

**APPLICATION REPORT – FUL/351431/23**  
**Planning Committee 20<sup>th</sup> September 2023**

<b>Registration Date</b>	2 <sup>nd</sup> August 2023
<b>Ward</b>	Alexandra
<b>Application Reference</b>	FUL/351431/23
<b>Type of Application</b>	Variation of Condition
<b>Proposal</b>	Variation of condition no. 9 (car parking spaces) to reflect phased development of the site, and variation of conditions 3 and 4 (remediation), 10 (cycles), 15 (birds), and 16 (security) to reflect additional information relating to app no. PA/344412/20
<b>Location</b>	Alexandra Park Depot, Kings Road, Oldham OL8 2BN
<b>Case Officer</b>	Graham Dickman
<b>Applicant</b>	Brian Enright
<b>Agent</b>	Walker Simpson Architects

**1. INTRODUCTION**

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as a Major development involving the Council as applicant / landowner.

**2. RECOMMENDATION**

- 2.1 It is recommended that the application be approved subject to the amended conditions set out in this report.

**3. SITE DESCRIPTION**

- 3.1 The proposal relates to the existing Oldham Council depot located in the south-east corner of Alexandra Park. The site accommodates a number of office buildings, glasshouses, an open-sided storage shed, shipping/storage containers and associated horticultural paraphernalia, service roads and vehicle parking areas and there is a community growing hub with raised beds and polytunnel.

**4. THE PROPOSAL**

- 4.1 The present proposal seeks approval for a variation to conditions associated with the previous approval for the comprehensive re-development of the site.
- 4.2 Since the original planning submission and subsequent granting of permission for the re-development, the funding arrangement for the project has been amended and it has been necessary to divide the works into a minimum of two phases. Only phase 1, comprising the construction of the new office building, which will be the first building to be completed and occupied, is to be implemented in the first phase.

- 4.3 Consequently, it is not possible to complete the approved car parking which the original condition requires to be implemented before any of the development can be occupied. This change is therefore primarily procedural and does not involve significant changes to the original approval.
- 4.4 In addition, it is proposed to update other conditions to reflect additional information which has subsequently been submitted and approved under separate Condition Discharge applications.

## **5. PLANNING HISTORY**

- 5.1 CND/347587/21 - Discharge of condition no's 7 (Landscaping) and 8 (Earthworks) relating to app no. PA/344412/20. Discharged 10<sup>th</sup> November 2021
- 5.2 CND/347273/21 - Discharge of Conditions 6 (materials), 12 (badger survey), 14 (invasive species), 17 (energy statement for office), and 18 (surface water drainage scheme) relating to application PA/344412/20. Discharged 22<sup>nd</sup> September 2021
- 5.3 PA/344412/20 - Demolition of existing ancillary buildings and glasshouses with phased replacement of new facilities including erection of 2 storey office building (Use Class B1), new glasshouse structure (horticultural use), remodelling and extension of existing portal frame storage unit, hard and soft landscaping works and amended parking and servicing layout. Approved 22<sup>nd</sup> May 2020

## **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.
- 6.2 The site falls within the Alexandra Park Conservation Area and is also a Registered Park and Garden and a Green Corridor and Link as identified on the Proposals Map pertaining to the Local Plan.
- 6.3 As such, the following policies are considered relevant to the determination of this application:

Policy 1 – Climate Change and Sustainable Development;  
Policy 5 – Promoting Accessibility and Sustainable Transport Choices;  
Policy 6 – Green Infrastructure;  
Policy 9 – Local Environment;  
Policy 19 – Water and Flooding;  
Policy 20 – Design;  
Policy 21 - Protecting Natural Environmental Assets; and,  
Policy 24 - Historic Environment

## 7.1 CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Highways	No objections. Conditions to be imposed to reflect the phasing.
Environmental Health	No objection subject to submission of a validation report.
G M Ecology Unit	No objections to proposed bird box provision.

## 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 display of a site notice, and publication of a press notice.
- 8.2 In response, no representations have been received.

## ASSESSMENT OF THE PROPOSAL

### 9. PRINCIPLE OF DEVELOPMENT

- 9.1 The principle of the re-development of the site has been established through the 2020 re-development approval. Assessment at this stage is therefore limited to consideration of the revised and additional information submitted with the present application.

#### Condition 1

- 9.2 The condition requires commencement of development within 3 years and has been complied with. As the development has already been commenced and the proposed variation cannot change this date, the condition is not required to be re-imposed.

#### Condition 2

- 9.3 Sets out the approved plan and is required to be amended to reflect the proposed phasing of development.
- 9.4 At Phase 1 the layout provides the same number of car parking spaces anticipated in the original application, (94 standard spaces plus 6 accessible spaces), albeit they will be in a temporary arrangement which would be amended on completion of the later stages.
- 9.5 The Highways Officer is satisfied with these arrangements and the condition can be amended accordingly.

### Condition 3

- 9.6 This condition relates to implementation of the approved Remediation Strategy and imposes a requirement for further assessment if unknown contaminants are found during the development operations.
- 9.7 The condition therefore needs to be re-imposed.

### Condition 4

- 9.8 This condition relates submission of a verification plan prior to occupation of any part of the development.
- 9.9 Submission of a report to verify the implementation of the remediation measures in accordance with the approved scheme will continue to be required.

### Condition 5

- 9.10 In accordance with the Flood Risk Assessment, the condition requires minimum floor levels.
- 9.11 The condition will continue to be imposed.

### Condition 6

- 9.12 This condition relates to facing materials.
- 9.13 Finished materials for the office building have subsequently been approved and the condition wording will be amended accordingly.

### Condition 7

- 9.14 The condition relates to the phasing and implementation of the proposed landscaping works.
- 9.15 The wording of the condition will be amended to reflect the proposed phasing.

### Condition 8

- 9.16 The condition relates to proposed earthworks.
- 9.17 A Proposed Earthworks Drawing has subsequently been submitted and approved. The condition can be amended accordingly.

### Condition 9

- 9.18 This condition relates to implementation of the car parking areas.
- 9.19 As proposed the condition can be amended to reflect the proposed phasing.

### Condition 10

- 9.20 This condition relates to cycle parking.
- 9.21 Details of the provision has now been submitted and the condition wording can be

amended accordingly.

Condition 11

- 9.22 This condition requires an ecological survey prior to demolition of a building in the later phase of development. It will continue to apply as previously.

Condition 12

- 9.23 The condition relates to survey of badger.
- 9.24 An appropriate survey has been submitted and the condition previously discharged.

Condition 13

- 9.25 The condition relates to satisfactory prior checks for nests if trees are to be removed during the bird breeding season. The condition will continue to apply.

Condition 14

- 9.26 The condition relates to treatment of invasive plant species.
- 9.27 A scheme has subsequently been submitted and the development will be required to be implemented in accordance with the approved methodology.

Condition 15

- 9.28 This condition relates to the provision of bird boxes.
- 9.29 Details for the provision have been submitted and GMEU has confirmed that this is satisfactory. The condition can be amended accordingly.

Condition 16

- 9.30 The condition relates to measures set out in the Crime Impact Statement.
- 9.31 Additional details, including those related to lighting, have been submitted. The condition wording can be amended accordingly.

Condition 17

- 9.32 The condition relates to energy efficiency.
- 9.32 A detailed scheme has subsequently been submitted and the condition can be amended accordingly.

Condition 18

- 9.33 The condition relates to drainage proposals.
- 9.34 A detailed scheme has subsequently been submitted and the condition can be amended accordingly.
- 9.35 NB For practicality, the condition will be re-numbered 1 to avoid re-numbering of all conditions following deletion of original Condition 1.

## **10. CONCLUSION**

- 10.1 The proposed conditional changes are required in order to implement the scheme on a phased basis.
- 10.2 The requirements of all the conditions will continue to apply, albeit amended to reflect the additional information which has subsequently been submitted.
- 10.3 There are no significant planning issues arising from the proposed phasing and therefore the changes are deemed acceptable.

## **11. RECOMMENDED CONDITIONS**

1. The development shall be implemented in accordance with the submitted Proposed FW/SW Drainage drawing ref: 60614273-AP-C-050-001 P3.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

2. The development hereby approved shall be fully implemented in accordance with the following approved plans:

Location Plan (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1001-S4-P03)

Phase 1 Site Layout (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P02)

Phase 2 Site Layout (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1504-S0-P01)

Proposed Roof Plan (Office) (Drawing No. 0372-WSA-03-03-DR-A-1604 S4 P04)

Proposed Floor Plan (Office) (Drawing No. 0372-WSA-03-ZZ-DR-A-1603 S4 P05)

Proposed Elevations (Office) (Drawing No. 0372-WSA-03-ZZ-DR-A-1703 S4 P05)

Proposed Floor Plan (Portal Frame) (Drawing No. 0372-WSA-01-ZZ-DR-A-1601-S4-P04)

Proposed Elevations (Portal Frame) (Drawing No. 0372-WSA-01-ZZ-DR-A-1701-S4-P03)

Proposed Elevations (Glasshouse) (Drawing No. 0372-WSA-02-ZZ-DR-A-1702-S4-P03)

Proposed Floor Plan (Glasshouse) (Drawing No. 0372-WSA-02-ZZ-DR-A-1602-S4-P04)

Context Elevations (Proposed) (Drawing No. 0372-WSA-ZZ-ZZ-DR-A-1502-S4-P02)

Phase 1 Landscaping Planting Proposals (Drawing No. 2002\_P\_01\_Rev E)

Landscaping Planting Proposals (Drawing No. 1705/P/01) – amended to reflect Phase 1

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 development shall only be carried out in full accordance with the approved remediation proposals outlined in the 'Remediation Strategy & Verification Plan' dated 29 January 2020 (Report No. 3552/02 Issue 2). Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority, and the approved measures shall be implemented in full.

REASON - To protect the environment and prevent harm to human health having regard to Policy 9 of the Oldham Local Plan.

4. Prior to any part of the development hereby approved being occupied, a verification report demonstrating the completion of works set out in the 'Remediation Strategy & Verification Plan' dated 29 January 2020 (Report No. 3552/02 Issue 2) and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON - To ensure that the site does not pose any further risk to human health or the water environment having regard to Policy 9 of the Oldham Local Plan.

5. The development hereby approved shall be implemented in accordance with the conclusions and recommendations detailed in the flood risk assessment by WSP and dated January 2020. For the avoidance of doubt, the finished floor levels of the buildings shall be:  
Glasshouse: 166.75 metres above ordnance datum (AOD)  
Portal Frame Building: 167.22 metres AOD  
Office: 166.09 metres AOD

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

6. The office building shall be constructed in accordance with the submitted Alexandra Park Building Materials Board. No development comprising the erection of any external walls of other proposed buildings shall take place until details 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.

7. The Phase 1 landscape works indicated on drawing No. 2002\_P\_01\_Rev E shall be carried out during the first planting season following completion of the Phase 1 development. The landscaping works indicated on the approved plan (Drawing No. 1705/p/01) as amended to reflect the Phase 1 revisions, shall be carried out during the first planting season following completion of the final development, or in accordance with a phasing programme that shall be agreed in writing with the local planning authority prior to the completion of the development. 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.

8. The development shall be implemented in accordance with the submitted Proposed Earthworks Drawing (Ref: 60614273-AP-C-600-002 P5).

REASON - To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to Policies 9 and 20 of the Oldham Local Plan.

9. The office building hereby approved shall not be first occupied until the car parking indicated on drawing ref: 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P02 has been implemented. The remainder of the development building shall not be occupied until the car parking indicated on drawing ref: 0372-WSA-ZZ-ZZ-DR-A-1504-S0-P01 has been implemented.

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.

10. Prior to the first occupation of any building hereby approved, the cycle parking shall be implemented in accordance with the details shown on drawings ref: 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P01 and '8 Bike Gated Eco Shelter'. The approved facility shall remain available for users of the development thereafter.

REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

11. Any demolition of building 7 as identified in the extended phase 1 Habitat Survey & Daytime Bat Survey by Rachel Hacking Ecology that would take place between the 1st March and 31st October in any year should be immediately preceded by precautionary bat emergence surveys, the findings of which shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition works.



REASON - To ensure the protection of species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.

12. The development shall be implemented in accordance with the reasonable avoidance measures set out in Appendix A of the submitted Badger Survey by Rachel Hacking Ecology.

REASON - To ensure the protection of badgers, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

13. No works to trees shall take place or shrubs or demolition commence 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 or demolition 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.

14. The development shall be fully implemented in accordance with the submitted Proposed Method Statement for the Removal/Mitigation of Himalayan Balsam on Site by Stephen Martlew.

REASON - To prevent the spread of an invasive species having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.

15. The bird nesting provision shall be implemented in accordance with the details indicated on drawing 0372-WSA-ZZ-ZZ-DR-A-1503-S0-P02 following the completion of the Phase 1 development.

REASON - To ensure the adequate provision of additional bird habitats having regard to Policy 21 of the Oldham Local Plan.

16. The development shall be implemented in accordance with the physical security specifications set out in the Crime Impact Statement dated 14 January 2020 (Report No. 2019/1057/CIS/01 Version A) and the following documents:

60614273-AP-C-600-001\_C6 – Proposed levels,  
A112977-WYG-03-00-DR-E-6800\_C01 – Security and CCTV,  
A114977-WYG-03-00-DR-E-6852\_C03 – External Lighting Layout and,  
A114977-WYG-03-XX-DR-E-6855\_C04 – External CCTV Layout.

REASON - To create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion in accordance with Policy 20 of the Oldham Local Plan.

17. The development shall be implemented in accordance with the submitted Alexandra Park Energy Statement which demonstrates that the building would achieve a 43% improvement against Part L2A 2013 Target Emission Rate

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

**SITE LOCATION PLAN (NOT TO SCALE)**

