

APPLICATION REPORT – FUL/348472/22
Planning Committee 24th August 2022

Registration Date: 9th February 2022
Ward: Alexandra

Application Reference: FUL/348472/22
Type of Application: Full Application

Proposal: Full planning application for the construction of a Bike Recreation Hub (Use Class F2(c)) consisting of 2 bike track areas and ancillary service area, hard and soft landscaping, new car park on Cherry Avenue and footpath diversions and improvements and vehicular access improvements.

Location: Land Off Cherry Avenue and Snipe Clough, Oldham, OL8 2HS

Case Officer: Graham Dickman
Applicant: Anna da Silva
Agent: Mr Ian Ford

INTRODUCTION

This application is presented to Committee as a Major application involving the Council as applicant and landowner.

RECOMMENDATION

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

THE SITE

This application relates to an area of approximately 3.2 hectares comprising naturally vegetated grassland and two blocks of semi-natural broad-leaved trees, a band of which continues around the southern and eastern fringes of the site.

Both existing and under-construction housing lie adjacent to the site boundary on Furness Avenue to the east and Cherry Avenue to the south.

A footpath along the northern boundary of the application site extends from Furness Avenue westwards towards Snipe Clough and the associated informal recreational areas. Public footpaths 176 OLDH and 8 OLDH also cross the site.

THE PROPOSAL

The proposal relates to the provision of a new cycle training and recreation area. This will include a pump track featuring rollers, banked turns, inclines, and declines, appearing as raised tarmac tracks with grass banking, and a larger skills track.

Associated facilities will include a bike hire station and repair workshop. A separate block containing toilet/shower facilities will include a hatch for selling tickets and snacks with an outside seating area.

These facilities will be provided in five secure container groups to the west of the proposed tracks, along with two staff parking spaces and two disabled persons' spaces. The containers will be finished in a low maintenance, *corten* steel rusted finish.

A main visitor car parking area with 22 spaces (including one for a minibus) will be provided adjacent to an existing games court on Cherry Avenue, with improved footpath access to the bike hub.

It is also anticipated that provision for coaches will be made a short distance from the Bike Hub on the main access track (Tip Road) as part of the wider Northern Roots proposals.

The existing footpath linking the main access track (Tip Road) from the wider Snipe Clough site will be increased in width and resurfaced to allow for the site to be serviced, albeit with the installation of gates to manage access.

Existing public footpaths which cross the site will be improved and diverted as required. A separate application for diversion of the footpaths under Section 257 of the Town and Country Planning Act 1990, as amended will also be required.

It is anticipated that the facility will be staffed between 09.00 and 17.00 hours on every day.

RELEVANT HISTORY OF THE SITE

FUL/348898/22 - Hybrid planning application seeking full/part outline consent comprising:

- (a) Full application for the erection of a visitor centre, events building with meeting pods, learning centre, forestry depot, ground mounted solar PV array and associated works, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street.
- (b) Outline application (all matters reserved except for access) for a community growing allotment, relocation of football pitch provision and swimming pond.

Pending determination

RELEVANT PLANNING POLICIES

The 'development plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is largely unallocated by the Proposals Map associated with the Joint Development Plan Document. However, the proposed improvements to the access track are within the green belt.

The following policies are considered relevant:

- Policy 1 – Climate change and Sustainable Development
- Policy 2 – Communities
- Policy 9 - Local Environment
- Policy 19 – Water and Flooding
- Policy 20 – Design

Policy 21 – Protecting Natural Environmental Assets
Policy 22 – Protecting Open Land
Policy 23 – Open Spaces and Sports

CONSULTATIONS

Highways Officer:	No objections subject to the recommended conditions.
TfGM:	No objections following clarification of information within the Transport Assessment. However, it has been requested that additional secure cycle storage is provided.
Environmental Health:	No objection subject to conditions in relation to landfill gas and contaminated land investigations.
Trees Officer:	No objection subject to appropriate replacement planting.
United Utilities:	Following additional discussions and the information provided, a solution has been agreed in respect of the protection of the sewer which passes through the site.
G M Ecology Unit:	No objection subject to demonstration of Biodiversity Net Gain, and conditions in relation to badger surveys, amphibians, hedgehog, nesting birds, and invasive species.
Coal Authority:	No objection subject to written confirmation that the site is, or has been made, safe and stable for the approved development.
GM Archaeological Advisory Service:	No objections

REPRESENTATIONS

The application has been advertised by press notice, site notices, and direct neighbour notification.

3 objections and one neutral representation have been received raising the following issues:

- Objection as the bike hub will infringe on the Green Belt
- Noise and disturbance given the proximity to houses
- Better alternative sites available on open land away from houses
- Loss of privacy to Furness Avenue if trees are taken down
- Loss of view
- Anti-social behaviour from motorbikes.

First Choice Homes, whilst recognising the socio-economic benefits of health and wellbeing for cyclists using the track, has expressed the following concerns:

- 26 parking spaces in peak times will not be sufficient and visitors will have no other option but to park on Cherry Avenue which will be a significant inconvenience and cause disruption to residents
- concerns about potential noise, anti-social behaviour and crime during unsociable

- hours, and no indication of surveillance outside operating hours
- New routes linking existing rights of way may further impact on the privacy and enjoyment of residents on Cherry Avenue.
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PLANNING CONSIDERATIONS

Principle of the development

NPPF Paragraph 92 requires that planning decisions should aim to enable and support healthy lifestyles, including through the provision of sports facilities.

Local Plan Policy 2 indicates that the Council will support proposals to new and improved community facilities that meet an identified need.

Although comprising an area of open space, the site presently offers limited recreational potential. Local Plan Policy 23 states that the loss of an area of open space will be permitted where, for example, the proposals are for a new outdoor sport or recreational facility which is of sufficient benefit to the development of sport or recreation or to the open space function to outweigh any harm resulting from its loss.

In this instance there will be a demonstrable improvement in the value of the site encouraging a wider range of people to take advantage of the facility.

Furthermore, the proposals form part of the wider vision for enhancement of recreational facilities in areas of the borough which suffer from deprivation.

Although the vehicular access routes from Kings Road are located within the Green Belt, those works would comprise engineering operations which would preserve the openness of the Green Belt and result in no conflict with any of the purposes of the Green Belt. It would therefore comprise 'appropriate' development in the context of Local Plan Policy 22 and NPPF paragraph 150.

Highways matters

A Transport Assessment and Travel Plan has been submitted with the application. These documents consider the impact of the development on the local highway network, including road safety, the road traffic accident record, and the accessibility of the site in relation to transport provision, and the promotion of sustainable access options.

Access on foot or by cycle is presently available from a number of entrance points. The proposed facility will be serviced via an improvement to the existing vehicular and non-vehicular tracks leading to Kings Road, Cherry Avenue, and Furness Avenue.

It is anticipated that the development has the potential to generate 20000 visitors per annum. TfGM has sought clarification on the assessment and requested additional information. As a result, it is now satisfied that the scheme will not result in adverse impact on the local highway network.

A new car parking area for visitors arriving by car is to be provided on land off Cherry Avenue. In addition, the site is considered to be accessible by a choice of sustainable travel options. It is anticipated that many users will arrive by cycle.

In addition, users will also be able to utilise car parking at various locations around the wider

Northern Roots site, although this application is not reliant upon that provision to make the Bike Hub development acceptable in planning and highway terms.

Paragraph 111 of the NPPF states that development should only be prevented on highway grounds where there would be an unacceptable impact on highway safety or the residual impacts on the road network would be severe.

Having regard to the submitted information, both the Highways Officer and TfGM are satisfied with the proposed measures.

A Travel Plan Co-ordinator will be appointed to lead on the day-to-day delivery of the plan and update the travel information pack annually.

Public Rights of Way Diversions

There are two public footpaths within the site. OLDH 176 runs through the site in a north-south direction towards Cherry Avenue, whilst OLDH 8 emerges from Cherry Avenue heading in a westerly direction (although this is not distinct on the ground). These will be diverted around the new facility with improved surfacing and provision of steps where necessary.

A separate application for diversion of the footpaths under Section 257 of the Town and Country Planning Act 1990 (as amended) will also be required.

Visual amenity

A Landscape and Visual Impact Assessment has been submitted.

Although visible from the access track to the north, the backdrop to the south and east will continue to be of woodland planting, with residential properties beyond.

The skills track has been positioned to accommodate a natural fall in the land levels and the tracks themselves would not appear as prominent bulky structures in the context of the surrounding landscape.

Similarly, the buildings will be limited to small scale, single storey containers.

Residential amenity

The site will remain visually and spatially separated from the nearby houses on Cherry Avenue and Furness Avenue by established banks of trees.

A Crime Impact Statement has been submitted which has been prepared by GM Police Design for Security, which welcomes the proposals.

To help reduce the potential of anti-social behaviour in connection with the new car park, it is proposed that security lighting is provided. A security gate will be put in place at the entrance of the car park to prevent cars from entering or leaving the site after a certain time as the gate will be locked by the site management team. Signs will clearly show that this form of traffic control will be implemented past a certain time.

Implementation of such measures will be subject to planning condition.

Ecology and trees

The application has been accompanied by an Ecological Assessment and Arboricultural Impact Assessment (AIA).

The application site is not within any designated sites of national importance, with the nearest located 600m to the north and separated from the site by existing housing. Similarly, the nearest non-designated site is 480m to the south.

Installation of the tracks will result in some tree loss but will not significantly impact on the overall extent and connectivity of the woodland. The grassland on site which will be affected is of limited ecological value.

A total of 225 new trees are proposed to replace the 75 which will be lost, along with creation of an area of woodland scrub adjacent to the retained tree line.

The Trees Officer notes that existing trees both to be retained and also removed have been adequately considered and accounted for within the AIA. There is the requirement to remove a significant number of trees but there is also sufficient compensatory new tree planting proposed both on-site and throughout the wider Northern Roots site.

A further detailed Arboricultural Method Statement, precisely detailing those measures that will be undertaken as outlined within the Arboricultural Impact Assessment, will be required.

Mitigation has been put in place for the loss of poor-quality woodland to allow the proposal to be built which includes additional tree and shrub planting to enhance the biodiversity of the area.

In order to assist with biological enhancement, additional hibernation and refuse opportunities will be provided, including the installation of bat, bird, and invertebrate boxes.

GM Ecology Unit has advised that the applicant has demonstrated that the site can achieve a minimum 10% Biodiversity Net Gain. A condition will be required for the submission of details of where habitat creation and enhancement will occur for a survey of potential use and provision of reasonable avoidance measures in respect of protected species, and for the eradication of invasive plant species.

Drainage

A Sustainable Drainage Strategy has been submitted.

United Utilities has highlighted that the proposed skills area bike track area will be built over existing wastewater sewers restricting access to the sewers. As a consequence, discussions have taken place with the applicant to secure an acceptable method of protection. United Utilities has confirmed the application can be approved.

Ground conditions

A Geo-environmental Phase 1 Desk Study has been submitted. Based on that assessment it is recommended that intrusive site investigations are undertaken to establish the presence of recorded or unrecorded mine workings, historic landfill, and culverted watercourse.

The Environmental Health team has recommended a condition on this basis.

The Coal Authority has identified the site as being within a Development High Risk Area.

Therefore, it is recommended that any approval is subject to a condition requiring confirmation that the site is, or has been made, safe and stable for the approved development, confirming the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Archaeology

An Archaeological Desk-Based Assessment has been undertaken. It concludes that the potential direct impacts upon known heritage assets are not considered to be a significant constraint. This conclusion is supported by GM Archaeological Advisory Service.

CONCLUSION

The proposal will provide an enhancement to the recreational offer within the urban area and assist in the promotion of healthy lifestyles. The scheme would in effect form a first phase as part of the wider Northern Roots objectives. It will enable riders to improve their skills, whilst providing ancillary facilities, including bike repair and places to obtain refreshments.

The proposal will create significantly improved sport and recreation facilities within the area, as well as educational provision to improve cyclists' skills.

Whilst some impacts on amenity and traffic have been identified, sufficient consideration has been given to mitigating any impacts to a degree where they would be outweighed by the benefits of the development.

RECOMMENDED CONDITIONS

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. No development, other than site clearance, shall commence unless and until a site investigation and assessment into landfill gas risk and ground contamination, including any historic gas mining legacy features, has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. In order to fully discharge the condition, the written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and to confirm that the site has been made safe and stable for the development. REASON - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
4. Prior to the commencement of any earthworks or vegetation clearance, a method statement of reasonable avoidance measures for the protection of badger, amphibians, and hedgehog shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved measures. REASON - To ensure the protection of ecological

interests having regard to Policy 21 of the Oldham Local Plan.

5. 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.
6. Prior to the commencement of any earthworks, a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed and an updated survey for Himalayan balsam shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented. REASON - To ensure the control of invasive plant species having regard to Policies 9 and 21 of the Oldham Local Plan.
7. The bike hub facility hereby approved shall not be brought into operation until the car parking spaces and associated vehicular and footpath access as indicated on the approved plan has been provided in accordance 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 accesses and parking spaces. Thereafter the parking spaces 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
8. A scheme to mitigate any impact of crime and anti-social behaviour, including measures to prevent access to the proposed car parking area outside the operational hours of the Bike Hub, shall be fully implemented in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The proposed measures shall be retained at all times thereafter. REASON - In the interests of the amenity of the local area having regard to Policy 9 of the Oldham Local Plan.
9. All hard and soft landscape works shall be carried out in accordance with the approved Softworks and Tree Planting Plan prior to the bike hub being brought into use or in accordance with the programme agreed with 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.
10. Prior to the bike hub being brought into use, a scheme and timetable for the achievement of Biodiversity Net Gain, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details and timescale. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and paragraph 174 of the NPPF.

11. Within three months of the commencement of the use hereby approved, a travel plan shall be submitted for the written approval of the local planning authority. The approved travel plan shall be implemented within a further three months of the written approval of the Local Planning Authority. REASON - In order to promote sustainable means of travel having regard to policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (IN RED, NOT TO SCALE)

