

APPLICATION REPORT – RES/352568/24
Planning Committee 17th July 2024

Registration Date: 21st March 2024
Ward: Alexandra

Application Reference: RES/352568/24
Type of Application: Reserved Matters

Proposal: Application for approval of all Reserved Matters in respect of Phase A (Upper Market Garden) relating to approved application FUL/348898/22)

Location: Land at Snipe Clough, Oldham

Case Officer: Graham Dickman
Applicant: Anna Da Silva
Agent: Ian Ford

1. INTRODUCTION

1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application on a site where the site owner is the Council.

2. RECOMMENDATION:

2.1 It is recommended that the application be approved subject to the conditions set out at the end of this report.

3. SITE DESCRIPTION

3.1 This application relates to part of the wider overall Northern Roots site which stretches south-east from Alexandra Park and encompasses a mix of flat grassland, sports pitches, heath, boggy wetlands, and dense wooded slopes.

3.2 The application site itself presently comprises a grassed area known as Lees Recreation Ground/Hope Playing Fields.

4. THE PROPOSAL

4.1 The proposal relates to a site which formed part of Phase A of the Northern Roots development approved in 2022. Specifically, the area encompasses a proposed market garden and an adjoining area of meadow with associated play areas.

4.2 The market garden includes a barn, polytunnels, a small hub building, and a variety of external growing areas.

4.3 Access will be via an extension to the access track which will serve the adjacent visitor

centre and events building and ultimately lead to the solar farm proposal within Phase B.

5. PLANNING HISTORY

- 5.1 FUL/352515/24 - Full application for the erection of a visitor centre, events building, forestry depot, necessary infrastructure, hard and soft landscaping, vehicular and cycle parking, and pedestrian movements. Also presented for determination on this Committee agenda.
- 5.2 NMA/352338/24 - Non-Material Amendment for the variation of timing for discharge of conditions 7 (waste facilities), 8 (drainage), 9 (sewer protection) and 17 (landscaping) relating to application FUL/348898/22. Approved 27 March 2024.
- 5.3 CND/352157/23 - Discharge of Conditions 6 (CEMP), 11 (Bird nesting survey), 18 (Protective tree fencing details), 19 (Invasive species treatment) and 20 (Ecology surveys) relating to Phase A of approved application FUL/348898/22. Part discharge 4 March 2024.
- 5.4 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, relocation of football pitch provision, necessary infrastructure, hard and soft landscaping, site wide vehicular, cycle parking and pedestrian improvements, including car park on Nether Hey Street, and (b) Outline application (all matters reserved except for access) for a community growing allotment and swimming pond. Approved 2nd November 2022.

6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone:

- Policy JP-G7 – Trees and Woodlands
- Policy JP-G8 – A Net Enhancement Of Biodiversity and Geodiversity
- Policy JP-P1 - Sustainable Places
- Policy JP-P5 – Education, Skills and Knowledge
- Policy JP-P7 – Sport and Recreation
- Policy JP-S4 – Flood Risk and the Water Environment

- 6.4 On the Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan), the site is within the Green Belt on the

Proposals Map associated with the Local Plan.

6.5 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
- Policy 9 - Local Environment
- Policy 21 – Protecting Natural Environmental Assets
- Policy 23 – Open Spaces and Sports

7. CONSULTATIONS

Highways Officer	Requested further details to ensure vehicles using the site can access the site and can turn satisfactorily.
Environmental Health	No comments
Sport England	Object as the application does not include for the provision of a ball stop fence or a scheme for the continuity of sport.
United Utilities	Object until the drainage information required by Condition 8 of the Northern Roots approval has been submitted.
G M Ecology Unit	No objections taking into account the conditions imposed at outline stage, subject to clarification on the implementation of biodiversity net gain measures.

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 the 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 development, particularly in the context of the Green Belt location, was considered fully in the assessment of the previously approved Northern Roots development. The assessment is therefore limited to the details of access, appearance, landscaping, layout, and siting.
- 9.2 An objection has been raised by Sport England requiring the submission of a ball strike risk assessment and a scheme for the continuity of sport.
- 9.3 In respect of the first issue, the spatial relationship to the proposed growing area to the existing playing fields to the south former part of the assessment of the outline application. Sport England is concerned that the existing bank of trees which separates the areas could be removed; however, there are no proposals to remove these trees which will continue to form an important part of the biodiversity of the site. Given the tree cover, a separation distance of over 20 metres, and the presence of an intervening fence, such a requirement is not deemed necessary.
- 9.4 With regard to the second issue, this has previously been addressed by Condition 14 of the outline approval, and that requirement will continue to apply. There is no need therefore to duplicate that requirement.
- 9.5 Finally, Sport England has indicated that in light of Sport England's objection, should the Planning Committee be minded to grant planning permission for the proposal contrary to Sport England's objection, then in accordance with the Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.
- 9.6 However, the Council's Solicitor has confirmed that such referral is not required as a Reserved Matters application (as in this case) falls outside the scope of the Direction. Notwithstanding, it is noted that the Secretary of State did not require the application to be called in.

10. DESIGN AND APPEARANCE

- 10.1 Although covering a large area, the site will be laid out largely to growing plots with limited built development.
- 10.2 The largest built structure will be the barn at 12 metres by 8 metres and with a pitched roof rising to a maximum height of 4.5 metres. The walls of the building will be clad in timber. It will consequently have the appearance of a traditional building as would be found in a semi-rural location.
- 10.3 Similarly, the polytunnels would not appear out of place in this setting. Other required structures are small scale and given the size and context of the site would have a minimal impact on the openness or appearance of the site.
- 10.4 Whilst the provision of a boundary fence would have perhaps the greatest visual impact, this would be a necessity given the location of the site where informal

supervision out-of-hours would not be available. Therefore, when weighed alongside the environmental and educational benefits of the facility, the proposal would be deemed to be acceptable.

11. ECOLOGY AND LANDSCAPING

- 11.1 The growing hub will occupy an area presently comprising grassland only. Surrounding areas of woodland would be impacted by the proposed use and ancillary structures.
- 11.2 Requirements in relation to biodiversity enhancement were included on the Northern Roots approval. These would continue to apply and be subject to a separate condition discharge application. Nevertheless, it is evident that compensation for any on-site loss can be readily accommodated elsewhere on the wider site.

12. HIGHWAY ISSUES

- 12.1 Vehicular access to the site will be along the new roadway which will also serve the adjacent proposed visitor/events facilities and the approved solar farm to the east.
- 12.2 The applicant has confirmed that vehicular movements associated with the site are likely to be limited to a tractor and/or transit van.
- 12.3 In addition, separate footpath routes will be available connecting the growing area to the wider facilities on the site.

13. DRAINAGE AND GROUND CONDITIONS

- 13.1 United Utilities has requested that the application is not approved until details of the proposed drainage scheme have been submitted. However, this matter is required as a condition of the outline approval. It is not therefore necessary to replicate this requirement in connection with the specific Reserved Matters on which assessment is required.
- 13.2 Similarly, issues associated with ground conditions are subject to the separate condition discharge process.

14. CONCLUSION

- 14.1 The present application provides details of the layout and landscaping of the proposed facility, along with the design of the ancillary structure. In the context of the proposed use, these are considered to be appropriate in terms of their scale and design to the character of the site.
- 14.2 In this context, the Reserved Matters details are acceptable.
- 14.3 As noted above, all conditions attached to the associated outline approval will continue to require a separate application in order to allow the development to commence.

15. RECOMMENDED CONDITIONS

1. 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.
2. The use hereby approved shall not commence until the access and vehicle parking/turning areas indicated on the approved plan have been constructed and have been made available for use. REASON - To ensure adequate servicing facilities are provided and remain available for the development so that parking does not take place on the adjacent roadway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)

