

# PLANNING COMMITTEE

7<sup>th</sup> June 2023

## Late information

| AGENDA PAGES  | DETAILS   |
|---------------|---|
| Pages 25 - 46 | <p data-bbox="491 510 1102 539"><b>AGENDA ITEM NUMBER: 9 (FUL/349826/22)</b></p> <p data-bbox="491 584 1198 613"><b>ADDITIONAL REPRESENTATION AND RESPONSE</b></p> <p data-bbox="491 658 1225 687">Land to the east of Huddersfield Road, Diggle, OL3 5NU</p> <p data-bbox="491 732 983 761"><b>ADDITIONAL REPRESENTATIONS:</b></p> <p data-bbox="491 797 1509 893">Further to the publication of the Planning Committee agenda two additional representations have been received making the following (summarised) comments:</p> <ul data-bbox="539 938 1509 1442" style="list-style-type: none"><li data-bbox="539 938 1509 1034">• Key data sets within the Transport Assessment submitted are more than 14 years old and are therefore unlikely to accurately reflect current school traffic flows.</li><li data-bbox="539 1043 1509 1205">• OMBC have not been able to provide the objector a complete copy of The School Travel Plan 2010, but from the limited information they have seen, the data is of very poor quality, and they have grave concerns as to the accuracy and suitability of the data for the purposes to which it is being put.</li><li data-bbox="539 1214 1509 1339">• The objector is perplexed as to why there is a preference to use historic data to support this planning application, when (now that the school is in operation) current traffic data could be used to determine the impact of the scheme much more accurately.</li><li data-bbox="539 1348 1509 1442">• Images of the site during a flooding event have been provided to support concerns that the development will have an unacceptable impact on local flooding.</li></ul> <p data-bbox="491 1480 938 1509"><i>Transport Assessment Response:</i></p> <p data-bbox="491 1547 1509 1744">As part of the highway assessment of this application, additional information was requested of the Applicant by both Transport for Greater Manchester and the Local Highway Authority. This included updated traffic counts. An updated School Travel Plan was required as part of the previous planning application for the school, and the Council's Highway Engineer has confirmed that this is not relevant to the assessment of this current application.</p> <p data-bbox="491 1783 743 1812"><i>Flooding response:</i></p> <p data-bbox="491 1850 1509 2009">The majority of the site is located in Flood Zone 1 and no objection on the grounds of flooding to both the current and extant planning permission has been raised by the Environment Agency and Lead Local Flood Authority have been raised. Moreover, it is clear the development includes an 8m buffer from the top of the bank of Diggle brook, which protects the riparian corridor.</p> |

**ADDITIONAL INFORMATION:**

The applicant has submitted the following amended plans, which address the highway alterations which were agreed would be undertaken prior to consideration at planning committee:

4485-ENG-005-1 REV F  
4485-ENG-005-2 REV G  
4485-ENG-005-3 REV G  
4485-ENG-005-4 REV J  
4485-ENG-101 REV K  
4485-ENG-102 REV F  
4485-ENG-103 REV D  
4485-ENG-105-1 REV F  
4485-ENG-105-2 REV F  
4485-ENG-105-3 REV E  
4485-ENG-116-1  
4485-AHL-01 REV G  
4485-BTL-01 REV I  
4485-DSL-01 REV I  
4485-EVCL-01 REV G  
4485-LDL-01 REV G  
4485-MAT-01 REV G  
4485-PL-01 REV G  
4485-WML-01 REV G

**AMENDMENT TO THE REPORT:**

It is noted that the header on the published report contains the incorrect ward name. For the avoidance of doubt the application site is located within the Saddleworth North Ward (not Saddleworth West and Lees).

**DESIGN** (paragraph 14.6)

In regard to the appearance of the development, it is noted that the applicant has sought to address the LPA's concerns in regards the construction materials, with the submission of plan ref: 4485-MAT-01E.

This plan states the development will be erected in the following materials:

- Stanton Moor natural stone Buff Pitched face 140mm random lengths; and,
- natural slate to be Cupa R14 500 x 250mm Spanish Slate

These are considered to address the concerns raised in paragraph 14.6 in the report, as the material are acceptable, and the pre-commencement condition no.3 has been fully addressed.

To this end, it is officers' recommendation to the committee that condition no.3 be amended to take account of plan ref: 4485-MAT-01E, as outlined in the Amended Recommendation section below.

**HIGHWAY SAFETY** (Paragraphs 13 to 13.4)

Following the submission of amended detailed site layout plan (Ref 4485-DSL-01 Rev L), the developer has addressed the outstanding tweaks required to address the remaining concerns raised by the Highway Engineer, and condition no. 13 is proposed to be amended to take account of this submission.

Moreover, within the Highway Engineer's final comments it is noted that during the consideration of the current scheme a Transport Assessment was submitted. This considered the likely impact of the proposed development on the local highway network. This has been assessed and it is considered that there will not be any additional significant amount of traffic generated which would have a severe impact on the network.

The mitigation measures that will be implemented as a result of the construction of the new school will serve to mitigate the impacts of the proposed residential development whilst improving the highway safety in the area and for future residents.

The proposed highway layout is acceptable and will be considered for adoption by the local Highway Authority. This will include the provision of waiting restrictions on the new access roads. Parking provision is acceptable, and it is not considered that there will be an increase in the demand for on street parking on the local highway network from residents as a result of the proposed development.

**AMENDMENT TO RECOMMENDATION:**

*Amendment to condition no.3:*

Original wording:

3. *No development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.*

*REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan*

Proposed amended wording:

3. *The development hereby approved shall be fully implemented in accordance with the hereby approved Material layout Plan ref: 4485-MAT-01 Rev G. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.*

*REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan*

The reasoning for this amendment is outlined above in the Amendment to the Report, Design section above.

*Amendment to condition no.13.:*

Original wording:

*13. 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 Ref: 4485-DSL-01Rev J 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.*

Proposed amended wording:

*13. 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 Ref: 4485-DSL-01Rev 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.*

The reasoning for this amendment is outlined above in the Amendment to the Report, Highway Safety section above.

*Amendment to condition no.14:*

Original wording:

*14. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 4485/ENG/101, Rev A - Dated 18/08/2022 which was prepared by Redrow. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the*

*drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.*

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.*

Proposed amended wording:

*14 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 4485/ENG/101, Rev K - Dated 18/08/2022 which was prepared by Redrow. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.*

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.*

The reasoning for this amendment is that the changes in layout following the applicant addressing highway safety concerns has meant this plan needed to be updated also.

*Amendment to condition no.18:*

Original wording:

*18. A landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas; post invasive non-native species management/control programme (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:*

- details of maintenance regimes;*
- details of all newly introduced soft landscaping including planting schedule;*
- predominantly based on native species;*
- details of any new habitat created on site;*
- details of treatment of site boundaries and/or buffers around water bodies;*
- details of invasive non-native monitoring regime; and,*
- details of how semi-natural habitats will be sensitively managed over the longer term including adequate financial provision and named body responsible for management.*

*REASON - To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature*

*conservation value in line with national planning policy and adopted policy 6, 19 & 21 of the Local Development Framework Core Strategy.*

Proposed amended wording:

*18. The development hereby approved shall be fully implemented in accordance with the hereby approved Landscape and Ecological Management Plan Rev A (R.Hacking, dated 02/03/2023) and Landscape Plan 6987.06 Rev A (T.Bridge, dated Aug 22). The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.*

*REASON - To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy 6, 19 & 21 of the Local Development Framework Core Strategy.*

It is clear from consultee responses that this detail has already been submitted and considered by the Greater Manchester Ecology Unit and Environment Agency.

The EA has requested the submission of an integrated strategy for invasive species control and long-term landscape management (reflected in condition 17), it is unnecessary to submit a further detail in this matter, therefore a compliance condition is now proposed.

*Addition of condition no. 19:*

It is noted that an un-numbered condition at the end of the report has come through from the report drafting process, which notes a method statement for addressing invasive species should be submitted. This detail has already been provided and considered. Therefore, the following compliance condition is proposed:

*19. The development hereby approved shall be fully implemented in accordance with the hereby approved Landscape and Invasive Species Method Statement - Huddersfield Road Diggle 2023 - REV A (R.Hacking, dated 10/02/2023).*

*REASON - To prevent the spread of and Invasive Species.. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 170, where planning decisions should contribute to and enhance the natural and local environment & 174, plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

*Addition of condition no.20:*

Further to the comments for the Councils Highway Engineer in the Amendment to the Report, Highway Safety section above, the following additional condition is recommended:

*20. No works to the access to the site can commence until a drawing has been submitted to and approved in writing by the local Planning Authority with details of the access onto Huddersfield Road including amendments to the existing school safety zone. All works to be completed before the access is brought into use and retained thereafter*

*Reason- To ensure that access to the site is acceptable having regard to Policies 5 and 9 of the Local Plan*