

APPLICATION REPORT - FUL/347760/21
Planning Committee 20th September 2023

Registration Date: 20th October 2021
Ward: Failsworth East

Application Reference: FUL/347760/21
Type of Application: Full Application

Proposal: Demolition of existing buildings and erection of 27 no. dwellings
Location: Bottom Field Farm, Medlock Road, Failsworth, Oldham, M35 9UA,

Case Officer: Graham Dickman
Applicant: Sheridan Group Ltd
Agent: Mr Stephen Harris

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as it relates to a Major development of over 20 dwellings which if approved would presently involve a departure from the provisions of the Development Plan.

2. RECOMMENDATION

- 2.1 It is recommended that the application should be approved subject to:
1. The conditions set out in this report;
 2. The completion of a Section 106 agreement for a financial contribution of £300,000 towards affordable housing provision, and for a requirement for an additional payment should the development secure a profit for the developer above 20%; and,
 3. The Head of Planning to issue the decision following completion of the legal agreement.

3. THE SITE

- 3.1 This application relates to a roughly triangular site located amidst open fields to the south of the settlement of Woodhouses. Within the site there is a large two-storey farmhouse and a variety of single storey buildings of differing styles and sizes.
- 3.2 Vehicular access is obtained from Hartshead Crescent which leads from Medlock Road and is adopted to the point where it passes from the established housing development into the application site. The then private roadway forms a circular route within the site.

- 3.3 Public Footpath (48 FAILS) emerges from Hartshead Crescent at the same point and skirts the north-east boundary of the site.

4. THE PROPOSAL

- 4.1 This is a full application for the demolition of all existing buildings and the erection of 27 dwellings served via a cul-de-sac arrangement.
- 4.2 There is a mix of houses comprising:
- 2 no. three-bedroom semi-detached houses;
14 no. four-bedroom semi-detached houses;
7 no. four-bedroom detached houses; and,
4 no. five-bedroom detached houses.
- 4.3 The properties include a variety of designs, the majority of which comprise two storeys with additional roof space accommodation provided via a mix of small, pitched roof dormers and rooflights.
- 4.4 With the exception of the properties facing the access road at the entrance to the development, the rear of the dwellings generally face outwards across the adjacent fields, with rear gardens enclosed by solid timber boundary fencing.

5. RELEVANT HISTORY OF THE SITE

- 5.1 FUL/350924/23 – Pumping station. Pending determination.
- 5.2 PRCU/336057/14 – Prior approval for change of use from an agricultural building into 3 no. dwellings. Prior approval required and refused on the grounds that the building was not fully in agricultural use and therefore did not comply with the relevant regulations.19 November 2014

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as Green Belt. As such, the following policies are considered relevant to the determination of this application:
- 6.2 As such, the following policies are considered relevant to the determination of this application.
- Policy 1 – Climate Change and Sustainable Development;
 - Policy 3 – An Address of Choice;
 - Policy 5 – Promoting Accessibility and Sustainable Transport Choices;
 - Policy 9 – Local Environment;
 - Policy 18 – Energy;

- Policy 19 – Water and Flooding;
- Policy 20 – Design;
- Policy 21 – Protecting Natural Environmental Assets;
- Policy 22 – Protecting Open Land; and,
- Policy 25 – Developer Contributions.

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

7. CONSULTATIONS

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| Highways | No objections subject to conditions in relation to provision of the access and parking spaces, alteration to the public right of way, and for a Construction Management Plan. |
| Environmental Health | Recommend conditions in relation to disposal of waste, contaminated land/landfill gas investigations, and construction management. |
| Trees Officer | No objection in principle. However, mitigation for tree loss will be required. |
| G M Ecology Unit | Further assessment required in relation to bats and the pond and for an Environmental Management Plan. There is satisfactory opportunity for BNG Net Gain on the wider site within the applicant's control. |
| Natural England | No comments |
| Education | There is adequate provision of education places in the wider Failsworth/Hollinwood area. |
| Ramblers | No objections to the proposed diversion of Footpath 48 |
| Health & Safety Executive | Do not advise against the application. |
| Cadent Gas | Recommend a holding objection whilst engineers assess the proposal and direct the Council to the HSE's Planning Advice Web App. |

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.

In response 10 objections and one neutral comment have been received. The representations include the following (summarised) comments:

- Impact on the Right of Way (para 13.4)
- Demolition of the barns will lead to a loss of that natural habitat for bats (para 15.8)
- Inadequate ecological report (para 15.7)
- Problems due to existing building work in the area (para 13.6)
- Access road along Hartshead Crescent and junction with Medlock Road is not designed for the increased amount of traffic (para 13.2)
- These are expensive properties similar to those under construction and would not support those getting on to the housing ladder (para 19.4)
- The properties are tall and not in character with the area (para 12.1)
- Further pressures on infrastructure, including local schools, shops, and doctors (para 17.5).
- Need to ensure no further intrusion into the countryside (para 11.15)
- Adverse drainage impacts (para 16.2)
- Prematurity in light of the current status of PfE (Section 9)
- Adverse impact on the Conservation Area (para 14.1)

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application proposes a development of 27 dwellings on a site historically occupied by agricultural buildings and an associated farmhouse. It is surrounded by largely open fields. It is spatially separated from the urban area of Woodhouses by approximately 50 metres to which it is linked by an access road.
- 9.2 The present character of the site and the existing buildings within bear little relationship to the neighbouring suburban style of residential development in the vicinity.
- 9.3 Although originally in agricultural use, at some unspecified time, uses associated with equestrian activities have increasingly proliferated. Evidence provided by the previous site owner, along with historical images of the site, indicate that, with the exception of a couple of buildings in the north-west corner, the site has been in active equestrian or ancillary residential use for at least 10 years.
- 9.4 Whilst aerial imagery is not conclusive, it is evident that by 2009 at the eastern side of the site a manege had been formed along with middens. This appears to support the assertion of non-agricultural use.
- 9.5 The Council does not have any definitive evidence to counter the previous owner's assertions, and it is noted that in the 2014 prior approval application referenced above, non-agricultural uses had been observed at the site.
- 9.6 In such circumstances, it is appropriate to consider the site to represent brownfield (previously developed) land. Nevertheless, even where so designated, the Glossary to the NPPF clarifies that "it should not be assumed that the whole of the curtilage should be developed".

- 9.7 At present the site is located entirely within the adopted Green Belt. NPPF paragraph 140 is clear that, once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans.
- 9.8 Therefore, the assessment of any development proposals must presently be in accordance with Local Plan Policy 22 and Part 13 of the NPPF. However, emerging policy is also a material planning consideration.
- 9.9 The site was initially proposed for removal from the Green Belt in the Greater Manchester Spatial Framework (GMSF). GMSF evolved into the Places for Everyone Joint Plan (PfE), and PfE, as currently proposed, includes this site as a residential allocation recommended for removal from the Green Belt.
- 9.10 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans. PfE is an emerging Plan which will form part of Oldham's development plan upon adoption.
- 9.11 Examination in Public of the Plan is largely complete. In June 2023 the Inspectors set out further suggested modifications considered necessary for soundness. Although some amendments to the allocation criteria have been proposed, the allocation itself will remain part of the plan. With PfE now at an advanced stage and with the Inspectors' initial findings having endorsed the inclusion of this site as an allocation to be removed from the Green Belt, this emerging allocation should hold substantial weight in the decision-making process.
- 9.12 The assessment below will consider the suitability of the development in light of both the extant Green Belt policy and the emerging allocation.

10. ASSESSMENT OF GREEN BELT

- 10.1 It is first necessary to consider the Green Belt aim and purposes.
- 10.2 NPPF paragraph 137 states that the fundamental aim of Green Belt policy is "*to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*".
- 10.3 In respect of the 5 purposes of the Green Belt in paragraph 138, the location of the site ensures the development will meet the tests of checking the sprawl of large built-up areas, preventing neighbouring towns from merging, and preserving the setting and special character of historic towns.
- 10.4 Although the proposed development footprint will extend beyond that of the existing buildings, it will nevertheless be contained within a clearly defined boundary within which the historic farm site is situated, and (with the exception of the pumping station – see report for FUL/350924/23 on this agenda) would not lead to encroachment into the surrounding countryside.
- 10.5 Whilst the proposal will make practical use of a largely previously developed site, it is not derelict and limited weight can be given to urban regeneration benefits.

- 10.6 With regard to existing national and local policies, NPPF paragraph 149 states that development in the Green Belt would not be inappropriate on previously developed 'brownfield' land where it would "not have a greater impact on the openness of the Green Belt than the existing development, or, not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority".
- 10.7 Consequently, it is important that assessment of the development in the context paragraph 149 is undertaken and the impact on openness therefore needs to be considered.
- 10.8 Case law has established that 'openness' can have spatial and visual aspects. Moreover, the assessment of weight to be given to those factors will be dependent on the circumstances in each case.
- 10.9 At present the site comprises a mix of buildings ranging from a traditional two storey farmhouse and a variety of single storey functional buildings, the majority of which are low lying with either pitched or flat roofs which help minimise their presence. Coverage is largely confined to the western half of the site.
- 10.10 The submitted Site Overlay Comparison Plan indicates the bulk of existing building coverage to be located in a central block. Here the bulk of the structure has a significantly low profile.
- 10.11 The Planning Statement indicates that the development will result in a -3.65% difference in volume, and -27.5% decrease in footprint. However, this in itself has no regard to height, visual prominence, or site coverage.
- 10.12 By contrast the proposed development sees the introduction throughout of buildings providing accommodation over two floors, with roof pitches designed to facilitate additional accommodation in the roof space. These properties are spread consistently across the whole site, in many cases much taller and in closer proximity to the site boundaries. Whilst the footprint of each dwelling is smaller than some existing buildings, no overall volumetric comparison has been provided.
- 10.13 Such a comparison is of course only one aspect of the spatial consideration, at which point there is overlap with visual considerations.
- 10.14 The submitted visual assessment states that "The changes arising from the proposed development on landscape character will be beneficial stemming from the replacement of a former farmstead that does not reflect local vernacular with a high quality residential development which is accompanied by a landscape strategy to enhance the GI of the site and the structure, pattern, condition and intactness of the surrounding farmland in the vicinity of the site to benefit the identified landscape receptors".
- 10.15 The existing buildings are in fact typical of those found at agricultural or similar rural settings, as is reflective of their original purpose. By contrast, other than the recent nearby development adjacent to Woodhouses Park undertaken by the applicant, there is

little local precedent for building of this contemporary design and scale proposed in the locality.

- 10.16 The submitted Design and Access Statement includes photomontages reflecting the proposed development taken from five vantage points. In each of those views there is a clear increase in the visual prominence of the development, both in terms of height of buildings and the spread across the site.
- 10.17 It is evident that prominent views of the site are available from both localised and distant receptors. As stated earlier, the present site character is one of functional agricultural style buildings of a type which are an established part of the urban fringe and rural landscape. The proposed development is an undeniably urban one of significant scale. To conclude that perception of the change in the site will be negligible in this context is clearly unsubstantiated.
- 10.18 Some weight can be given to the softening of the impact through landscaping, which would need to be beyond the application site boundary (given the close proximity of buildings), but on land within the applicant's control. In order to provide effective visual mitigation, given the height of the building, it would need to be substantive and would take a period of time to establish.
- 10.19 Whilst similar buildings have recently been approved on the nearby site, that site forms a contiguous visual link to the established built development. The more irregular setting of the application site, as a free-standing feature, provides contrast with any assessment of the visual impact on the Green Belt.
- 10.20 Consequently, it is considered that the present scheme would not wholly satisfy NPPF paragraph 149 (g). It is therefore necessary to establish whether any 'very special circumstances' exist to outweigh the identified harm to the Green Belt.
- 10.21 In the submitted Planning Statement, the applicant presents a case in favour of development on the following grounds:
- Very significant weight given to the persistent shortfall in housing land supply.
 - Significant weight to the regenerative benefits of using previously developed land.
 - Moderate weight to the achievement of at least 10% biodiversity net gain
 - Moderate weight to economic benefits from construction jobs and additional household spending
 - Moderate weight to enhancement to the character and appearance of the area through high-quality design and landscaping.
 - Limited weight to the lack of alternative sites to meet housing need in the local area.

11. EMERGING DEVELOPMENT PLAN POLICY

11.1 The proposed allocation (JP Allocation 13) stipulates that development of the site will be required to meet a number of criteria. These are considered in turn below.

11.2 Criterion 1.

“Deliver around 30 homes, providing a range of dwelling types and sizes to deliver inclusive neighbourhoods and meet local needs, including a mix of high-quality family housing and affordable homes in accordance with relevant local plan requirements”.

11.3 The proposal envisages the development of 27 properties and therefore falls within the general assessment of site density. The mix of properties does however lean heavily towards larger family housing.

11.4 The application is accompanied by a Viability Appraisal which concludes that the scheme cannot achieve viability for the provision of affordable housing. This Appraisal has been independently reviewed and subsequent discussions with the developer have concurred that a payment of £300,000 could be achieved., with remaining questions of additional potential contributions in light of the present uncertain housing market.

11.5 In light of the present uncertain housing market, the site has potential to achieve a greater return, and therefore it is also recommended that a provision is included that should the sales ultimately achieve greater viability, a further contribution shall accrue to reflect any additional profit. These aspects will be subject to a legal agreement.

11.6 Criterion 2.

“Make provision for other new and improved sustainable transport and highways infrastructure having regard to the indicative transport interventions set out in Appendix D in accordance with Policy JP-C7”.

11.7 This matter is addressed in the Highways section below.

11.8 Criterion 3.

“Reflect and respond to the special qualities and sensitivities of the key characteristics of the Incised Urban Fringe Valleys landscape character type in accordance with policy JP-G1”

11.9 This matter is addressed in the Landscape and Ecology section below.

11.10 Criterion 4.

“Provide further species surveys in accordance with the recommendations of an up-to-date Phase 1 Habitat Survey, having particular regard to further surveys that may be needed for amphibians, birds, and bats”.

11.11 This matter is addressed in the Landscape and Ecology section below.

11.12 Criterion 5.

“Define and/or strengthen the boundaries of the Green Belt around the site such that they will comprise physical features that are readily recognisable and likely to be permanent”.

11.13 Although the character of the existing developer site, comprising the former farmhouse, farm buildings, and hardstanding, is largely visually discerned from the surrounding fields, there is presently no formal delineated boundary.

11.14 The proposed external boundary treatments are primarily indicated to comprise solid treatments in the form of 2.4m high timber fencing. In other areas, low stock type fencing is proposed, albeit this does not relate to areas where private gardens adjoin or to the proposed access road. This will reduce the potential for future encroachment on the retained Green Belt.

11.15 Criterion 6.

“Provide for compensatory improvements to the environment quality and accessibility of remaining Green Belt in the vicinity of the site in accordance with policy JP-G2”.

11.16 This matter is addressed in the Landscape and Ecology section below.

11.17 Criterion 7.

“Consider the extraction of any viable mineral resources within Minerals Safeguarding Areas in accordance with Policy 8 of the Greater Manchester Joint Minerals Development plan (or any relevant policies in subsequent minerals plans)”.

11.18 The relevant policy states that proposals for non-mineral development within the Mineral Safeguarding Areas that do not allow for the prior extraction of minerals will only be permitted where:

1. The need for the development outweighs the need to extract the mineral; or
2. It can be clearly demonstrated that it is not environmentally acceptable or economically viable to extract the mineral prior to non-mineral development taking place; or;
3. It can be clearly demonstrated that the mineral is either not present or of no economic value or too deep to extract in relation to the proposed development; or;
4. The development is limited or temporary and would not prevent minerals extraction taking place in the future.

11.19 The Minerals & Waste Unit notes that the site lies on the outer boundary of the Minerals Safeguarding Area for coal and brick clay.

11.20 Given the site’s previously developed status, close proximity to established residential areas; the ecological value of the surrounding landscape; and the presence of the

high-pressure gas main, the site is unlikely to be deemed suitable for future mineral extraction.

12. LAYOUT AND DESIGN

- 12.1 During the assessment period for the application, amendments have been made to the layout and design/type of properties proposed. This has included a slight reduction in the height of the properties to lessen the visual impact.
- 12.2 Although in design terms the development will be distinct from the character of the closest neighbouring residential area, it is not considered that this would be unacceptable given the spatial separation therefrom.
- 12.3 Although the Council does not have adopted space standards, separation between habitable rooms would expect to achieve a minimum of 20m and habitable windows to blank/secondary elevations at 12m. In this context, adequate privacy would be achieved.
- 12.4 The dwelling types all exceed the overall space standards set out in the Nationally Described Space Standards document.
- 12.5 The proposed layout incorporates limited 'green areas', with in some cases plot coverage almost entirely devoted to buildings and hardstandings. Where planting is shown within the site this is often in close proximity to buildings and therefore severely limits the potential for significant arboricultural features to be accommodated effectively within the development site.
- 12.6 The dwelling frontages are dominated by hardstandings, which along with the height of the properties, creates an urban street scene.
- 12.7 Nevertheless, the wider land within the applicant's control offers significant opportunities for environmental enhancement.

13. HIGHWAY ISSUES

- 13.1 A Transport Technical Note has been submitted.
- 13.2 The Highways Officer has raised no objections to the principle of the development in terms of impact on road safety and the wider highway network from traffic associated with the proposed 27 dwellings.
- 13.3 At present Public Footpath 48 FAILS passes through the site in its north-east corner. There is presently no segregation from vehicles entering and leaving the site boundary which is shared with footpath users.
- 13.4 The proposals seek to relocate the path slightly beyond the site boundary creating a direct segregated route from the adopted section of Hartshead Close. The Ramblers have indicated no objections in principle to the change, which would need to be subject to a separate Footpath Diversion Order.

- 13.5 Alterations to the site entrance are proposed which would create a T-junction with traffic from Medlock Road and the wider highway network leading straight into the site from Hartshead Crescent. This change would be subject to a separate agreement with the Local Highway Authority.
- 13.6 As access to the development will be via an existing residential area, it will be necessary for the developer to submit a Construction Management Plan to demonstrate how building operations will be undertaken to minimise disruption.

14. HERITAGE MATTERS

- 14.1 Except where it extends into the area of recent housing development, the Conservation Area boundary is separated from the site by modern development. Therefore, the proposal would have a neutral impact on the character and appearance of the Conservation Area or other heritage assets.

15. LANDSCAPE AND ECOLOGY

- 15.1 The applicant has proposed a number of measures to enhance the surrounding landscape and ecological features. These include:
- historic hedgerow to be restored;
 - New planting to revised footpath route;
 - Tree and hedgerow planting on adjoining farmland;
 - Supplementary planting to hedgerow south of site;
 - New tree belt south of gas main;
 - Bat and bird boxes in houses;
 - Hedgerow planting to boundaries; and
 - Tree planting near Pike Avenue.
- 15.2 The application is accompanied by a Landscape and Visual Appraisal.
- 15.3 The site occupies part of the northern slope of the Medlock Valley. Although forming part of the wider open landscape, it is located close to the urban edge of Woodhouses beyond which the character changes significantly.
- 15.4 Distant and close proximity views are available from vantage points across the open land, including public footpath (47 FAILS) located approximately 160 metres to the east of the site linking Ashton Road in Woodhouses to Daisy Nook via a bridge across the M60, and 48 FAILS which presently links Hartshead Crescent to 47 FAILS passing through the application site.
- 15.5 Any impacts on the landscape character of the area will be limited to the increased visual presence of the proposed dwellings within the confines of the presently developer site. The submitted Comparison View information within the Design & Access Statement demonstrates that the development will result in an increased visual presence on the landscape, both in terms of the height of the proposed buildings and their spread across the site.

- 15.6 A proposed landscape strategy has been submitted showing enhancement of existing landscape features to include the restoration of historic hedgerows and new tree/hedgerow planting. This will serve to mitigate the additional visual impact.
- 15.7 The application is accompanied by an Extended Phase 1 Habitat Survey and Daytime Bat Survey. GMEU considers that reasonable effort has been used to survey the habitats on site and assess their ability to support protected and other important species.
- 15.8 Nevertheless, given the timeframe since submission of the report and implementation of any subsequently approved development, it is considered that further updated surveys in respect of bats, barn owl, great crested newt, and nesting birds, will be required prior to the commencement of the demolition of any existing building and subsequent redevelopment of the site.
- 15.9 The applicant has ownership of the adjacent fields, on which improvements to existing ecological and landscape features have been proposed. NPPF paragraph 174 (d) requires developments to minimise impacts on and provide net gains for biodiversity. This would similarly be a matter to be addressed by means of a planning condition, including those arrangements for the long-term management of such features.
- 15.10 A condition requiring the implementation of updated ecological surveys, which themselves will identify the existing biodiversity baseline and allow for improvements to both meet NPPF paragraph 174 and criteria 3, 4 and 6 of the PfE allocation will be required.
- 15.11 The Council's Trees Officer considers the proposal to be acceptable in principle. Although it is lacking in detail at this stage, the proposed replacement/additional planting is deemed to be significant and well-integrated into the existing site/treescape.
- 15.12 Further detail will be required including;
- A fully detailed Arboricultural Method Statement (AMS) to show that the existing trees to be retained are adequately protected throughout any periods of demolition and construction;
 - A full and detailed on-site planting plan and schedule; and,
 - A full and detailed wider site planting plan and schedule, or a combination of the two.
- 15.13 All of the above, once agreed, can be conditioned.
- 15.14 In respect of biodiversity impacts, NPPF paragraph 174 sets out that developments should aim at "minimising impacts on and providing net gains for biodiversity" In this regard there are significant opportunities for enhancement to be achieved, including in relation to habitat of protected species. Although the provisions of the Environment Act that 10% net gain is achieved are not yet in force, if this factor is considered to represent a significant benefit to the development, a minimum level of demonstrated improvement would be an appropriate requirement.

16. DRAINAGE

- 16.1 A Flood Risk Assessment & Drainage Strategy has been submitted which confirms that the site is within Flood Zone 1 at the lowest risk from flooding. An assessment of infiltration conditions will be required to confirm the suitability of soakaways. Discharge to an adjacent water course to the east would need to be subject to attenuation to an agreeable rate.
- 16.2 No objections have been raised in principle by United Utilities, subject to a condition requiring a detailed drainage scheme and subsequent management proposals.

17. GROUND CONDITIONS

- 17.1 A Phase II Site Investigation report has been submitted.
- 17.2 The Environmental Health Officer has assessed the findings and notes that site investigations are on-going. It is therefore recommended that any approval should be subject to condition requiring submission of those additional investigations.
- 17.3 The site is located within a Coal Authority Standing Advice area and a suitable informative will be included within any decision notice accordingly.

18. GAS PIPELINE

- 18.1 A high-pressure gas pipeline lies alongside the southern boundary to the site. As a consequence, it has been necessary to consult the Health & Safety Executive which has confirmed that less than 10% of the site and only gardens and landscaping proposed are within the inner zone. Therefore, the HSE has confirmed that it does not advise against the application.
- 18.2 A holding objection has been received from the pipeline operator, Cadent, to facilitate further investigation. However, the developer has previously been in contact with the company and details have been provided to the Council indicating that an investigation has already been undertaken. Further clarification from Cadent is presently being sought and will be reported to Committee.

19. PLANNING BALANCE

- 19.1 As noted above, the site is presently located within the Green Belt. Although the construction of new buildings would represent inappropriate development, the site would fall within one of the exception categories. This is however subject to the development not having a greater impact on the openness of the Green Belt.
- 19.2 The assessment of the proposal above draws the conclusion that the proposal would have a greater impact, and therefore, to be deemed acceptable, very special circumstances to outweigh any harm would need to apply.

- 19.3 These have been presented by the applicant in favour of development. These include a claimed persistent shortfall in housing land supply lack of alternative sites to meet housing need in the local area. In addition, benefits of the regeneration of previously developed land, achievement of at least 10% biodiversity net gain, enhancement to the character and appearance of the area through high-quality design and landscaping, and economic benefits from construction jobs and additional household spending
- 19.4 In terms of housing land supply, progress towards adoption of Places for Everyone (Pfe) would ensure significantly improved housing supply, albeit that achievement would be supported through development of the application site.
- 19.5 The proposals would ensure such development is brought to fruition. It is nevertheless noted that the choice of house types/sizes is limited and, for viability reasons, could not secure full policy attainment of affordable housing.
- 19.6 Nevertheless, the proposal involves redevelopment of a site which has been identified by the Council as suitable for removal from the Green Belt in order to assist in the provision of an adequate supply of readily available housing sites.
- 19.7 Although there will be some limited harm to Green Belt openness, this would be off-set by the provision of additional housing supply, and by biodiversity improvements at the site, which in addition to ecological benefits, would assist in mitigating any visual harm.

20. CONCLUSION

- 20.1 This development, having regard to local circumstances and planning policy considerations, requires a balanced judgement.
- 20.2 NPPF paragraph 8 notes that the achievement of sustainable development has economic, social, and environmental objectives.
- 20.3 In this instance, the productive re-use of a previously developed site will ensure a modest benefit in terms of temporary construction activity, and the contribution of new residents to the local economy.
- 20.4 In social terms, the scheme will secure the provision of new housing for which a local demand has been identified. Whilst the mix of properties is skewed towards the larger end of the market, these are aspirational properties, the uptake of which has the potential to bring to the market a wider range of properties vacated by the future residents of the development.
- 20.5 The Education Officer has confirmed that there are adequate school places within the catchment area. Similarly, there is no evidence to suggest that this introduction of 27 additional properties would adversely affect local services.
- 20.6 Improvements to the public footpath which presently passes through the site will also assist in improving access to open spaces.
- 20.7 In environmental terms, the developer's ownership of the adjacent land ensures the ability to facilitate significant biodiversity improvements.

21. 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 demolition and site clearance, shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

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

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Foul and surface 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 Policies 9 and 19 of the Oldham Local Plan.

- 4 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

REASON - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policies 9 and 19 of the Oldham Local Plan.

- 5 No development comprising the erection of any external walls shall take place until a specification 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

- 6 No construction of any dwellings hereby approved shall commence until a scheme and timetable for the achievement of Biodiversity Net Gain through the implementation of environmental and ecological improvements on site and to the adjacent land, including an Environmental Management Plan setting out arrangements for subsequent long-term site management, has been submitted to and approved in writing by the Local Planning Authority. The 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.

- 7 No development shall commence unless and until a site investigation and assessment into landfill gas risk and ground contamination 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. The report shall include details of any necessary programmed remedial measures and a timetable for their implementation. The development shall be implemented fully in accordance with the approved measures and timetable. Prior to first occupation of the development, a satisfactory completion report shall be submitted to and approved in writing by the Local Planning Authority”.

REASON - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.

8. Prior to the commencement of the construction of the access to the site, alterations to the Public Right of Way, and provision of parking spaces as indicated on the approved plan, a specification for the design, construction, levels

and drainage of those areas shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access to the site and car parking space for that dwelling have been provided in accordance with the approved details. Thereafter, those areas shall not be used for any purpose other than the parking and manoeuvring of vehicles.

REASON - To ensure adequate access and 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. No development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site shall commence until a detailed survey of the site for the presence of invasive plant species has been undertaken and a method statement for removing or for setting out the long-term management / control of the identified species on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures that will be used to prevent the spread of the invasive species during any operations and shall also contain measures to ensure that any soils brought into the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

REASON - To prevent the spread of invasive plant species having regard to Policy 9 of the Oldham Local Plan.

10. No development comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local plan Policy 18 and shall detail how (i) a target area has been determined; and (ii) how the development will meet this target. The development shall be carried out in accordance with the approved scheme phasing arrangements and retained as operational thereafter.

REASON - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

11. No development, including demolition and site clearance, shall be commenced until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the routing of construction vehicles onto the site, the means of preventing mud entering the highway, and the methods to be employed to control and monitor noise, dust and vibration impacts. The approved measures shall be maintained for the duration of the development works.

REASON - To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

12. No development hereby approved, including the demolition of buildings or site clearance, shall be carried out until follow-up ecological surveys to identify the

presence of bats, barn owl, and great crested newt have been undertaken by a suitably qualified ecologist and the results have been submitted to and approved in writing by the Local Planning Authority. Any necessary precautionary or enhancement measures identified shall be implemented in full in accordance with an agreed timeframe.

REASON – In order to ensure the protection of ecological interests having regard to Policy 21 of the Oldham Local Plan.

12. 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.

REASON – In order to ensure the protection of ecological interests having regard to Policy 21 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)

