

**APPLICATION REPORT – RES/346720/21
Planning Committee 19th January 2022**

Registration Date: 21ST April 2021
Ward: Shaw

Application Reference: RES/346720/21
Type of Application: Reserved Matters

Proposal: Reserved matters of Appearance, Landscaping, Layout and Scale for 201 dwellings with associated open space pursuant to outline approval PA/344179/19

Location: Cowlshaw Abattoir, Cowlshaw, Shaw, Oldham

Case Officer: Stephen Gill
Applicant: Mr Anthony Blackwell
Agent: Mrs Samantha Ryan

INTRODUCTION

The application is being reported to Planning Committee as a Major application.

RECOMMENDATION

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

THE SITE

The application relates to the Cowlshaw Abattoir, a 10.2 hectare site including abattoir buildings and adjacent open fields. The current developed extent is approximately 1.69 hectares, which includes some large abattoir buildings.

The site abuts residential properties, including those on Cowlshaw, Longfield Park, Higham Close, Springvale Way, Hey Hill Close, Broadbent Close, Cocker Mill Lane and Greencroft Meadow. The main access to the site is from Cocker Mill Lane. To the west of the site is the Crompton and Royton Golf Club. The land slopes upwards from the A663 Shaw Road, but is somewhat screened by existing residential properties from this major route into Oldham.

Three Public Rights of Way (PRoWs) cross the site (PRoW 83, 84 and 88). These travel within the site and then connect with other PRoW's in the wider area to the north and south. The PRoWs enter the southern and eastern boundaries of the site at the same locations as the main vehicular access points into the site; and a large part of the route of PRoW 88 coincides with the metalled drive to the abattoir.

THE PROPOSAL

An application for outline planning permission (all matters reserved except for access) for a residential development was submitted and approved under (PA/344179/19) for the site. No specific number of dwellings was specified on the Decision Notice, however, Condition 3 of the outline planning permission states that the vehicular access from Cocker Mill Lane shall serve no more than 250 residential units, so on that basis, this provides a maximum capacity of 250 units based on the approved access point.

The current application follows the above outline planning application approval and is a reserved matters application for 201 units, which considers all the matters reserved as part of the outline planning application, including appearance, landscaping, layout and scale. It should be noted that the original application proposed 205 units, however, some units have been removed for the reasons set out in this report.

Procedural Matter

During the process of the application, it has become clear that a small section of the proposal sits on land outside the red line boundary approved under outline application ref: PA/344179/19, meaning this element cannot be considered as part of this reserved matters application. The land in question, which is still in the ownership of the applicant, is situated at the north east section of the site. Encroachment beyond the approved red line includes part of a turning head and the curtilage of plot 122. Given that this small section cannot be considered as part of this application, the applicant has instead submitted a full planning application ref: FUL/347664/21 to consider this, and this application will also be presented to Planning Committee for consideration. It is necessary for the applicant to undertake this process from a procedural standpoint.

RELEVANT PLANNING HISTORY

PA/344179/19 - Outline planning application with all matters reserved except for the principal means of access from Cocker Mill Lane for a residential development following demolition of existing buildings – Approved subject to conditions 1st October 2020.

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is designated in the Local Plan as being in a Business Employment Area.

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

Policy 1 - Climate Change and Sustainable Development;
Policy 2 – Communities;
Policy 3 - An Address of Choice;
Policy 5 - Promoting Accessibility and Sustainable Transport;
Policy 9 - Local Environment;
Policy 10 - Affordable Housing;
Policy 11 – Housing;
Policy 18 – Energy;
Policy 19 - Water and Flooding;
Policy 20 – Design; and,
Policy 21 - Protecting Natural Environmental Assets

Retained UDP Policy D1.5 – Protection of Trees on Development Sites

National Planning Policy Framework.

CONSULTATIONS

Highways Engineer:	No objection subject to conditions
Environmental Health:	No objection
United Utilities:	No objection
LLFA:	No response received
G. M. Police:	No objection subject to condition
G. M. Ecology Unit:	No objection to conditions
Trees Officer:	Concerns raised in respect of tree removal
Transport for Greater Manchester:	No objection raised subject to condition

REPRESENTATIONS

The application was publicised by way of neighbour notification letters, 3no site notices were posted expiring on the 26th June 2021, and a press notice was published in the Manchester Evening News which expired on the 9th June 2021. In response, 55no comments were received in total objecting to the proposal. Initially, 37 comments were received raising the following (summarised) concerns:

- Cocker Mill Lane and Shaw Road are not suitable or safe for another 300-400 cars.
- The Highways Improvement works proposed are not enough to protect road users at the junction between Shaw Road and Cocker Mill Lane, and this is likely to increase the level of accidents.
- There have been a number of accidents at the junction of Shaw Road and Cocker Mill Lane due to poor visibility from parked cars and the proposal will increase the risks.
- As a result of the development Greencroft Meadow will become a parking zone.
- The lack of sufficient parking on Shaw Road means that residents from Shaw Road already park their cars & sometimes double park, along Cocker Mill Lane. This effectively turns Cocker Mill Lane into a single-track road, with no opportunity for vehicles to pass side by side.
- Not enough planning put forward by the applicant, to improve the surrounding 'green' areas.
- The drawings do not appear to illustrate the right of way (Crompton Circuit walking route), which is a popular walking route in the area.
- The services in the area are already stretched (doctors and schools), 205 houses will make this situation worse.
- Concerns on what guarantees are in place that a Management Company will be formed to maintain the landscaping proposed within the development.
- The development proposals present significant long-term disruption to both the existing local residents and the local infrastructure.
- The development will permanently damage wildlife currently present in the area.
- Concerns in relation to how traffic will be managed during the build phase.
- No Buffer Zone between Greencroft Meadow properties and new development as detailed in the original application.
- Lack of public open space proposed.
- The proposal will negatively impact and remove the last remaining green space in the area.

- This proposal will have a negative impact on property prices and will destroy views and privacy.
- The plans appear to attempt to get the maximum number of houses possible, rather than producing a quality environment.
- Impact on the wildlife that currently reside in the area has not be thoroughly addressed.
- Inadequate drainage already exists at the site and the proposed scheme will worsen that situation.
- The site is prone to flooding in wet conditions.
- The paths are a source of amenity to local people and to remove them could cause mental health issues.
- Existing properties will be overlooked by the proposal, at the entrance to the site and these plots will be particularly overbearing, due to their proximity to the boundary and also their increased height in comparison.
- There is only one access point from Cockermill Lane, designed to serve all of the properties on the proposed development
- The proposal is an overdevelopment of the area, which will impact mental and physical health.
- There are many alternative brownfield sites and land with existing planning permission in the Borough and these should be considered.

Following further consultation on amended plans, a further 18 representations were received, which raised the following points (in summary):

- The withdrawal of S73 application VAR/346719/21 is a disappointment. This application was a perfect solution to the junction of Greencroft meadow onto Cockermill lane and provided much needed safety benefits, and now this is no longer proposed, this is likely to cause unnecessary congestion.
- The sewer that currently runs through this site and goes down through Low Crompton Farm is already inadequate and stops working regularly, which causes pollution of the River Irk and the environment. If this sewer is to be further inundated with new large, combined foul and surface water drainage then these issues will be exacerbated.
- The Highways Improvement works are not adequate for the size of the development and the number of units proposed. There have been a number of car crashes at the junction between Cocker Mill Lane and Shaw Road. The Council have a duty of care and this needs to be considered.
- The proposed access road into the site is adjacent to residents' gardens, however, no acoustic treatments are proposed to mitigate the increase in noise generated by the increased traffic.
- The 7-day re-consultation period given was not enough time to comment on the application amendments.
- The plans are not clear in relation to the number of trees being removed and then replaced

PLANNING CONSIDERATIONS

Principle of development

In terms of the principle of development, including site access details and any impacts on local services, this has been established by the outline permission (PA/344179/19). 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, and each of these subject matters is discussed in this report.

Conditions

As part of the outline planning permission, a number of conditions were attached, which set out a requirement for information to be submitted and assessed as part of any reserved matters application and this report will set out whether the requirements for each condition have been met. The following conditions are relevant:

- Condition 4 – Details of emergency access;
- Condition 5 – Details of off-site highways improvement scheme in the vicinity of Cocker Mill Lane and Shaw Road;
- Condition 6 – Scheme for the protection or diversion of the PRow including landscaping and construction;
- Condition 7 – Details of access to individual buildings, site lines and highways drainage;
- Condition 8 – Details of levels and cross sections;
- Condition 9 – Submission of an Arboricultural Impact Assessment and Arboricultural Method Statement;
- Condition 10 – Details of energy performance;
- Condition 11 – Details of public open space and landscaping;
- Condition 12 – Details of ecology surveys and schemes;
- Condition 13 – Scheme for affordable housing; and,
- Condition 14 – Drainage.

In addition, there are also some pre-commencement conditions that need to be addressed. A separate Discharge of Condition application has been submitted (Ref CND/347632/21) and the relevant conditions are as follows:

- Condition 16 – Construction Environment Management Plan & Demolition Management Plan;
- Condition 17 – Bat Survey;
- Condition 18 – Contaminated land & landfill gas details; and,
- Condition 19 – Archaeology details.

Scale

The reserved matters application proposes 201 dwellings. Whilst the approved Parameters Plan refers to development of dwellings up to 2.5 storeys in height, all the properties will be 2 storey and, therefore, the scale of development sits inside that approved in principle as part of the outline planning permission. The proposed properties are very similar in size, height, and scale to those in the immediate surroundings and therefore would not look out of character in the area.

In addition, the number of properties proposed does not exceed the 250 capacity identified as being acceptable from an access standpoint as part of the outline planning permission.

Therefore, in terms of scale, the application is considered acceptable.

Appearance

In relation to appearance, the applicant has selected a range of different house types, which will create visual interest in the development. There are 15 different house types proposed in this application, with a mix of roof designs comprising either gable or hipped. The majority of the house types are detached ranging from 3 to 5 bed with either integral or detached garages. Some 2 and 3 bed short terraces of up to 6 dwellings will be provided at the north east and centre of the site and these represent affordable housing units.

Considering materials, the applicant has submitted a materials plan, which demonstrates variation right across the site. The brick types will range from red, orange and buff sandstone, with some properties finished in monocouche render. There is also symmetrical brick detailing demonstrated in the house types around the sills, lintels and openings, which add interest. The proposed roofing materials would be predominately grampian grey slate and highland cottage red, both colours are acceptable together and again add variation to the appearance of the development. The window casings will be PVC, which is fairly standard for houses of this type.

The areas that surround the site are characterised by different types of properties. For example, on the south east side running north, is a housing estate incorporating semi-detached and detached properties, which are contemporary in appearance, with a mixture of materials similar to those proposed in this development. Further north out from the site (Cowlshaw Lane & Scowcroft Lane) the dwellings have more of a traditional appearance, with a mixture of sizes, materials and styles. Directly to the south are properties on Greencroft Meadow, which back directly on to the site. These are relatively contemporary in appearance and the development will not look out of character with these properties, given the style and scale.

Overall, considering the above, the development will be a positive addition, and the appearance and materials used are welcomed, as they will add positively to the area. Therefore, I conclude that the development meets the tests of policy 20 and NPPF Section 12.

Layout

In terms of the overall layout proposed, the number of units have been reduced from 205 to 201 to take account of the requirements to divert the PRoW routes within the site and also to accommodate the requirements of the Highways Engineer. The layout provides strong linkages to the open space situated north of the site and then on to the wider countryside. The layout also demonstrates a clear street hierarchy (arranged as primary, secondary and tertiary roads), and dwellings across the site.

Condition 6 of the outline planning permission sets out a requirement for a scheme to protect or divert the PRoW's that run through the site. In this case, the application proposes to divert the PRoW's on site. This work will include the diversion of Footpath no.88 up the western boundary of the site and this will then link in with Footpath 84 at the north end of the site. Footpath 88 will also be diverted through the site and will then link into Footpath 54, which runs along the eastern boundary. The nature of the diversions has been agreed in principle with the Public Rights of Way Officer and Highways Engineer to ensure highway safety and to also help create pleasant alternative walking routes through and around the site.

In terms of proposed site levels, condition 8 of the outline planning permission states that any approval of reserved matters for landscaping, layout or scale shall be accompanied by a scheme detailing levels and cross sections, which the applicant has submitted. The levels indicate the uphill gradient of the site from south to north, with the biggest difference being approximately a 7.5m level difference, between the properties on the southern boundary and those at the very north eastern part of the site. However, considering the spot levels for the properties across the site, and given the gentle incline, the layout does not propose properties in close proximity to one another with major level differences and this is evident on the site section drawings. The layout demonstrates separation distances of 19m or more habitable room to habitable room and 10.5m or more from gable to habitable room across the site and given the gentle incline, the biggest difference in levels (1.3m) is demonstrated in the north east of the site between plots 92 & 102, and the separation between the properties at this point is approximately 20m, which is considered acceptable.

Considering the relationship between the development and the existing properties that surround the site, the cross sections illustrate the relationship of the development to the existing properties. Section 3-3 shows the relationship between plot 4 and 22 Greencroft Meadow. Plot 4 has a finished floor level of 171.00 and 22 Greencroft Meadow sits has a finished floor level of approximately 170.4, meaning the proposed development on the southern boundary sits slightly higher (0.6m). However, the separation distances between the proposed properties (plots 3, 4, 5 & 6) on the southern boundary and those on Greencroft Meadow range between 18m-20m and considering the distance and minor level difference, this is considered to be acceptable. Plots 1 & 8 are gable facing on to the rear of properties on Greencroft Meadow and these demonstrate separation distances of 12m & 10.5m respectively and given the minor level change and distance this is also considered to be acceptable.

Properties will also face the existing properties on the eastern side of the site. Section 1-1 demonstrates the relationship between the levels of the development, specifically between plot 135 (175.95 FFL) and 16 Cowlshaw (175.50 FFL), which sit at a similar level gable to gable and would be over 12m in distance. The relationship between plot 123 (rear facing) on to 34 Longfield Park (side facing) would be acceptable at distance of approximately 16m.

Overall, the layout is considered to be acceptable, and takes into account the levels and constraints and will offer an acceptable standard of amenity for future residents of the scheme and will also maintain the amenity for existing residents that surround the site. Therefore, the development complies with policies 9 & 20.

Landscaping

In relation to soft landscaping, the scheme proposes extensive tree planting throughout the site, specifically on the streets fronting the properties. Extensive tree planting is also proposed around the SUDs pond to the south of the site and around the SBI pond to the north. A mixture of shrub and hedge planting is proposed to line the secondary roads, private driveways and open space. As discussed earlier in this report, the diversion of Footpath 88 will see a new route introduced up the western boundary of the site, which will be defined by retained trees on the eastern boundary and new tree and shrub planting on the other side within the site, which makes for a very pleasant outlook for people walking through the site.

Condition 11 of the outline planning permission sets out a requirement to include a scheme for the provision of public open space. Public open space is concentrated to the north of the site in which, the Public Rights of Way ("PRoW") link together from different sections within the development site and then head north beyond the site boundary. An orchard is proposed in the north east section of the open space and extensive planting is proposed in the area, which will make for a pleasant amenity space for residents of the local area and the development itself and this is welcomed. In accordance with condition 12, the applicant has submitted a Landscape Environment Management Plan (LEMP), which clearly sets out how the open space will be managed, now and in the future, which they have confirmed will be through a management company. GMEU have reviewed the LEMP details, in relation to how the open space will be managed, and no objections have been raised, and the requirements of the LEMP will be conditioned appropriately.

The Arboricultural Officer has raised concerns in respect of the tree loss proposed within the site, specifically in relation to a group trees identified as G11, which are sycamore trees. These are not protected trees and the level of tree re-planting surpasses the 3:1 ratio requirement required as set out in retained UDP Policy D1.5. The trees lost equates to between 58-68 and the tree replanting amounts to 279 new trees. GMEU are satisfied with the species proposed as part of the mitigation. Whilst the Arboricultural Officers comments

are noted, considering the level of mitigation proposed, this is not matter would be pursued further given that the trees are not protected. The Arboricultural Officer is satisfied with the level of protection the applicant is offering to the trees that are being retained, which will be protective fencing, and this will be conditioned appropriately.

In terms of hard landscaping and boundary treatments, the scheme proposes a mixture of treatments. Boundary treatments include 1.8m close boarded timber fencing, which will be used to divide the rear gardens and define rear boundaries. In the more visible locations, such as corner plots, a 1.8m high brick wall is proposed, and this treatment is welcomed in the more visible parts of the site. In relation to the hard surfacing, the adopted roads, footways and crossings, these will be a mixture of dark grey and grey bituminous surfacing and concrete surfacing, which is standard for this type of development. The PRow diversion up the western boundary will be surfaced with a self-binding gravel, which helps distinguish the area for walking. No objections are raised to the hard landscaping and boundary treatments that are proposed with the application.

Therefore, the development complies with policies 20, 21 and UDP policy D1.5.

OTHER CONSIDERATIONS

Affordable Housing

Condition 13 of the outline planning permission states that an affordable housing scheme should be submitted with the reserved matters application, and this has been received. The condition sets out a requirement for the following:

- a) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of total units;
- b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved);
- d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and,
- e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The development proposes 21 affordable units from a total of 201 dwellings, which represents a 10% total, with a tenure split of 50:50 between social rented and intermediate housing, which will be a mixture of 2 & 3 bed properties. These property types are listed in the Housing Needs Survey 2019 as those most needed in the borough. The affordable units are clustered in the centre and north east of the site, as demonstrated on plan reference 490-AHL-001 Rev D.

In relation to providing details of a Registered Provider ("RP"), in accordance with condition 13, discussions with RP's are ongoing and the applicant fully anticipates entering into a contractual arrangement with a selected partner, shortly after approval of Reserved Matters. This is a common approach that will enable the RPs to finalise their bids based upon an approved scheme. In the absence of a formal agreement with an RP partner, it is acknowledged that the applicant cannot meet the requirements of condition 13. However, it is recognised that in order to fully engage RPs, the applicant needs to be in receipt of a

reserved matter approval. As such, it is recommended that the affordable housing details is re-reserved by way of condition, and a condition is attached to the recommendation reflecting this. This will enable the applicant to fully engage a suitable RP and will also allow the Council to review and agree the final affordable housing scheme.

Energy

Condition 10 of the outline planning permission sets out a requirement for the submission of energy details as part of the reserved matters application. The applicant has submitted an Energy and Sustainability Statement with the application. Policy 18 is relevant in relation to energy and requires a 15% reduction in CO₂ emissions per plot as set out in Part L 2013 Building Regulations. The Energy and Sustainability Statement concludes that through the use of better insulation and design specifications on the properties, a saving of 1.72% on CO₂ emissions can be made and a further 13.28% can be saved through the use of solar PV. The Energy Statement has been reviewed and no objections are raised to the conclusions and the recommendations set out in the report will be conditioned to ensure they are implemented.

Therefore, no objections are raised to the discharge of condition 10 and the development meets the tests of policy 18.

Drainage

Condition 14 of the outline planning permission sets out a requirement for the submission of a drainage scheme with the reserved matters application. The proposed drainage strategy has been developed through close working between the Applicant and United Utilities. The surface water drainage scheme will follow the principles agreed in the Flood Risk Assessment submitted with the outline planning application, and in terms of flow rates a 5l/sec figure was proposed. The surface water will be discharged at a rate of 5l/sec into a combination of a new SUDs pond at the south edge of the site and existing sewers. A hydro-brake will be fitted to a manhole downstream, to ensure that the agreed flow rate is maintained. New oversized pipes will be installed and will provide attenuation for a 1 in 30-year storm event, while the attenuation pond will accommodate flows from a 1 in 100 plus 40% climate change event.

Considering foul water, the scheme will have two foul water discharges. 108 plots will connect south into the existing sewer located on Cocker Mill Lane using standard pipe sizes under the roads. The remaining 93 plots will discharge into an existing adopted sewer on the northern boundary. Both will drain by gravity and there is no requirement for any new foul pumping facilities.

There are existing United Utilities assets that run through the site. The existing attenuation tank will remain in situ. Sewers within the site will need to be diverted through the site to accommodate the development, and this can be done under a s185 agreement with United Utilities.

United Utilities have reviewed the information submitted and, following extensive discussions, have raised no objections to the current scheme.

Therefore, the development complies with policy 19 and the information also satisfies the requirements of condition 14 on the outline permission.

Ecology

Condition 12 of the outline planning permission sets out a requirement for a number of ecology surveys to be submitted with the reserved matters application, including the following:

- Breeding Bird Survey Report;
- Badger Method Statement;
- Construction Environment Management Plan;
- Landscape and Ecological Management Plan; and
- Biodiversity Net Gain Report

GMEU have reviewed the information submitted and have concluded that the above reports are considered acceptable. In summary, the information identifies mitigation required for bats and barn owls as a result of the development, and this will be secured by way of condition. The information set out in the LEMP as discussed above, demonstrates how the open space will be managed for the lifetime and this will also be secured by way of condition.

GMEU did reference the requirements of Condition 22 of the outline planning permission, which is a prior to first occupation condition relating to a detailed scheme for street lighting. The applicant is aware of this; however, this information is not required as part of the reserved matters application. The applicant has stated that these details will be submitted prior to first occupation as required and GMEU will be consulted on any information submitted.

Highways

Condition 4 of the outline planning permission requires details of the emergency access. The position of the emergency access point was agreed as part of the outline planning permission. The specification includes a 4m wide strip, situated north east of the site and will lead on to Cowlshaw. Bollards are also included in the specification to prevent car users from using access in a non-emergency. Details of the emergency access can be found on the proposed site plan ref:4490-DSL-001 Rev D and Proposed Emergency Access Plan 3353-FO3. The details have been reviewed by the Highways Engineer and are considered acceptable.

Condition 5 of the outline planning permission requires details of off-site highways improvement scheme in the vicinity of Cocker Mill Lane and Shaw Road to be submitted with the reserved matters application. The applicant has submitted a plan, which proposes the following improvement works:

- Right turn arrow and additional lane marking to guide south-west through-traffic past the right turn pocket.
- Removal of the existing tapers with short lateral deviation and replaced them with longer/more standard tapers with red surfacing.
- Added in "SLOW" markings with red surfacing on each approach on Shaw Road.

A number of representations have been received in relation to the improvement works, to raise concerns that the proposals are not at the level required to mitigate for traffic increase, that would result from the development. However, the proposals have been considered by the Highways Engineer and the improvements are considered acceptable.

Condition 7 requires the submission of access to individual buildings, site lines and highways drainage with the reserved matters application. These details have been submitted with the application and are considered to be acceptable.

CONCLUSION

The details submitted for reserved matters are considered to be acceptable and will ensure the development is delivered in an appropriate way. The proposals' proximity and siting means neighbouring amenity would not be impacted to unacceptable levels and highway and pedestrian safety will be maintained. Therefore, the proposal meets the criteria in NPPF Sections 5, 9 and 12 and Local Plan policies 1, 3, 5, 9, 15 & 20.

RECOMMENDATION:

It is recommended that the Planning Committee resolves to grant permission, 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. 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. The affordable housing units shown on plan 4490-AHL-001(d) shall comprise 10 rented and 11 intermediate units that will be delivered in accordance with an affordable housing scheme to be submitted and approved in writing by the LPA. The affordable housing scheme shall be submitted and approved prior to the occupation of any market dwellings on the site and will comprise the following details:
 - a) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - b) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved);
 - c) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - d) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON - To ensure an appropriate mix of dwellings is provided having regard to Policies 10 and 11 of the Oldham Local Plan.

4. The open space and landscaped areas of the development shall be managed, implemented and maintained in accordance with the details set out in the Landscape and Environment Management Plan Revision 04 March 2021 for the lifetime of the development. REASON - To ensure that the open space is managed effectively, in accordance with Policy 21 of the Oldham Local Plan.
5. All hard and soft landscape works shall be carried out in accordance with the approved plans (Refs: UG_198_LAN_GA_DRW_01 Rev P05, UG_198_LAN_SL_DRW_04 Rev P05, UG_198_LAN_SL_DRW_05 Rev P05, UG_198_LAN_SL_DRW_02 Rev 05 and UG_198_LAN_SL_DRW_03 Rev P05) prior to the occupation of any part of the development or in accordance with a programme to be approved in writing by the local

planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out 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.

6. 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.
7. The development hereby approved shall be carried out in accordance with the details set out in Section 4 and 5 of the submitted Construction Environment Management Plan Revision 02 - March 2021. REASON - To ensure a safe form of development that considers impacts to ecological value, in accordance with Policy 9 and 21 of the Oldham Local Plan.
8. 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 Ref (4490-DSL-001 Rev D) 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.
9. The development hereby approved shall be carried out in accordance with the physical security specifications set out in Section 4 of the submitted Crime Impact Statement Version 1.0, September 2021. REASON - To ensure a safe form of development in accordance with Policy 9 of the Oldham Local Plan.
10. The development hereby approved shall be carried out in accordance with the bat mitigation set out in Section 5 of the submitted Bat Method Statement (March 2021 Rev 03 Urban Green). REASON - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.
11. No development shall take place unless and until, either of the following has been provided to the Local Planning Authority:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or,

b) a statement in writing from the relevant licensing body to the Local Planning Authority to the effect that it does not consider that the specified development will require a license.

REASON - To safeguard any protected species which may either live or forage within the site in accordance with Policy 21 of the Local Development Framework and the National Planning Policy Framework.

12. The development hereby approved shall be carried out in accordance with the mitigation set out in Section 5 of the submitted Breeding Bird Survey (March 2021 Rev 04 Urban Green). 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.

13. The development hereby approved shall be carried out in accordance with sections 8 & 9 of the Energy and Sustainability Statement (AES Consultants Ltd April 2021). REASON - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

14. No demolition or development groundworks shall take place until the applicant or their agents or successors in title has implemented a programme of Archaeological Building Recording and Archaeological Evaluation in accordance with the approved Written Scheme of Investigation prepared by Wardell Armstrong in April 2021 and submitted as part of the planning application. The WSI covers the following:

1. A phased programme and methodology of investigation and recording to include:

- i) historic building survey (Historic England Level 2)
- ii) archaeological evaluation
- iii) informed by the above, targeted open area excavation and recording (subject of a new WSI)

2. A programme for post-investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

REASON: In accordance with NPPF Section 16, Paragraph 205 - to record and advance understanding of the significance of any heritage assets to be lost (wholly or

in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

LOCATION PLAN (NOT TO SCALE)

