

APPLICATION REPORT - FUL/347717/21
Planning Committee – 8th December 2021

Registration Date: 20th October 2021
Ward: Royton South

Application Reference: FUL/347717/21
Type of Application: Full Application

Proposal: The erection of a Community Diagnostic Hub consisting of a single storey hub building with three associated scanning units with associated access, car parking and landscape for a temporary period of up to five years.

Location: Vacant land to the north of Salmon Fields, Royton, Oldham.

Case Officer: Graham Dickman
Applicant: n/a
Agent: Miss Rebecca Crockett

INTRODUCTION

This planning application is referred to Planning Committee at the discretion of the Head of Planning on the grounds of transparency given the Council owns the land to which the application relates and since the proposal forms the first phase of a larger development.

RECOMMENDATION

It is recommended that the Committee resolves to grant planning permission, subject to the conditions set out in this report.

THE SITE

This application relates to a section of a large, presently vacant, parcel of land located between Salmon Fields to the south and Turf Lane to the north, with existing commercial buildings to either side. The site generally comprises unkempt grassland with tree cover to the external boundaries.

THE PROPOSAL

This is a full application for erection of a Community Diagnostic Hub consisting of a hub building with three associated scanning units with associated access, car parking and landscape for a temporary period of up to five years.

The Community Diagnostic Hub (CDH) has been designed in three phases, with this application representing the first phase of development. 61no. parking spaces are required to meet staff and patient demand, 6no. of which will be allocated to EV charging and 3no. accessible spaces for disabled motorists will be provided.

The proposal includes a single storey 998m² modular complex comprising of the main entrance, waiting facilities and reception, interview, consultation and examination rooms, spirometry, staff facilities, clinical facilities, office facilities, MRI scanner, X-Ray and critical adjacent facilities. The mobile PET CT scanning unit will be to the west side of the main hub.

RELEVANT PLANNING HISTORY

No relevant applications

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

The site is located within a Business Employment Area on the Proposals Map.

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

Policy 1 – Climate Change and Sustainable Development;
Policy 2 – Communities;
Policy 5 – Promoting Accessibility and Sustainable Transport Choices;
Policy 9 – Local Environment;
Policy 18 – Energy;
Policy 19 – Water and Flooding;
Policy 20 – Design;
Policy 21 – Protecting Natural Environmental Assets; and,
Policy 22 – Protecting Open Land

Saved UDP Policy D1.5 - Protection of Trees on Development Sites

CONSULTATIONS

Highways Officer – No objections subject to conditions in respect of provision of the approved access and parking, appropriate wheel cleaning equipment during construction, and a green travel plan.

Environmental Health – No objections subject to conditions in relation to the need for an assessment of groundwater contamination and landfill gas, noise mitigation, and waste storage.

Trees Officer – No objection in principle, however, mitigation for tree loss will be required.

G M Ecology Unit – No significant ecological features have been identified on the site. However, the development will result in a loss of biodiversity which will require mitigation.

Coal Authority – The site is not within a Coal Mining High Risk Area. The development should have regard to the authority’s Standing Advice.

G M Police – Recommend incorporation of all measures as set out in the Crime Impact Statement, including erection of secure boundary treatment.

United Utilities – No objection subject to a condition requiring submission of a sustainable drainage scheme.

REPRESENTATIONS

The application has been publicised by site notice and individual notification letters. No written representations have been received.

PLANNING CONSIDERATIONS

Principle of development

The application site is located within a designated Business and Employment Area (BEA7) which aims to assist the delivery of a range of sites to support the local economy.

Local Plan Policy 14 sets out the types of development which would ordinarily be appropriate in such areas. However, this does not include development of the type proposed in this case. The Policy goes on to state that developments other than those listed will not be permitted unless one of the following can be demonstrated:

(a) through a marketing exercise that there is no market for the uses listed above. The marketing exercise to 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 above 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.

In respect of criterion (a), the Council has previously marketed the site through local agents. There was a lot of interest in the site and a number of bids were received, however, site disposal did not progress. During this period, the initial enquiry for the current proposed use came forward and, whilst it took some time for the preferred site to be formally selected, the site was temporarily held to help facilitate the project having regard to the importance of the development for the local community and to improve access to diagnostic facilities for the residents of Oldham and beyond. Nevertheless, it has to be concluded that this criterion alone has not been satisfied, although it is acknowledged that the development will generate employment opportunities (33 FTE positions).

Criterion (b) is not applicable to this case.

With regard to criterion (c), alternative development can be considered appropriate where that development would benefit the community of an area.

Assessment of community benefit

Amongst the primary objectives of Local Plan Policy 2 is the improved health and well-being of the community, and in this regard the Council will support the development of new and improved health-related facilities. The following supporting information has been presented.

The proposals form part of the development of Community Diagnostic Hubs as a key focus of national NHS strategy, recognising the need for significant future expansion of diagnostic infrastructure and workforce to keep pace with forecast future demand and achieve comparable levels with other OECD countries.

Nationally, it is recognised that the CT scanning capacity in the NHS in England needs to nearly double over the next 5 years. The national policy is clear that the vast majority of this diagnostic growth should take place away from main acute hospitals. It is considered that the current model is too hospital-centric, with unnecessary visits to acute hospital sites and a poor separation between scanning facilities for emergency patients/in-patients and planned out-patient scans. This causes delay and cancellation and often a poor patient experience.

The national policy reconciles very closely with the local diagnostic strategy of the Northern Care Alliance (NCA). In this there is a clear strategic ambition to:

1. Diagnose disease (e.g. cancers, cardio-respiratory) at an earlier stage where it is more treatable, with better outcomes.
2. Improve access to patients, especially those from socio-economically disadvantaged groups.
3. Improve patient experience and transform care pathways, with 'multiple tests on the same day' models of care.
4. Reduce congestion, pollution, and unnecessary journeys to acute hospital sites.
5. Achieve national performance standards.

The NCA is recognised to be at the forefront of thinking in Greater Manchester and the wider NHS and is in the first-wave of the 5-year national Community Diagnostic Hub programme. The CDH in Oldham will be therefore one of the first in the region, securing improvement in access, experience, and outcomes for the people of Oldham and the wider Pennine area.

In this context, it is clear that the development offers substantial community benefits whilst not undermining the employment objectives of the Local Plan (given that it will generate employment opportunities).

Highway issues

The application is accompanied by a robust Transport Assessment which considers the likely traffic generation and sustainability of the site, and explores the accessibility of the site, opportunities to travel by more sustainable modes of transport, and the likely effects of the development on the local highway network.

The Highways Officer has reviewed the submission and does not anticipate that the development will result in an adverse or significant impact on the network to the detriment of highway safety.

A new access will be constructed within the existing adopted highway and will include the re-kerbing and reinstatement of the nearby footway. On-site provision includes secure cycle parking, and provision of both accessible parking spaces and electric recharging facilities. On this basis, there are no concerns in relation to highway matters.

Ecological issues and biodiversity

The application is accompanied by an Extended Phase 1 Habitat Survey & Preliminary Ecological Impact Assessment. The site is not subject to any statutory or local nature conservation designations. No on-site activity by protected species has been identified. Nevertheless, this cannot be entirely discounted, and conditions will be required to ensure up-to-date surveys are undertaken before any work commences.

The site itself is characterised as comprising naturally vegetated, previously disturbed ground with blocks of trees primarily around the margins.

NPPF Paragraph 174(d) requires that development should minimise the impacts on and provide net gains for biodiversity. GMEU has commented that the present proposals will result in a net loss of biodiversity and recommends that mitigation should be provided for the loss of approximately 0.5ha of primarily moderate ecological value habitat and loss of bird nesting opportunities. Furthermore, the Council's Trees Officer requires that additional detail on the impact of tree loss is submitted, and that adequate compensation for any loss is accommodated.

In ecological terms, the agreed baseline position is the current vegetation cover, which is of limited ecological value, and that the main issue is nesting birds.

The proposed layout, whilst including some soft landscaping, is primarily hardstanding and buildings. There will therefore be a net loss at the site level in terms of habitats, though there are likely opportunities to provide nest boxes on the new build or adjacent trees just off site to mitigate for impacts to nesting birds.

The Environment Act has recently obtained Royal Assent and includes provision for mandatory Biodiversity Net Gain (BNG), albeit that provision will only come into force in 2023. Whilst some mitigation for the loss on site is achievable, the proposals will not achieve net gain.

The response from GMEU sets out how compensation could be required off-site. At this stage the precise value is unknown, and to establish this value would require significant work and negotiation, with limited adopted policy guidance to apply to agreeing this calculation.

The applicant has indicated that, in order to secure the necessary NHS funding to bring this scheme to fruition, it has to be operational by March 2022. As such there is a programme risk to ultimately losing the NHS funding to deliver this scheme with significant public disbenefit.

The applicant therefore contends that the overall public benefits of delivering this scheme significantly outweigh the loss of an area which holds limited ecological value. In this context, requiring a financial contribution towards such loss would therefore not be appropriate as it

would diminish the overall budget available for the building, and ultimately bring the delivery of the scheme at risk of not receiving the necessary funding for it to be implemented.

Nevertheless, in order to ensure mitigation of any ecological loss, a further assessment of how ecological compensation can be accommodated within the overall site, including replacement tree planting, and having regard to the wider development aspirations for the facility, will be subject to condition of the approval.

Design and appearance

Given the temporary nature of the development, the proposed buildings are of a functional form and appearance only. They will be set back from Salmon Fields and retained / additional tree planting will ensure limited prominence from outside the site. It is also noted that neighbouring developments comprise similarly functional industrial buildings of generally greater scale.

In view of these factors, the form of development is considered to be acceptable in this instance.

Amenity issues

As noted above, the immediate environs have a commercial character. The nearest residential properties are adjacent to Thomas Street to the north of the site at a minimum separation of 90 metres. Subject to conditions requiring details of the acoustic properties of plant and equipment, floodlighting, and measures to reduce potential disturbance during construction, all of which are capable of adequate mitigation, no adverse issues in respect of amenity are anticipated.

Ground conditions

The Coal Authority (CA) has confirmed that the application site does not fall within the defined Development High Risk Coal Area and therefore there is no requirement for a Coal Mining Risk Assessment to be submitted. An informative note will be required to direct the developer to CA's Standing Advice.

The Environmental Health team has requested that a landfill gas site investigation and assessment should be undertaken, and a watching brief for potential groundwater and/or ground gas carried out.

Drainage and flooding

The site is identified as being situated within Flood Zone 1 on the Environment Agency's fluvial flood zone map. Similarly, the site is shown as having a low probability of pluvial (surface water) flooding.

A report setting out the proposals for management of surface water drainage has been submitted. This identifies feasible SUDS methods to ensure satisfactory discharge rates. United Utilities is satisfied with the principles of the proposals. Therefore, there are no objections subject of approval of those details by condition.

CONCLUSION

The proposed development, whilst not one of the uses specifically listed in Policy 14, is nevertheless considered acceptable having regard to the provisions of the exceptions criteria given the significant weight attached to the community benefits it would deliver. Furthermore, it would provide employment opportunities and secure early development on the site.

It is also noted that the development will result in a moderate loss of biodiversity. This, however, must be weighed alongside the wider, long-term community benefits arising from the provision of the facility.

On balance, it is considered that the overall benefits outweigh any localised harm in this instance.

RECOMMENDATION

It is recommended that the application is approved subject to the following conditions:

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

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

2. This permission shall be for a limited period only expiring FIVE years from the date of approval, by which date the buildings and ancillary plant hereby permitted shall be removed from the site. 6 months prior to this date, a scheme for any necessary reinstatement of the land shall be submitted for the written approval of the Local Planning Authority. The duly approved measures shall be implemented within 2 months of the substantial completion of the removal of all approved buildings from the site.

REASON - The approval is acceptable for a temporary period only having regard to the specific circumstances of the proposal having regard to Policies 14, 20 and 21 of the Oldham Local Plan.

3. 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.

4. No development shall commence, other than site clearance, 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 as the site is located within 250m of a former landfill site, having regard to Policy 9 of the Oldham Local Plan.

5. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

REASON - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety having regard to Policy 9 of the Oldham Local Plan.

6. The building and/or externally mounted plant and equipment shall be insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. Any work implementing the scheme shall be completed before use commences and shall be retained at all times thereafter. The level of insulation to be provided and/or noise permitted from externally mounted machinery shall aim to be such that the rated level of noise emitted from the development is below the existing background level by at least 10dB(A).

REASON - To ensure the protection of nearby premises having regard to Policy 9 of the Oldham Local Plan.

7. Any floodlighting or security lights within the curtilage of the proposed development shall be positioned and operated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lights shall only be brought into use in accordance with the approved details.

REASON - To protect the amenity of occupants of nearby premises having regard to Policy 9 of the Oldham Local Plan.

8. Prior to the commencement of any development, other than site clearance and access creation, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s. Surface and foul water shall be drained on separate systems. 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 having regard to Policy 19 of the Oldham Local Plan.

9. A scheme for ecological mitigation, including replacement tree planting and

compensation for habitat loss, along with a proposed timescale for implementation and future management/maintenance, 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 in accordance with the approved details and timescales.

REASON - To ensure positive enhancement of the site having regard to Policy 21 of the Oldham Local Plan and saved Policy D1.5 of the Oldham Unitary Development Plan.

10. The development hereby approved shall not be brought into use until the access to the site, turning areas, and car parking spaces have been provided in accordance with the approved plan Ref:20-0001 Enlarged Site 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.

11. Notwithstanding the requirement of Condition 10, the development hereby approved shall not be brought into use until the footway on Salmon Fields adjacent to the access has been re-kerbed and reinstated in accordance with details that shall have been submitted to and approved in writing by the local Planning Authority prior to the construction of the footway and access.

REASON - To ensure adequate access for drivers and pedestrians exists having regard to Policies 5 and 9 of the Oldham Local Plan.

12. The use of the development hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with the approved plan Ref: 20-0102 Rev L. The facility shall remain available for all 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.

13. 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 development.

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

14. Prior to the commencement of the construction period, adequate wheel cleaning equipment, the details of which shall be submitted to and approved in writing by the Local Planning Authority, shall be installed on the site. Before leaving the site all vehicles, which have travelled over a non-tarmac surface, shall use the wheel cleaning

equipment provided, such that they are in such a state of cleanliness that they do not foul the highway with mud or other material. The equipment shall, for the duration of the construction works, be maintained in good working order, and shall not be removed unless approved in writing by the Local Planning Authority.

REASON - Prior approval is necessary since the facility is fundamental to the initial site preparation works in the interests of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

15. The development hereby approved shall not be brought into use unless and until details of facilities for the storage and removal of refuse and waste materials have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been fully implemented. Thereafter approved facilities shall at all times remain available for use.

REASON - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area having regard to Policy 9 of the Oldham Local Plan.

16. Prior to commencement of any earthworks, a re-survey of the site, and within 30m thereof where feasible, for badger setts shall be carried out by a suitably qualified ecologist, and the findings submitted to the Local Planning Authority for written confirmation. Where badger setts are identified within the development area, or would be affected by the development, no works shall commence until protective measures have been implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON - To ensure no harm to protected species having regard to Policy 21 of the Oldham Local Plan and to comply with the developer's statutory responsibilities.

17. No development hereby approved shall be commenced until an accurate tree survey, including any measures to protect trees identified as worthy of protection, has been submitted to and approved in writing by the Local Planning Authority and all proposed protection measures have been implemented in full. The survey details shall be at a scale of not less than 1:500, indicating species, position, height, girth, crown spread, health, condition, structural defects, life expectancy and desirability for retention of all existing trees, shrubs and hedgerows within the site and on land adjacent to the development which may be affected by it. On the plan shall be marked the positions of spot heights, changes of levels, all proposed buildings, hard landscaping, roads, service trenches and footpaths. The plan shall indicate all trees, shrubs and hedgerows it is proposed to prune or remove, to BS3998.

REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and 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.

18. 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. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. 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.

19. 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.

LOCATION PLAN (NOT TO SCALE)

