

APPLICATION REPORT - FUL/346728/21
Planning Committee 10th October 2021

Registration Date: 17th May 2021
Ward: Royton South

Application Reference: FUL/346728/21
Type of Application: Full Application

Proposal: Full planning application for a residential development, 99 dwellings (Use Class C3) with associated infrastructure, landscaping and access from Radcliffe Street.

Location: Land Off Radcliffe Street (Site of Vernon Mill), Royton, OL2 6RN.

Case Officer: Matthew Taylor
Applicant: C/o Agent
Agent: Miss Louisa Fielden

THE SITE

The application site is the former Vernon Works, Royton, Oldham, which is located just outside Royton Town Centre. The site was previously occupied by a detached five-storey cotton mill and single storey warehousing/industrial facilities. These buildings are currently being demolished pursuant to the approval of a Prior Approval application (Ref: DEM/346658/21).

The site is rectangular in shape and measures 2.26 ha in overall area. It is bordered by terraced dwellings on High Barn Street to the south, Radcliffe Street to the north, commercial units and Orchard house Day Hospital on Milton Street to the west, and Royton Hall Primary School to the east.

The site is located within a Business Employment Area (BEA) and falls within Flood Zone 1 on the Environment Agency's Flood Risk Maps.

THE PROPOSAL

Full planning permission is sought for the redevelopment of the site for a residential scheme comprising the erection of 99 dwellings, associated infrastructure, landscaping, and with access to the development obtained from Radcliffe Street.

The scheme includes the provision of approximately 50% (49 plots) as affordable housing units proposed as follows:

Affordable units:

- 2 bed dwellings - 23no. plots;
- 3 bed dwellings – 22no. plots; and,
- 4 bed dwellings - 4no. plots

The remaining units (50no. dwellings) would be provided for market sale and comprises:

- 2 bed dwellings - 6no. plots;
- 3 bed dwellings - 37no. plots; and,
- 4 bed dwellings – 7no. plots.

Each dwelling will benefit from front and rear gardens and off street car parking provision as indicated on the Proposed Site Plan.

RELEVANT PLANNING HISTORY

DEM/346658/21 - Demolition of Mill – Prior Approval Required and Granted 21.05.21.

RELEVANT PLANNING POLICIES

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:

Joint Development Plan Document:

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 14 – Supporting Oldham's Economy;
 Policy 18 – Energy;
 Policy 20 – Design;
 Policy 21 - Protecting Natural Environmental Assets;
 Policy 23 - Open space and sports; and,
 Policy 25 – Developer Contributions.

National Planning Policy Framework (NPPF)

CONSULTATIONS

Environmental Health	Recommended both landfill gas and contaminated land conditions and informative notes.
Highways	Recommended both conditions and informative notes.
Greater Manchester Ecology Unit	Recommended conditions and informative notes to address the treatment of bats, birds and biodiversity on site.
United Utilities	Recommended conditions and informative notes to address both drainage and the management and maintenance of Sustainable Drainage Systems.

Greater Manchester Architectural Liaison Unit	Police	Recommended that a condition to reflect the physical security specifications set out in the submitted Crime Impact Statement be attached.
Drainage		Are reviewing the amended details submitted and it is expected such details will be provided prior to the date of the Planning Committee and an update will be provided on the Late List.
TFGM Trees		No objection. Recommended a condition to address that the AIA/AMS including Tree protection Plan and the proposed landscape proposals can all be conditioned.

REPRESENTATIONS

The application has been advertised by means of neighbour notification letters, site notice, and press notice. In response, the following representations have been received:

- 1 support comments have been received;
- 0 neutral comments have been received; and,
- 26 objection comments have been received.

SUMMARY OF OBJECTIONS:

- Residents on Thorndale Close already have access issues due to RASCA and it is considered this development will exacerbate the problem;
- Radcliffe Street is not suitable to serve the access of the development as it's not even wide enough for the traffic that currently uses it;
- Existing residents of Radcliffe Street have no off street car parking provision, the proposed scheme will result in the loss of on street parking in that area;
- There is an existing site entrance on High Barn Street, the developer should consider keeping that entrance open once demolition is complete;
- Given Radcliffe Street is narrow, emergency services will not be able to access all the houses on the street or on the adjoining Thorndale Close;
- There is no provision for a 30 metre turning circle or indeed parking facilities for existing residents;
- Radcliffe street already has major issues with traffic due to parents at the after school club;
- The crossroads at Milton Street and Radcliffe Street is already a busy junction where many accidents have occurred and with the increased traffic will be more dangerous, especially now that Royton Park is more popular with the recent improvements;
- Royton is very badly catered for with the public transport system, poor bus services, no tram or train station so private cars are necessary to get about;
- Development will result in addition pressure on the existing community facilities
- Loss of heritage due to demolition of the Vernon Mill;
- Increased pollution due to additional 200 cars in the area;
- Scheme represents overdevelopment of the site/area; and
- Noise nuisance associated with demolition and development works will result in a reduction in residential amenity.

PLANNING CONSIDERATIONS

The main planning issues for consideration are as follows:

1. Principle of Development;
2. Developer Contributions;
3. Energy;
4. Highway safety;
5. Design;
6. Residential Amenity;
7. Trees;
8. Ecology;
9. Drainage;
10. Contamination and Landfill Gas; and,
11. Conclusion.

Principle of development

Loss of Employment

Policy 14 of the Local Plan sets out that uses other than those listed in the policy, such as residential, will be permitted on sites currently or most recently used for employment purposes, provided the applicant can clearly demonstrate that it is no longer appropriate or viable to continue the existing use. This can be demonstrated by the developer:

- a) through a marketing exercise that there is no market for the uses listed above. The marketing exercise should be agreed with the council before commencing and be of a professional standard; or,
- b) through a viability exercise that the continued use/development of the site for the uses listed in the policy is unviable; or,
- c) that the development of the site for alternative uses would benefit the regeneration areas identified by the council as being in need of investment or would benefit the community of an area.

The Planning Statement submitted draws reference to the requirements of Policy 14 and an Employment Use Viability Appraisal (Ref: April 2021) has been submitted by Grasscroft Development Solutions. This appraisal is considered to be thorough and is noted to have evidenced the following:

Both the refurbishment and redevelopment of the site for continued employment were fully considered, these are addressed in three options within the report, which are as follows:

- Option 1: Refurbishment of Existing
- Option 2: Demolition and Redevelopment as Industrial
- Option 3: Demolition and Redevelopment as Office

In addition, a Marketing Strategy by Davis Harrison, as previously agreed with the LPA, was provided as supporting evidence.

Each of the three options listed above, when benchmarked against the profit on cost target of 20%, would all generate a significant deficit resulting in viability concerns.

With the above in mind, it is considered the applicant has provided sufficient evidence to satisfy criterion a) to c) of Policy 14, as it has been clearly demonstrated that the continued use of the site for employment purposes would be unviable.

Development for Housing

DPD Policy 1 seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings prior to the use of greenfield sites. It also aims to meet Oldham's housing needs by focusing residential development in sustainable locations and to ensure that development respects Oldham's natural, built and historic environments. Policy 3 of the Local Plan sets out the council's approach for managing the release of housing land.

It states that planning applications for residential development, in whole or as part of a mixed-use scheme, will be permitted where:

- a) The site is allocated for residential development or mixed-use and has come forward in line with the council's approach to phasing, reflecting the residential distribution described within the policy; or,
- b) The site is allocated for residential development or mixed-use and has come forward prematurely from the phasing set out in the Site Allocations DPD and does not undermine other national and local guidance and policies: and
 - i. A deliverable five-year supply of housing land cannot be demonstrated; or,
 - 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.

Proposals on a non-allocated site for residential development will be considered favourably where it meets the three criteria listed under b) above or it is for a small development, comprising a change of use or conversion or not identified in the Council's Strategic Housing Land Availability Assessment (SHLAA).

These three criteria are considered in turn below:

Housing land supply position

The SHLAA (as at 1 April 2020) identifies a baseline housing land supply of 10,706 dwellings increasing to 11,263 when considering the small sites and clearance allowances. The Government has introduced a standardised methodology for assessing local housing need (LHN), based on household projections with an adjustment to take account of affordability. For Oldham, Local Housing Need (LHN) has recently changed to 693 homes per year. Based on the five-year supply identified within the SHLAA, the council is unable to meet the borough's housing need over the next five years at this time under the adopted Development Plan for the borough. As such, delivering housing on suitable sites is imperative to meeting local needs. The proposed development site is included within the SHLAA and therefore has been assessed as being suitable, available and achievable for residential development in principle.

Delivery of the borough's regeneration priorities

The application site is located within 480m of Royton town centre, which host a variety of services serving local need, and of frequent public transport links that run along both Rochdale Road and High Barn Street.

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.

Delivery of affordable housing to meet local affordable housing needs

The capacity of the proposed site qualifies for the Affordable Housing threshold, which applies to developments of 10 dwellings or above, as set out within NPPF.

As per the affordable housing statement, the application proposes to provide 50% (49no. units) as affordable housing. This matter is fully addressed in more detail in the next section of this report.

As such, for the reasons given above it is considered that the principle of the proposal is acceptable.

Developer Contributions

Affordable Housing

Policy 10 of the Local Plan sets the current target at 7.5% of the total development sales value to go towards the delivery of affordable housing, unless it can be clearly demonstrated to the Council's satisfaction that this is not viable. This must be provided on-site unless there are exceptional circumstances that would justify off-site provision within the locality or a financial contribution in lieu of provision. Evidence on housing mix, type and tenure is set out in the council's Local Housing Needs Assessment prepared to support the Housing Strategy.

The application proposes to provide 50% (49no. units) as affordable housing which would wholly satisfy the requirements of Policy 10 of the Local Plan, providing much needed affordable housing in a sustainable location.

Education

Policy 25 of the Local Plan requires infrastructure contributions to be sought from developers to provide appropriate infrastructure to support it and / or to mitigate the impact of the development. It continues to outline that whilst negotiating developer contributions, the council will have regard to the nature and scale of the proposed development and its financial viability.

The applicant is aware of the policy requirement for an education contribution having regard to the availability of school places at the time of determination. Contributions can only be used by the Council towards the provision of school places to meet the need generated from the development and for no other purpose. This has been calculated by the Education Department and provided to the applicant during negotiations.

Open Space

Policy 23 of the Local Plan states that major residential development 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 continues to state that regard will 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.

As the scheme does not provide public open space on site, to be compliant with Policy 23 the applicant must make off-site new provision or enhanced existing provision. Following an assessment of the proposal and needs of the local area a cost has been calculated for off-site public open space provision and provided to the applicant during negotiations.

Financial viability

In respect of the total developer contributions generated by the development the applicant has provided economic viability information purporting the scheme cannot sustain a full contribution towards off site Public Open Space and Education. However, the viability report taking into account development costs, a reasonable rate of return and provision of 50% (49no. units) as affordable units. This information and its findings have been independently appraised on behalf of the Council and a total contribution of £140,000.00 has been agreed. Officers therefore consider the scheme is unviable if the full amount of contribution is required to address Policy 10, 23 and 25 of the Local Plan. To this end, it is recommended to Members that the Council enters into a Section 106 Agreement for the applicant to contribute £140,000 towards the enhancement of existing Open Space provision within the locality.

Energy

Policy 18 of the Local Plan states that all developments over 1,000m² or 10 dwellings and above are required to reduce energy emissions in line with set targets. To address the requirements of this policy the applicant has provided a 'Sustainability Statement by Award Energy Consultants', dated April 2021, which notes the development will achieve the 15% reduction in CO² over Part L 2013, as required.

Highway Safety

Policy 5 of the Local Plan requires that developments do not compromise pedestrian or highway safety and Policy 9 of the Local Plan states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users.

It is noted above that the application site is located close to an established residential area and the Royton Town Centre, with good access to a wide range of amenities and public transport links. To this end, the Council's Highway Engineer does not anticipate that there will be any adverse or significant increase in traffic generation or any additional demand for on street parking to the detriment of highway safety. Moreover, they have worked with the Applicant/Agent to ensure that there are good pedestrian links along Radcliffe Street, with adequate parking provision and an internal layout which is acceptable to the local Highway Authority.

Therefore, it is considered that amended layout (Drwg No. KH/VW/HWL/01 Rev I, received on 22nd October 2021) is in accordance with Policies 5 and 9 of the Local Plan.

Design

Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. Policy 9 requires that development does not have a significant, adverse impact on the visual amenity of the surrounding area, including local landscape and townscape, nor should it cause significant harm to the amenity of neighbouring occupants. Policy 20 is also relevant, as it seeks to promote high quality design.

From the submitted Design and Access Statement it is noted consideration of the sites surroundings has been a key consideration in the build-up of the overall layout. In addition, the High Barn Street access to the original Mill was not supported by the appropriate legal

titles/easements to be utilised as an access. To this end, the key outward frontage of this development is Radcliffe Street, which includes the access to the spine road to the development. The amended layout of the development has been designed to avoid adverse impacts on the amenity of future occupants and the occupants of existing neighbouring properties, whilst also including an active street scene that will fit well with the existing built surroundings.

Whilst the scale/massing and materials proposed for the house types have been designed to be in keeping with the surrounding area, it is noted they have modern fenestration details that will provide the estate its own overall character and sense of place.

The proposed hard and soft landscaping, that will form part of the development, is considered to be acceptable, incorporating landscaping forward of the front elevation of the proposed dwellings. Overall, it is considered that the high quality design of the proposed development would have a positive impact on the character of the area, in accordance with Policies 9 and 20 of the Local Plan.

Residential Amenity

Policy 9 of the Local Plan requires that new development does not result in a significant, adverse impact on the visual amenity of the surrounding area or significantly harm the amenities of occupiers of existing or future neighbouring properties, whilst Policy 20 includes the requirement that development proposals should reflect local character.

Impact on the dwellings on existing dwellings on High Barn Street:

It is noted the rear elevations of the proposed units along the south boundary of the site are set approximately 21m from the rear elevations of these neighbouring properties. As such, it is considered the development would not appear overly oppressive and would not result in a significant loss of light to the habitable rooms of these neighbouring properties.

Impact on the dwellings on existing dwellings on Radcliffe Street:

It is noted these neighbouring residential units are set on the opposite side of Radcliffe Street and are set on a higher ground level. To this end, given the separation distances it is considered the development will not unduly impact on the amenity currently enjoyed by occupiers of these neighbouring dwellings.

Impact on the future occupiers of the Milton Street Site:

It is clear the submitted amended layout does not result in any oppressive outlook/loss of privacy from the current and future occupiers of these proposed neighbouring residential properties as the design includes sufficient separation distances and it is noted the units within the applicant's site are set on a higher ground level.

Impact on the future occupiers:

Policy 9 of the Oldham LDF states that the council will ensure development does not cause significant harm to the amenity of the occupants and future occupants of the development. To this end, the development has been assessed against the 'Technical housing standard-nationally described space standards', March 2015. Given the scheme complies with these Standards it is concluded that the development will be provided appropriate living space for the future occupants of the development.

Trees

Having considered the originally submitted information it is noted that no justification had been provided for the loss of trees as a result of the proposed development. Saved UDP Policy D1.5 'Protection of Trees on Development Sites', which states the following:

'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 for the development.

Where trees are to be lost to development, the Council will require, as a minimum, replacement 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.'

The Arboricultural Impact Assessment (AIA) and Method Statement (AMS), produced by tba dated March 2021, outlines that all seven existing groups and five single existing trees are proposed to be removed. These are all either category 'C' or 'U' in quality and it is noted the original landscaping plan includes the planting of 40no. trees across the site. Moreover, it is clear the AIA/AMS include an acceptable Tree Protection Plan, as such the Council's Arboricultural Officer has raised no objection subject to conditions that address the implementation of the submitted tree protection measures and the provision of proposed replacements.

Therefore, the loss has been mitigated for and the scheme accords with the requirements of saved UDP Policy D1.5.

Ecology

Policy 6 and Policy 21 of the Oldham LDF Joint DPD are concerned with protecting, conserving and enhancing our local natural environments.

Contributing to and Enhancing the Natural Environment:

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site currently only has very low ecological value with no species constraints. The proposed layout includes gardens that are likely to achieve an overall enhancement of the site, as such it has been recommend that this is maximised through inclusion of small native tree species and some bird boxes.

The Greater Manchester Ecology Unit has been consulted and consider that the development is unlikely to raise any significant ecological issues. However, it is considered that issues relating to bats, nesting birds and biodiversity enhancement measures can be resolved via the imposition of suitably worded conditions and/or informative notes for inclusion on the decision notice in the event that the application is approved.

Bats:

From GMEU's records it is clear bats were dealt with under the granted prior approval demolition notice (Ref: DEM/346558/21) and that they broadly accepted the assessment but recommended reasonable avoidance measures be applied. To this end, they have recommended at least one emergence survey prior to demolition, assuming the Mill has not already been demolished. Given that the Mill is already in advanced stages of removal it is considered this condition is not required, in this instance.

Nesting Birds:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. Given the scheme include the removal of existing trees a condition to address the protection of birds has been attached to the recommendation.

Invasive Species:

Derelict sites such as this are moderate to high risk for invasive species such as Japanese Knotweed and Himalayan Balsam. However, given the general lack of bare ground to colonise on the site, GMEU are satisfied this matter can be addressed via condition.

Contributing to and Enhancing the Natural Environment:

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site currently only has very low ecological value with no species constraints. The proposed layout includes gardens that are likely to achieve an overall enhancement of the site, as such it has been recommend that this is maximised through inclusion of native or wildlife attracting trees and shrubs and the provision of bird and bat box/brick scheme across the site, this matter has been addressed by way of an appropriately worded planning condition.

Drainage

Policy 19 of the Oldham LDF Joint DPD is concerned with ensuring that new developments do not result in an unacceptable flood risk or increased drainage problems by directing developments away from flood risk areas.

The Council's Drainage Team are reviewing the amended details submitted and it is expected such details will be provided prior to the date of the Planning Committee and an update will be provided on the Late List.

United Utilities:

United Utilities have reviewed the Flood Risk Assessment and Drainage Management Strategy submitted with the application and have raised no objection to the application in principle. However, they note that surface water is proposed to be discharged to a culverted watercourse which will need to be agreed with the Lead Local Flood Authority, and on this

basis recommend the imposition of a condition requiring a drainage scheme to be submitted for surface water and a requirement that foul and surface water are discharged to separate systems.

Contamination and Landfill Gas

Paragraph 183 of the NPPF states that the planning decisions should ensure that a site is suitable for its proposed use taking account of ground contamination and risk.

The Council's Environmental Health section have recommended both a landfill gas and contaminated land conditions, requiring intrusive site investigations and the submission of a remediation strategy before any development takes place, be attached in order to ensure that the development does not conflict with the requirements of the paragraph 183 of NPPF.

CONCLUSION

For the reasons set out above it is considered that the submitted scheme complies with all relevant planning policies and material planning considerations. It will provide a significant and positive contribution towards the Council's identified housing needs in a highly sustainable location on a previously developed site and, together with the mitigation to be secured through the imposition of conditions and a Section 106 agreement to secure £140,000 towards open space improvements, comprises sustainable development and is therefore recommended for approval.

RECOMMENDATION

It is recommended that the Planning Committee resolves to grant permission, subject to the agreement of a Section 106 Agreement covering the above contribution towards open space improvements in the locality, and the inclusion of 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 A scheme for the Biodiversity Enhancement Measures, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the construction of any buildings hereby approved. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter.

REASON - To ensure positive enhancement of the site having regard to Policy 21 of the Oldham Local Plan.

- 4 Prior to any earthworks a survey for invasive plant species including Japanese Knotweed and Himalayan Balsam will occur and the finding supplied to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be supplied to and agreed in writing by the Local Planning Authority, prior to any earthworks.

REASON - In the interests of the protection of the natural environment having regard to Policy 9 of the Oldham Local Plan.

- 5 No works to trees or shrubs shall occur or demolition commence 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.

- 6 The development hereby approved, shall be carried out in accordance with the submitted Sustainability Statement by Award Energy Consultants, dated April 2021, and/or any other future improvements in Building Regulations.

REASON - To accord with policy 18 (Energy) of the Joint DPD and to future proof any of the new dwellings that will be subject to future changes in Building Regulations.

- 7 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 on accordance with the hereby approved Arboricultural Impact Assessment and Method Statement (Rev D), produced by tba dated March 2021 and Dwg No. 6510.04 Rev. D. The protective measures 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.

- 8 All planting, seeding or turfing comprised in the approved landscaping detail Drawing No's: 6510.01 rev E and 6510.02 rev E shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless, the Local Planning Authority gives written consent to any variation.

REASON - In order to avoid damage to trees/shrubs within the site, which are of important amenity value to the area having regard to saved UDP Policy D1.5 and Policy 20 of the Oldham Plan.

- 9 No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk 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 - In order to protect public safety, because the site is located within 250m of a former landfill site and having regard to requirements of the paragraph 183 of National Planning Policy Framework.

- 10 No development shall commence 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 - In order to protect public safety and the environment, having regard to requirements of the paragraph 183 of National Planning Policy Framework.

- 11 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 received on 22nd October 2021 (Ref: KH/VW/HWL/01 Rev I) 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.

- 12 No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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.

- 13 Foul and surface water shall be drained on separate systems.

REASON - To secure proper drainage and to manage the risk of flooding and pollution.

- 14 The affordable housing provision shall be provided in accordance with the approved Affordable Housing Statement (within the Planning Statement), April 2021 and Affordable Layout Dwg no. KH/VW/ALP/01 Rev L. This condition shall not be binding on a mortgagee or chargee (or any receiver including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver) of the whole or any part of the affordable dwellings or any persons or bodies deriving title through such mortgagee or chargee or Receiver.

This condition shall cease to apply (and shall be of no further effect) to any dwelling in respect of which the full equity has been acquired by the individual owner/purchaser and/or their mortgagee OR any dwelling in respect of which a statutory or voluntary right to buy or acquire has been exercised.

REASON - To ensure that the contribution towards affordable housing put forward by the applicant is delivered on the site in an appropriate manner which meets local need and to ensure that any affordable housing remains affordable in perpetuity in accordance with the requirements of Joint Core Strategy and Development Management Policies Development Plan Document Policy 10 and the National Planning Policy Framework.

SITE LOCATION PLAN (NOT TO SCALE)

