

PLANNING COMMITTEE

18 September 2024

Late information

AGENDA PAGES	DETAILS
21-35	<p data-bbox="475 439 951 472">AGENDA ITEM 6 – FUL/352932/24</p> <p data-bbox="475 506 1453 607">As indicated in the report’s Recommendation and the Conclusion at paragraph 15.2, at the time of the drafting of the report further clarification in relation to the off-site biodiversity net gain (BNG) provision was required.</p> <p data-bbox="475 640 1453 842">Further details have now been received and these have been assessed by G M Ecology Unit (GMEU). In response, GMEU has confirmed that we now have sufficient reassurances that the required off-site Biodiversity Net Gain is likely to be able to be provided at a suitable Habitat Bank in Oldham, and therefore that the development proposals could achieve at least a 10% Gain in Biodiversity.</p> <p data-bbox="475 875 1453 976">Nevertheless, the statutory Biodiversity Gain Condition will continue to apply to any permission to require the submission of a comprehensive Biodiversity Gain Plan before the development commences.</p> <p data-bbox="475 1010 1414 1043">Consequently, it is recommended that the report is amended as follows.</p> <p data-bbox="475 1077 890 1111">Section 2 – Recommendation</p> <p data-bbox="475 1144 751 1178">Amended as follows:</p> <p data-bbox="475 1178 1453 1279">‘It is recommended that the application is approved subject to the conditions as set out in the report and to imposition of the statutory biodiversity net gain condition’.</p> <p data-bbox="475 1312 839 1346">Section 7 – Consultations</p> <p data-bbox="475 1379 1453 1447">G M Ecology Unit – Recommend approval subject to the statutory Net Gain condition.</p> <p data-bbox="475 1480 975 1514">Section 12 – Biodiversity and Trees</p> <p data-bbox="475 1547 890 1581">Amend paragraph 12.8 to read:</p> <p data-bbox="475 1581 1453 1749">‘The applicant has provided details to confirm that a reservation has been entered into with the off-site biodiversity provider, which provides sufficient assurance that the developer will be able to provide a satisfactory biodiversity gain statement to secure approval of the statutory post-decision BNG condition’.</p> <p data-bbox="475 1783 823 1816">Paragraph 12.9 is deleted.</p> <p data-bbox="475 1850 823 1883">Section 15 – Conclusion</p> <p data-bbox="475 1917 890 1951">Amend paragraph 15.2 to read:</p> <p data-bbox="475 1951 1453 2018">‘Subject to the recommended conditions, it has been demonstrated that the scheme would not result in adverse impacts on established businesses in</p>

	<p>the area, it will create an acceptable standard of amenity for future residents, there will be no negative highway impacts for which mitigation is not possible, the site can be appropriately remediated and serviced, and that biodiversity net gain can be achieved. The development would therefore be acceptable in principle.</p>
<p>39-46</p>	<p>AGENDA ITEM 7 – FUL/353082/24</p> <p>Following further correspondence with the applicant, the Environmental Health Officer has confirmed that the requirement for a ‘watching brief’ in accordance with the approved Remediation Strategy (to be required by recommended Condition 4) will ensure satisfactory controls regarding the presence of asbestos will be in place.</p> <p>The specific requirement for an asbestos management plan in Condition 4 can therefore be removed.</p> <p>The report is amended as follows:</p> <p>Section 4 – Consultations</p> <p>Environmental Health - Delete reference to submission of an asbestos management plan.</p> <p>Section 16 – Recommended Conditions</p> <p>Condition 4 now reads: ‘The development shall be implemented in accordance with the measures set out in the submitted Remediation Method Statement dated 19 June 2024. Within one month of the completion of the enabling works hereby approved, a satisfactory completion report shall be submitted to the Local Planning Authority to discharge the condition. REASON - In order to protect public safety having regard to Policy 9 of the Oldham Local Plan’.</p>

50-51

AGENDA ITEM 8 – VAR/353105/24

One further objection has been received raising issues about the untidiness of the provided bin store, unauthorised advertising of bikes, food debris and litter, and parking issues.

Issues raised regarding the tidiness of the bin store and litter in the park are not material matters in the consideration of this application to extend the opening hours. However, during the time the case officer visited the site as part of the assessment of this application they did not observe significant amounts of litter in the vicinity of the site.

Any allegations of unauthorised advertisements on the site can be reported to the Council's planning enforcement team. However, when the case officer visited the site as part of the assessment of the current application, they did not observe unauthorised advertisements on the site.

The parking issues reported relate to vehicles parking at the entrance to the park on Wade Row. A condition attached to the previous permissions requires bollards to be installed and retained in this location. Compliance with this condition is currently being investigated but is not directly relevant to this application made only to extend the opening hours. Nevertheless, the recommendation made to approve this application includes a continued requirement for the operator of the site to comply with such conditions. Furthermore, any contraventions of highway restrictions are separate matters to the planning process.