

**APPLICATION REPORT – FUL/352724/24**  
**Planning Committee 22<sup>nd</sup> January 2025**

Registration Date: 10<sup>th</sup> May 2024  
Ward: Failsworth East

Application Reference: FUL/352724/24  
Type of Application: Full application

Proposal: Residential development of 41 dwellings with a new vehicular access from Ashton Road, together with: internal roads; car parking; agricultural access; ancillary open space; landscaping; works to trees; attenuation basin; pumping station, and associated engineering and infrastructure works.

Location: Land south of Ashton Road, Woodhouses, Oldham

Case Officer: Graham Dickman  
Applicant: Kerren Phillips  
Agent: n/a

## **1. INTRODUCTION**

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as it is a Major application.

## **2. RECOMMENDATION:**

2.1 It is recommended that the application be approved subject to the conditions as set out in this report; and the completion of a Section 106 agreement in respect of securing:

- the implementation of a Habitat Management and Maintenance plan (HMMP) for the adjoining land to be used for biodiversity gain; and,
- a financial contribution of £18,171.55 towards the enhancement of off-site public open space.

2.2 That the Assistant Director Planning, Transport & Housing Delivery be authorised to issue the decision notice upon satisfactory completion of the Section 106 agreement.

## **3. SITE DESCRIPTION**

3.1 This application relates to a site covering approximately 1.5 hectares located on the south side of Ashton Road towards the eastern edge of the settlement of Woodhouses.

3.2 The northbound carriageway of the M60 lies at a lower level to the east, separated from the site by a wooded embankment.

3.3 Separating the main area of the site from Ashton Road is an area of trees (within the

application site), Woodhouses Church, and a small modern development of 3 houses.

- 3.4 Residential properties are located immediately across Ashton Road to the north. To the west and south, the site adjoins open land.

#### **4. THE PROPOSAL**

- 4.1 It is proposed to erect of development of 41 dwellings served via a new vehicular access from Ashton Road.
- 4.2 The dwellings will comprise a mix of 37 market sale and 4 affordable properties.
- 4.3 The majority of the market sale properties will have 4 bedrooms in detached or semi-detached arrangements, with 6 semi-detached 3-bedroom houses.
- 4.4 The four affordable properties will be 3-bedroom, semi-detached. It is anticipated that these will be gifted to a Registered Social Landlord.
- 4.5 The majority of the property types are two-storey. In addition, there are 5 pairs of semi-detached houses located throughout the development rising to three-storey. They will be faced in red brick with grey roof tiles.
- 4.6 The site access will be located to the east of Woodhouses Church. This will utilise a presently wooded area.

#### **5. Environmental Impact Assessment**

- 5.1 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 5.2 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. However, it would not exceed the applicable threshold of 5 hectares or 150 dwellings, nor is the site located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 5.3 Any environmental impacts of the development can be satisfactorily addressed through the submission and assessment of specialist reports as necessary. Consequently, an Environmental Statement is not required.

#### **6. PLANNING HISTORY**

- 6.1 Adjoining site to the north - PA/341528/18 – Erection of 3 detached dwellings. Approved 18 April 2019

#### **7. RELEVANT PLANNING POLICIES**

- 7.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 7.2 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 (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).

- 7.3 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-H1 – Scale, Distribution and Phasing of New Housing Development;  
 Policy JP-H2 – Affordability of New Housing;  
 Policy JP-H3 – Type, Size and Design of New Housing;  
 Policy JP-H4 – Density of New Housing;  
 Policy JP-G1 – Landscape Character;  
 Policy JP-G2 – Green Infrastructure Network;  
 Policy JP-G6 – Urban Green Space;  
 Policy JP-G7 – Trees and Woodlands;  
 Policy JP-G8 – A Net Enhancement of Biodiversity and Geodiversity;  
 Policy JP-G9 – The Green Belt;  
 Policy JP-P1 – Sustainable Places;  
 Policy JP-P2 – Heritage;  
 Policy JP-C8 – Transport Requirements for New Development;  
 Policy JP-S2 – Carbon and Energy;  
 Policy JP-S5 – Clean Air; and,  
 Policy JP-S4 – Flood Risk and the Water Environment.

- 7.4 Within the Local Plan the site is designated as a Phase 2 Housing Allocation on the Proposals Map associated with the Plan. That allocation continues that included in Saved UDP Policy H1.2 (Housing Land Release Phase 2).

- 7.5 The application site boundary also includes a small area beyond the allocation site boundary. This area is to be used for a pumping station and surface water attenuation basin.

- 7.6 The following Local Plan policies are considered relevant to the determination of this application:

Policy 1 – Climate Change and Sustainable Development;  
 Policy 9 – Local Environment;  
 Policy 10 – Affordable housing;  
 Policy 21 – Protecting Natural Environmental Assets; and,  
 Policy 23 – Open Spaces and Sports.

**8. CONSULTATIONS**

Highways Officer	No objections in principle. It is not considered that traffic generated by the development would have a significant impact on the highway network and adequate measures can be introduced to mitigate any effect on present highway conditions.
Environmental Health	A satisfactory site investigation has been undertaken. A watching brief would be required along with a subsequent completion report.

Trees Officer	The proposals are acceptable with regard to loss of trees and 2 for 1 replacement planting.
United Utilities	No objections subject to implementation in accordance with the submitted drainage scheme
G M Ecology Unit	No objections subject to conditions and agreements to secure off-site biodiversity net gain and for the protection of great crested newts.
Wildlife Trust	Require further detail on the provision of biodiversity net gain.
National Highways	No objections subject to the imposition of conditions requiring a drainage scheme and boundary fencing to protect the motorway.

## 9. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

9.1 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.

9.2 In response 119 objection letters and a 201-signature petition have been received. The comments can be summarised as follows:

### Principle of housing development

- Loss of green spaces;
- No need for more houses as existing properties are empty and should be upgraded instead;
- This is not an area for affordable housing or social homes;
- Insufficient facilities for residents despite the amount of new housing – schools, doctors, no shops;
- New Local Plan Policy says minimum 12% on site affordable housing (Policy H1) is required;
- The style of houses do not fit in with the area, such as mock Tudor; and,
- Existing issues with water pressure

### Green Belt

- Loss of Green Belt land; and,
- Pumping station will be in the Green Belt

### Highways

- Loss of parking (yellow lines) would affect residents (who don't have driveways), school (at dropping off/pick up times), and the church (including elderly people);
- Parked vehicles already block the footway forcing people to walk in the road. No pavement in places;

- Access should be taken from the new road constructed a few years ago;
- The traffic survey was undertaken at peak time when traffic speeds would be low;
- Problem of commuter traffic passing through and no calming measures have been put in place;
- Problems from construction traffic; and,
- Existing roads in a poor condition.

#### Ecology

- The resultant loss of wildlife;
- Great crested newts, deer, bats, badgers are in the area; and,
- Substantial loss of trees would harm the Conservation Area.

#### Heritage

- Adversely affect the setting of the church and weavers cottages; and,
- Significance of church garden has been underplayed

### **ASSESSMENT OF THE PROPOSAL**

#### **10. PRINCIPLE OF DEVELOPMENT**

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.
- 10.2 Although presently comprising a 'greenfield' site, the application site largely comprises a longstanding Housing Allocation from the former Oldham Unitary Development Plan. This allocation was saved into the Oldham Core Strategy. This therefore remains the relevant allocation within the adopted Development Plan.
- 10.3 In addition, a portion of the site also lies within the Green Belt. This area is included in the site for the provision of a pumping station and surface water attenuation basin.
- 10.4 As noted earlier, Places for Everyone (PfE) was adopted on 21 March 2024. Policy JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 10.5 Paragraph 78 of the revised NPPF (December 2024) indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 10.6 As such, given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.
- 10.7 The identified supply includes sites which have been allocated within both PfE and the Local Plan and which have not yet been developed, such as the present application site. These sites remain required to ensure the supply target required by NPPF can be met.

### Pumping station

- 10.8 The majority of the development is located outside the Green Belt. However, the proposed pumping station would be within it. It would therefore represent inappropriate development. Very special circumstances need to be demonstrated to outweigh any resultant identified harm to the Green Belt.
- 10.9 The proposed pumping station will result in some, albeit very limited, impact on openness and involve development intruding onto an otherwise undeveloped or unallocated area. However, in weighing up the associated benefits from the new residential development which it is intended to serve, it is considered that such very special circumstances do exist to outweigh the identified harm.
- 10.10 Whilst it may be suggested that the pumping station could have been incorporated into the main development site, this would have limited the site's development potential and reducing its viability and ability to achieve the proposed level of housing provision on the allocated site.

### Affordable Housing

- 10.11 Where development is for 10 (net additional) dwellings or more, then affordable housing is required on the basis of the value of the affordable housing (number of dwellings) being 7.5% of GDV, with a tenure split of affordable housing units to reflect 65% Affordable/Social Rent: 35% Affordable Ownership products.
- 10.12 The applicant has indicated that 4 properties in the development would be offered to a social housing provider in order to satisfy the affordable housing requirement. In accordance with the provision hierarchy, this would be preferential and local registered providers have been approached accordingly.
- 10.13 At present no agreement has been reached. Should this not be obtained, it would be necessary for the applicant to make an in-lieu payment for equivalent level of off-site provision. A planning condition is recommended to ensure the policy requirement can be achieved.

### Public open space

- 10.14 In accordance with Local Plan Policy 23, the development should contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.
- 10.15 The Council has assessed the proposed development and the open space surpluses and deficiencies in the area (identified through the Council's Open Space Study 2022) to determine whether on-site or off-site new provision, enhanced existing provision or a financial contribution will be required.
- 10.16 It is concluded that a contribution of £18,171.55 will be required towards off-site provision. The applicant has confirmed that it is prepared to enter into a Section 106 agreement to make the contribution.

## 11. HIGHWAYS ISSUES

- 11.1 NPPF paragraph 116 states that “*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios*”.
- 11.2 A Transport Statement has been submitted with the application. This concludes that the traffic to be generated by the development would not have a material impact on the operation of the local highway network.
- 11.3 A report was also commissioned by objectors to the development. A subsequent Technical Note as an addendum to the original applicant’s statement, and a further response on behalf of the objectors have also been received.
- 11.4 The various reports have been considered by the Highways Officer. The Highways Officer does not consider that there will be any additional significant amount of traffic generated which would have a severe impact on the network.
- 11.5 The Council’s Highway Engineers have worked with the applicant to ensure that there will be adequate mitigation against any likely impacts. The existing traffic calming measures on Ashton Road will be improved by providing additional road signs and road markings to enhance the existing features.
- 11.6 Pedestrian crossing facilities will also be improved by providing dropped kerbs and tactile paving. This will result in lower speeds through the traffic-calmed area whilst improving highway safety for all users of the highway including children, and their carers, of the nearby school and patrons of the Church.
- 11.7 The internal layout of the proposed development has been designed in accordance with advice from Highway Engineers who are satisfied that, as a result, there is sufficient car parking provision within the development site for future residents. All properties are provided with a minimum of two off-street parking spaces, whilst the layout includes areas where visitors’ vehicles could also be accommodated within the site. Consequently, there will therefore be no additional demand for parking on Ashton Road.
- 11.8 In the Highway Consultant’s submission made on behalf of objectors, additional information has been provided seeking to highlight existing parking demand in the locality, both as a result of attendance at the nearby school and church, but also through a survey of the parking demands of local residents and photographs of periods of congestion.
- 11.9 As with many school environments, congestion particularly around drop-off/ pick-up times, can be readily observed. However, even following the introduction of the proposed access to the development, this would displace at most 4 vehicles for a temporary period. Such an impact could not be considered to be a significant adverse impact.
- 11.10 In respect of more general residential parking demand, the objector’s survey suggests that of 29 properties questioned, there is a car ownership of 64 with only 32 off-street spaces, giving a surplus of 32. Whilst the results are noted, officer observations, including in the evenings when many residents would be expected to be at home, do not indicate such persistent high levels of resultant on-street parking that other options

for any displaced vehicles would not be available in the vicinity.

11.11 It is proposed that the new estate road will be adopted. At its entrance the development also has the potential to create additional on-street parking options.

11.12 A number of further representations have been received from members of the public, which are addressed separately below:

- Loss of parking (yellow lines) would affect residents (who don't have driveways), school (at dropping off/pick up times), and the church (including elderly people).

The yellow lines that are referred to were shown on the original drawings submitted with the application. They were not considered necessary and have been removed.

- Parked vehicles already block the footway forcing people to walk in the road. No pavement in places.

The proposed development will not result in additional car parking on Ashton Road. The highway improvement work will result in the widening of footways on Ashton Road along the boundary of the development site.

- Access should be taken from the new road constructed a few years ago.

The Local Planning Authority is obliged to consider the proposals as submitted. In this instance, an additional access has been proposed. It has been assessed and it is considered that, with the mitigation works to the traffic calming measures on Ashton Road, it will operate safely without having a detrimental effect on highway safety.

- The traffic survey was undertaken at peak time when traffic speeds would be low.

The traffic survey was undertaken during peak periods, which is accepted practise. This encapsulated the volume and type of traffic as well as the speed of traffic. The traffic calming features that are already in place will be enhanced to further reduce the speed of traffic and to improve the highway safety of all users, including school children.

- Problem of commuter traffic passing through and no calming measures have been put in place.

A condition will be attached to ensure that the existing traffic calming features will be enhanced. This will reduce the speed of traffic and could make the route unattractive for drivers passing through.

- Problems from construction traffic

There will be construction traffic during the construction period – that is unavoidable on any new development. However, it will be managed through measures implemented as part of a Construction Management Plan, which will be required as part of a condition.

- Existing roads in a poor condition.

Some improvements will be made as part of the highway improvement to the traffic calmed area. A condition survey will be carried out before and after the construction



phase of the development. Any damage caused by contractors will be rectified.

11.13 In conclusion, Highway Engineers are satisfied that there will not be a significant amount of traffic generated by the proposed development, the existing traffic calming features on Ashton Road will be improved, thereby improving the highway safety of all users of the highway, and there is sufficient car parking provision within the development to ensure that there is no additional demand for on street parking on Ashton Road.

11.14 This application is therefore considered acceptable in terms of highway safety.

## **12. BIODIVERSITY AND ECOLOGY**

12.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

12.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.

12.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement. The submitted BNG Metric shows that on-site biodiversity net gain cannot be achieved. Given that the proposal relates to a presently naturally vegetated site it would not be practicable to obtain amendments to the scheme to satisfy the target without fundamentally impinging on the viability of the development.

12.4 In order to achieve the required BNG increase, the applicant has indicated that a contract is in place for the developer to purchase an area of open land immediately adjoining the southern boundary of the application site when planning permission for the development is obtained. This area will be used to create and enhance habitats.

12.5 The application is accompanied by a Habitat Management and Monitoring Plan for this land which sets out a 30-year programme for monitoring and management to ensure the biodiversity enhancements reach the target condition as identified in the submitted Statutory Biodiversity Metric.

12.6 These arrangements will be secured through a Section 106 agreement.

12.7 As this additional site will not fully achieve the required 10% biodiversity uplift, the applicant will also need to obtain off-site biodiversity credits. Discussions are presently taking place with the Lancashire Wildlife Trust to secure these credits and the applicant has indicated that they are in the process of arranging the 10% deposit to secure the units.

12.8 Notwithstanding the above, once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved before commencement of the development. To discharge this condition, the Council will need to be satisfied that the biodiversity improvements outside the application site boundary can be achieved and the sites have been duly registered.

12.9 In respect of impacts of the development on ecology, consideration must also be given to the development's effects on trees and wildlife.

- 12.10 With regard to impact on trees, an Arboricultural Statement has been submitted along with proposed landscaping plans. The Tree Survey has identified moderate and low quality trees which will be removed to facilitate the development. This includes some trees within the existing wooded area fronting onto Ashton Road and those to the rear boundary of Woodhouses Church.
- 12.11 The group of trees on the site frontage are within the Woodhouses Conservation Area and therefore are presently afforded protection through that designation. Whilst the majority of these specimens will be removed, the group alongside the north-eastern boundary (adjoining the recent 3 house development) will be retained, and an agreed methodology applied during construction to protect these trees.
- 12.12 The Council's Trees Officer considers that the scheme would be acceptable as the Landscape Detail plan and schedule would more than satisfy the 2:1 requirement in PfE Policies JP-G6 and JP-G7.
- 12.13 A Preliminary Ecological Appraisal has been submitted with the application.
- 12.14 In respect of protected species, it is noted that there is a pond immediately adjacent to the application site and great crested newts are present in the area. GMEU notes that Natural England has accepted the scheme into the District Level Licensing Scheme for the conservation of great crested newts. No on-site mitigation or compensation for great crested newts is therefore required, although it is noted that habitat improvements on land to the south of the application site will be of benefit to amphibians.
- 12.15 Nevertheless, it is advised that measures to protect amphibians (and other wildlife) from direct harm during site clearance and groundworks are required. These measures will be incorporated into the Construction Environment Method Statement.
- 12.16 All nesting birds, their eggs and young are legally protected and therefore no vegetation clearance required to facilitate the proposals should take place during the optimum time of year for bird nesting (March to August inclusive), unless nesting birds have been shown to be absent by a suitably qualified person. This will also be subject to a planning condition.
- 12.17 Japanese knotweed has been recorded on the application site. Therefore, a method statement should be required by condition giving details of measures to be taken to control the spread of this plant during any ground clearance or construction works.
- 12.18 Overall, it is considered that the development will result in achievement of the statutory uplift in biodiversity value.

### **13. LAYOUT AND DESIGN**

- 13.1 The configuration of the proposed development is largely determined by its elongated shape and access arrangement.
- 13.2 From Ashton Road, views of the site will largely comprise the access road, one side of which will remain within a landscaped tree belt, whilst the other side will be occupied by a detached two-storey property with its principal elevation facing Ashton Road. The materials to be used on this property and associated boundary treatments have been amended to achieve a more traditional feel as discussed in the heritage section below.

- 13.3 Beyond this point the layout comprises a main north-south access road and two shorter cul-de-sacs extending westwards. Seven different house types will be interspersed throughout the site, including small groups of three-storey properties. Woodhouses contains properties in a wide variety of style, and in that context, the range and type of buildings will make an appropriate contribution to the site.
- 13.4 Public external views of this area will be available from users of the public footpath which runs to the west of the site which will be seen in the context of the established tree belt adjacent to the motorway, and which will otherwise shield the site from views to the east.
- 13.5 Overall, it is considered that the proposed details will provide visual interest and not detract from the character of the existing urban edge to south of Woodhouses.

#### **14. RESIDENTIAL AMENITY**

- 14.1 In respect of the amenity of existing residents, direct impacts will be experienced by the properties to the west of Woodhouses Church, the new houses to the east of the church, and by those properties across Ashton Road opposite the site entrance.
- 14.2 Other impacts could be experienced through the increased traffic movements from the development.
- 14.3 With regard to the amenity of future residents of the development, the primary impact could be from noise associated with traffic along the nearby M60. An Environmental Noise Assessment Report has been submitted. This recommends a glazing and ventilation strategy to the properties along with installation of a 2.1 metres high acoustic fence to the properties along the site's eastern boundary.
- 14.4 As required by Places for Everyone Policy JP-H3, the properties shall comply with the nationally described space standards and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations, unless specific site conditions make it impracticable.
- 14.5 As required by Places for Everyone Policy JP-S2, the properties are required to achieve energy demand reductions in terms of space heat demand, hot water energy demand, and the delivery of on-site renewable energy generation in line with the Policy.

#### **15. HERITAGE**

- 15.1 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that with respect to conservation areas special attention should be paid to the desirability of preserving or enhancing the character or appearance of the area.
- 15.2 In addition, NPPF Part 16 sets out guidance on the approach to be taken in considering proposals which would affect heritage assets.
- 15.3 Paragraph 208 states that "*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal*".

- 15.4 Paragraph 210 requires local planning authorities to take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and,
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 15.5 It continues at paragraph 212, stating that "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*".
- 15.6 Paragraph 215 states that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*".
- 15.7 Woodhouses Conservation Area was designated in 1972 and adjoins the northern boundary of the proposed development site. The proposed access to Ashton Road through the wooded area is included within it. Therefore, it is necessary to consider the impact on this heritage asset.
- 15.8 The main application site lies outside the Conservation Area boundary, albeit contiguous to it on its northern boundary.
- 15.9 Existing buildings located within the Conservation Area which adjoin the site boundary along Ashton Road comprise Woodhouses Church (a non-designated heritage asset), a pair of detached dwellings, one of modern design and the other more traditional, and the modern, single storey buildings of Woodhouses Primary School.
- 15.10 A Heritage Statement has been submitted with the application providing an assessment of the contribution of the site to the significance of the Conservation Area. The Statement concludes that the proposals are sympathetic to the character of this part of the Conservation Area and to be beneficial overall to the significance of it.
- 15.11 A subsequent Heritage Statement on behalf of objectors to the development has also been submitted. By contrast, this concludes that the proposed development would cause harm to the character, appearance and significance of the Conservation Area and harm to the significances of historic buildings by means of changes to their settings.
- 15.12 Given these conflicting assessments, the Council has sought independent advice from Growth Lancashire which draws the following conclusions.
- 15.13 The key heritage issues considered are whether the proposal preserves or enhances the character or appearance of the Woodhouses conservation area, whether the proposal preserves or enhances the character or appearance of the Woodhouses conservation area through development in its setting, and whether the proposal

preserves the significance of the non-designated heritage asset, Woodhouses Church.

- 15.14 Woodhouses Conservation Area is primarily a linear settlement defined by the suburban character of the developments alongside it.
- 15.15 As a consequence, the application site makes a very limited contribution to the Conservation area, though the presence of trees to the northern boundary frames views along Ashton Road and provides a verdant character in the summer months.
- 15.16 However, it is considered that this contribution is limited by its relative scale, and because the Conservation Area is primarily experienced as a changed, suburban settlement. The development of the site would have some minor impact on the character and appearance through removal of the trees on the site.
- 15.17 The retained and replacement landscaping will soften the edges of the development. This does not, however, totally mitigate for the loss of these trees which will be necessary to create the access. Nevertheless, the trees proposed for removal, whilst making a contribution to its wider setting will not impact on the asset's most significant features which primarily lies in its architectural and historic interest.
- 15.18 Therefore, the harm is considered to be very low. This harm must be weighed against the public benefits of the development, which primarily relates to the delivery of much needed new housing.
- 15.19 The Council's heritage advisor has also drawn attention to the initially proposed boundary treatment and roofing materials for the proposed dwelling on the site frontage, suggesting this could be mitigated by use of an artificial or natural slate to reflect the neighbouring properties, and the introduction of brick boundary walling or hedging more in keeping with the established character.
- 15.20 The applicant has consequently amended these details which now a brick boundary wall to the site frontages and the roofing material of Plot 1 has been amended to utilise an artificial slate as recommended.
- 15.21 A specific assessment has also been undertaken of the impact on Woodhouses Church and its grounds. The building makes a good contribution to the significance of the Conservation Area as a well-preserved 19<sup>th</sup> century public building and holds strong illustrative value as a former school and later mission church, of high quality, typical mid to late 19<sup>th</sup> century design. However, as a non-designated heritage asset, a low significance can be afforded to the building.
- 15.22 Similarly, the impact on the non-designated cottages across Ashton Road would not be significant given the spatial relationship between the development and existing properties.
- 15.23 Consequently, as with the impact of the loss of trees noted above, the harm when weighed against the benefits of accruing from the new housing is not considered to be sufficient to justify refusal.
- 15.24 In this regard, the impact must be considered in the context of the long-standing designation of the application site for future residential development. The less than substantial harm to the heritage asset would be outweighed by the benefits of development of the application site. Therefore, the statutory duty under Section 72(1) has been appropriately met.

## **16. DRAINAGE AND GROUND CONDITIONS**

- 16.1 The site is located within Flood Zone 1 at the lowest risk of flooding.
- 16.2 No objections have been raised by United Utilities subject to implementation in accordance with the submitted drainage scheme. No issues in relation to the impact of the development on existing drainage systems in the area have been identified.
- 16.3 A Geo-environmental Site Assessment has been carried out. The site is located within a Coal Mining Standing Advice area.
- 16.4 The report has been considered by the Environmental Health Officer who is satisfied that appropriate assessment has been submitted to allow the commencement of development.
- 16.5 A watching brief for any unidentified contamination will nevertheless need to be carried out during construction, and a validation report will be needed post-development. A condition to require these measures will be recommended.

## **17. IMPACT ON SERVICES**

- 17.1 In respect of school provision, the Education Officer has assessed the potential increase in demand resulting from the development. Places at Woodhouses School were allocated on the basis of distance, with places presently available only in certain years. It was noted that at the last reception, 6 pupils lived more than 1 mile from the school, with 2 outside the borough. No issues at secondary level are identified.
- 17.2 Whilst other services are not available in Woodhouses itself, there is available provision in Failsworth less than 2km to the north. Given the scale of development, no significant impact on services have been identified.

## **18. CONCLUSION**

- 18.1 The application seeks approval for the details of residential development on a long-standing allocated site. Assessment of the impact on highways, the adjacent Conservation Area, landscape, ecology/biodiversity, ground conditions and drainage has been undertaken.
- 18.2 It is concluded that any impacts would not be of a sufficiently adverse nature to justify refusal of the application, whilst the scheme will assist in securing additional housing provision.

## **19. 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. Prior to the commencement of any above ground works for the construction of any dwelling hereby approved, a written scheme for the provision of affordable housing shall be submitted to the Local Planning Authority. No dwellings shall be occupied until the scheme has been approved in writing by the Local Planning Authority and the affordable housing shall be provided in accordance with the approved scheme, or any amended scheme in relation to the tenure mix subsequently approved in writing. The scheme shall include:
  - a) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of a minimum of 7.5% of the total development sales value;
  - b) the timing of the construction of the affordable housing;
  - c) the arrangements for the transfer of the affordable housing to a Registered Provider;
  - d) a strategy to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - e) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The affordable housing scheme shall be implemented as part of the development and thereafter be retained in perpetuity.

REASON - To secure an appropriate supply of affordable units in accordance with Policy 10 of the Oldham Local Plan and Policy JP-H2 of the Places for Everyone Joint Development Plan.

4. Prior to the commencement of the construction of any building, details for demonstrating that the building shall be consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.
5. Notwithstanding the plans hereby approved the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical. REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.
6. 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 22029/100/1, Rev A - Dated 08.04.22 which was prepared by REFA. For the avoidance of doubt surface water must drain at the restricted rate of 9.32 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer or on to the Strategic Road Network. including into any drainage system connected to the Strategic Road Network. 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 secure proper drainage and to manage the risk of flooding and pollution having regard to Policy JP-S4 of the Places for Everyone Joint Development Plan.

7. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:
  - i. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - ii. 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 Policy P-S4 of the Places for Everyone Joint Development Plan.

8. 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: 1401-P1-100 F; and 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 Policy JP-C8 of the Places for Everyone Joint Development Plan.
9. Prior to the commencement of the construction of any dwelling hereby approved, details of a highway improvement scheme on Ashton Road, to include a timeframe for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be broadly in accordance with the design indicated on plans J000293-SK001 and J000293-SK002. The scheme shall be fully implemented in accordance with the approved details and timeframe. REASON - In the interests of highway safety having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan and Policies 5 and 9 of the Oldham Local Plan.
10. 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.
11. No development, including land clearance works, shall be undertaken until an Invasive Non-native Species Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be



implemented in full accordance with the approved details. REASON - To prevent the spread of invasive plant species having regard to Policy 9 of the Oldham Local Plan.

12. Prior to the commencement of any development hereby approved, including land clearance works, a scheme of precautionary working methods for amphibians, reptiles, and mammals shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved recommendations. REASON - In order to secure the protection of ecological interests within the site having regard to Policy 21 of the Oldham Local Plan and Policy JP-G8 of the Places for Everyone Joint Development Plan.
13. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas. REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
14. The development shall be implemented in full accordance with the measures set out in Part 8 - Conclusions of the Environmental Noise Assessment Report (Ref: 17409432-03/R1 - February 2024) prior to first occupation of the dwelling to which the measures relate and which shall be retained thereafter. REASON - In order to protect the amenity of future occupiers of the site in accordance with Policy 9 of the Oldham Local Plan.
15. Prior to first occupation of the development hereby approved, a validation/site completion report shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the findings of the watching brief for unexpected contamination. REASON - In order to secure the safe operation of the site having regard to Policy 9 of the Oldham Local Plan.
16. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the hours of operation of the construction site, including the timing of any deliveries by large vehicles, and the methods to be employed to control and monitor noise, dust, and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works. REASON - In the interests of amenity and highway safety having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan and Oldham Local Plan Policy 9.
17. Prior to first occupation of any dwellings on Plots 26 to 41 (inclusive), the rear boundary fence as indicated on plan ref: 1401-P1-201 Rev D shall be installed in

the position indicated and to the detail shown on plan ref: 1401-P1-202. The fence, or any replacement to an equivalent specification, shall be retained at all times thereafter. REASON – In the interests of residential amenity and to prevent intrusion onto the motorway having regard to Policy 9 of the Oldham Local Plan.

18. All hard and soft landscape works shall be carried out in accordance with the approved plan Ref: 24/004 Rev C and with a programme to be agreed in writing with the Local Planning Authority prior to the commencement of the construction of any dwelling hereby approved. 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 Policy JP-G7 of the Places for Everyone Joint Development Plan.
19. The development shall be implemented in accordance with the submitted Arboricultural Statement (Ref CW/10657-AS, 10 April 2024), as supplemented by the 'Response to Arboricultural Officer Comment' document received on 7 January 2025. REASON - To protect existing trees and hedges having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan.

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

