the highway link road ('Interim Trip Generation Threshold') and offsite junction works at A663/Foxdenton Lane/Eaves Lane and M60 Junction 21 ('Trip Generation Threshold'). Approved 28 September 2015

PA/334355/13 - A hybrid planning application comprising A) Full planning permission for: 1) A new spine road connecting the A663 'Broadway' and B6189 'Foxdenton Lane' with associated ground re-modelling 2) The means of vehicular access into the site 3) The demolition of all existing buildings within the site B) Outline planning permission for an employment-led mixed use development with access to be considered and all other matters reserved for: 1) Office (Use B1a use); Light Industrial (B1c use); General Industrial (B2 use) and Storage and Distribution (B8 use) floorspace 2) Residential (C3 use) units 3) Area of public open space in the form of a new linear park. Approved 23 October 2014.

CONSULTATIONS

Highways Engineer – No objections.

Greater Manchester Ecology Unit – No objections

Trees Officer – No objections

United Utilities – No objections subject to development being completed in accordance with the submitted Flood Risk Assessment.

G M Police – No objection subject to the scheme being implemented in accordance with the measures in the Crime Impact Assessment

REPRESENTATIONS

The application was publicised by way of neighbour notification, site notice & press notice. No representations have been received as a result of the publicity.

PLANNING CONSIDERATIONS

Principle of development

In terms of the principle of development, including impact on local services, this has been established by the hybrid planning permission. Conditions are attached to the approvals to cover matters such as off-site highway works, drainage, ecology, contamination, and environmental impact, which will also need to be discharged prior to the commencement of development.

Therefore, the main considerations in determining this Reserved Matters application relate to whether the proposed appearance, landscaping, layout, and scale of the development are acceptable having regard to relevant local and national planning policies and any other material planning considerations. Given the nature of the development, assessment of these matters is largely intertwined, and assessment below is made on this basis.

Appearance, landscaping, layout and scale

Overall, the appearance of the scheme is an improvement on the existing land. Whilst the existing land is open and green, the proposal offers enhancements that will improve the overall appearance of the site and will add positively to an area that is undergoing considerable redevelopment.

The proposal also adds very positively to the species of planting and trees on the site, which is fully supported by both GMEU and the Council's Arboricultural Officer. The mixture of new trees and planting will improve the appearance of the area. The proposal also offers improved pedestrian connectivity through the site, that will help people to enjoy the improved appearance and the hard landscaping proposed will also enable people to sit and enjoy the improvements.

In terms of landscaping, the application proposes a range of native trees, concentrated in both the northern and southern sections of the site, and also pepper potted throughout. A wildflower seed mix is proposed throughout the site and features heavily on the western and eastern boundaries, which helps to soften the transition between the development proposed on R5 & R6 on the eastern boundary and the phases of development that will come forward on phases R3 & C1 on the western side. Wetland planting is proposed around the edges of Wince Brook and riparian planting is proposed in the centre of the site.

The layout will provide 5.3 ha of mixed habitat creation throughout the site, which in terms of size, meets the requirements of Condition 33B of the hybrid planning permission, which requires an area of 4.7ha. GMEU has requested some amendments to the species / habitats being proposed on the site and these amendments have been incorporated by the applicant. Therefore, GMEU do not object to the principles of the layout and the proposals to address habitat creation are supported and provide an excellent opportunity to substantially enhance the site's biodiversity potential. The specifics of habitat creation and areas of grassland will also be addressed through hybrid approval Conditions 33B & 35B.

The proposed layout also includes a 20m buffer zone for the vast majority of the development as required by Condition 26B of the hybrid planning permission. However, there is one exception to the 20m width, and this is situated at the pinch point (10m) as Wince Brook changes direction from west to south.

No comments have been received from the Environment Agency, however, GMEU has not objected to the principle of this exception to the 20m buffer and note that the details of the buffer zone will need to be addressed by the applicant as part of discharging Condition 26B. A Construction Environment Management Plan will also need to be submitted as part of addressing Condition 16B, which will set out how Wince Brook will be protected during construction. The narrowing of the buffer zone from 20m to 10m in this location, is unlikely to preclude any EA management and maintenance requirements given the open nature of the layout, and therefore, this narrowing in the buffer zone is considered acceptable.

In terms of layout, Condition 4 of the hybrid planning permission states that the development shall proceed in broad accordance with the Illustrative Masterplan (dwg ref 05060_MP_00_013). In this regard, the development complies with the illustrative Masterplan, as the proposal follows the intended use for the site as set out on the plan.

The scheme also includes provision for hard landscaping, including new useable footpaths, laid out in self binding gravel with timber edging and this will run through the site as part of a Public Right of Way (PRoW) diversion, which will link into the existing PRoW network both north and south.

Public Rights of Way run through the site, which follow through from residential Phases R5 & R6. As part of the diversion, the applicant is proposing to maintain a link between R5 / R6 and the Linear Park and this link is located centrally between the phases of development. Paths CHADD 44 & 45 will remain as existing and a path will be created, which will run the length of the Linear Park, linking Footpaths 44 (south) & 45 (north) and also the Phases of development in the centre of the strategic site. This will allow for improved accessibility and keeps the two phases of development linked as existing.

The required Public Right of Way (PRoW) diversion will occur under Section 257 of the Town & Country Planning Act.

The Ramblers have reviewed the application and have no objection to the proposals. No objections have been received from the Highways Engineer subject to the necessary legal diversions.

Benches and picnic areas will be provided, constructed of timber, and provision for 1.2m timber fencing and timber kissing gates will be made. Timber bins will also be provided, along with steel information boards and barriers. These additions to the layout make the area useable for exercise and could have a positive effect on wellbeing.

Two natural soft play areas are proposed at the northern end of the site and in the centre. These will incorporate balancing bridges, boulders, tree trunks and stepping logs and this is an additional benefit of the scheme.

The Linear Park and the associated hard and soft landscaping / open space and habitats will be managed by a Management Company set up for the wider Broadway Green Masterplan. Funding will initially be made by the applicant, and long-term funding will come through service

charge on new residential properties.

Further details of management will be required as part of discharging hybrid Condition 8, however, no objections are raised to principle of the proposals set out. Based on the above and overall, the development complies with Local Plan Policies 9 & 20.

Ecology and drainage

As part of addressing hybrid Condition 32, the applicant has submitted an Ecology Survey, which has been assessed by GMEU. No protected species issues were identified in line with previous surveys. However, further surveys will be required before development commences to ensure no changes in that situation. Therefore, a suitably worded condition will be applied to ensure that the layout can be delivered, without potentially having an adverse impact on protected species.

The site is designated within Flood Zones 2 & 3 following the line of Wince Brook. The submitted Flood Risk Assessment (FRA) considers the layout and concludes that the construction of a fully permeable linear park, with new planting of mature shrubbery, is likely to increase the attenuation capacity of the site. The Environment Agency have not commented on the FRA, however, despite the Linear Park being for public use, the use is considered to be 'water compatible development' on the Flood Risk Vulnerability and Flood Zone 'Compatibility' criteria. United Utilities has confirmed no objection to the application and Condition 28B covers the requirement to consider surface water drainage from the site and this information will need to be submitted prior to commencement of development.

Based on the above, the layout is acceptable and a positive improvement and addition to the area. The applicant will need to work closely with GMEU on the outstanding conditions relating to grassland, habitat creation and the proposals around Wince Brook, however, no objections are raised to the proposals set out in this application. Therefore, the development complies with Policy 9 & 20.

CONCLUSION

In conclusion, the proposed development is acceptable. The development will deliver a large Linear Park that will be usable, accessible and modern. The proposal will enhance biodiversity and will deliver habitat growth and significant grassland to the area and will assist in mitigating for the considerable infrastructure surrounding the site. Therefore, based on the above, the development complies with relevant national and local planning policies.

RECOMMENDED CONDITIONS

1. 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.
2. Prior to the commencement of any development, additional specialist surveys shall be undertaken to identify whether badger are present on the site, and if so, no development shall be undertaken until a suitable scheme of mitigation and protection has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented fully

in accordance with the approved scheme. REASON – In order to ensure the protection of ecological assets having regard of Policy 21 of the Oldham Local Plan.

3. The drainage for the development hereby approved, shall be implemented in accordance with principles set out in the submitted E3P Flood Risk Assessment (Ref No. 12-191-L1, dated 12th October 2020). No surface water will be permitted to drain directly or indirectly into the public sewer. REASON - To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy 19 of the Oldham Local Plan.

4. The development hereby approved shall be carried out in accordance with the physical security specifications set out in Section 7 of the submitted Crime Impact Statement v1.0, dated September 2020. REASON - To ensure a safe form of development in accordance with Policy 9 of the Oldham Local Plan.

LOCATION PLAN

