

**APPLICATION REPORT – OUT/353664/24**  
**Planning Committee 26<sup>th</sup> February 2025**

Registration Date: 19<sup>th</sup> November 2024  
Ward: Werneth

Application Reference: OUT/353664/24  
Type of Application: Outline

Proposal: Outline application for residential development (all matters reserved)

Location: Hartford Mill, Block Lane, Oldham, OL9 7SX

Case Officer: Graham Dickman  
Applicant: Barry Parker  
Agent: Serviam Planning

**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.

**2. RECOMMENDATION**

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

**3. SITE DESCRIPTION**

3.1 This application relates to approximately 3.5 hectares of land located 1.5km to the west of Oldham town centre. The site was formerly dominated by the large Grade II listed Hartford Mill which occupied a central position on the site. Following demolition of the mill, the site now contains large areas of vacant, cleared land and natural vegetation. Land levels fall gradually in an east to west direction.

3.2 The Metrolink line occupies an elevated position along the northern boundary of the site, with Freehold tram stop in the western corner.

3.3 A small housing estate of two-storey dwellings, Ridings Way, adjoins the site immediately to the west, with the modern, single storey buildings of Freehold Community Academy located to the south-west. Across the presently open land to the east are residential properties on Milne Street, Tamworth Street, and Edward Street. A more modern housing estate lies across Edward Street to the north-east.

**4. THE PROPOSAL**

4.1 The application seeks approval for the principle of a residential development on the

site. All detailed matters relating to Access, Appearance, Landscaping, Layout, and Scale are reserved for subsequent approval.

#### Environmental Impact Assessment

- 4.2 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.3 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. Although the site area is below 5 hectares, it is anticipated that the development could exceed the applicable threshold of 150 dwellings.
- 4.4 The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.5 The proposed development involves the erection of residential dwellings on a site which is not subject to any significant noise or air quality constraints, it is located within Flood Zone 1, and development will not impinge on any national or local sites of ecological significance.
- 4.6 Appropriate specialist reports will be required by condition to assess any anticipated environmental impacts, which are not anticipated to be significant having regard to the criteria set out in the EIA Regulations and Planning Practice Guidance.
- 4.7 Consequently, an Environmental Statement is not required.

#### **5. PLANNING HISTORY**

PA/342255/18 - Outline planning application for residential use at Hartford Mill and surrounding land at Block Lane and Edward Street. All matters reserved. Submitted in conjunction with LB/342254/18 seeking consent to demolish a listed building at Hartford Mill. Planning Committee resolved to grant subject to a legal agreement on 16 January 2019

LB/342254/18 – Complete demolition of a listed building at Hartford Mill in association with proposed outline application for residential development (PA/342255/18). Approved 20 March 2019

PA/051333/06 - Outline application for residential development and associated works. All matters reserved. Approved 30 June 2006.

PA/051332/06 - Change of use from industry to residential accommodation and associated works. Approved 30 June 2006.

#### **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 (Local Plan), adopted November 2011, in accordance with the National

Planning Policy Framework (NPPF).

- 6.3 The majority of the site is a saved Unitary Development Plan (UDP) Phase 1 housing allocation which is included in the adopted Local Plan (reference H1.1.27 Hartford Mill/Land off Milne Street, Oldham). The site also incorporates land beyond the allocation boundary to include two cleared sites (formerly terraced properties) along Edward Street, and land bounding the tram line.
- 6.4 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-S1: Sustainable Development  
Policy JP-S2: Carbon and Energy

Policy JP-S4: Flood Risk and the Water Environment  
Policy JP-S5: Clean Air

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-G7: Trees and Woodland

Policy JP-P1 Sustainable Places  
Policy JP-P2: Heritage

Policy JP-C5: Streets for All  
Policy JP-C6: Walking and Cycling  
Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 1: Climate Change and Sustainable Development  
Policy 9: Local Environment  
Policy 10: Affordable Housing  
Policy 23: Open Spaces and Sports.  
Policy 25: Developer Contributions

**7. CONSULTATIONS**

Highways Officer	Recommend conditions in relation to future details of the development, a travel plan and wheel cleaning.
Environmental Health	Recommend conditions in relation to land contamination and protection of amenity.
TfGM	Recommend conditions to protect tramline infrastructure and protect future residents from tram noise.

United Utilities	Recommend conditions requiring a detailed drainage scheme and future management and maintenance arrangements.
G M Ecology Unit	The proposal will need to demonstrate that it will achieve a minimum 10% biodiversity net gain.
Trees Officer	The proposal envisages the loss of existing trees. Further details of replacement planting will be required to ensure adequate compensation for that loss.
Coal Authority	Recommend conditions for intensive site investigation and any necessary remediation to be undertaken.
Active Travel England	Determination of the application should have regard to ATE's Standing Advice.

## **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 to 79 properties, 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 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).
- 9.2 Paragraph 78 of the revised NPPF (December 2024) sets out 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.
- 9.3 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.
- 9.4 The site is allocated within the Oldham Local Plan as a housing allocation and has been identified in the Council's Strategic Housing Land Assessment as a potential residential development site capable of accommodating approximately 158 dwellings.
- 9.5 The Council's Planning Committee resolved at its meeting on 16 January 2019 (PA/342255/18) to grant outline planning permission for residential development

subject to a legal agreement requiring the applicant to enter into a Section 106 legal agreement for required contributions towards affordable housing and public open space. The application was submitted by the Council as part of the justification to allow demolition of the mill. However, no agreement has subsequently been signed and no formal decision notice issued.

- 9.6 In resolving to grant planning permission, the Committee noted the sustainable location of the site with regard to access to public transport and local services. The site had also been included in the Council's Strategic Housing Land Availability Assessment and the Brownfield Register.
- 9.7 The development has the potential to bring forward a significant number of housing units within a sustainable location to which no overriding adverse impacts are envisaged, and therefore, it is considered that the principle of residential redevelopment would be acceptable.

## **10. ACCESS AND HIGHWAYS**

- 10.1 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".
- 10.2 The site is in a sustainable location with excellent links to public transport and opportunities for walking and cycling to a range of local amenities. The existing pedestrian and cycle infrastructure in the area will be further enhanced by new pedestrian and cycle routes through the site.
- 10.3 A Transport Assessment has been submitted with this application which examines the likely effect of the proposed development on the local highway network. The Highways Officer and TfGM accept the findings that there will be no significant additional amount of traffic generated which will have an adverse impact on highway safety.
- 10.4 The proposed development site is close to a Metrolink stop and track, and conditions have been recommended to mitigate the effects of any construction works nearby.
- 10.5 There is a bus stop on Edward Street which may require relocation. This will be determined at reserved matters stage once the exact locations of access roads, dwellings, and driveways have been finalised. This will also apply to any existing street furniture including street lighting columns.
- 10.6 There is an existing 20 mph zone on the nearby highway network. Additional measures including amendment of existing traffic calming measures will be required on Edward Street and other surrounding highways.
- 10.7 The access arrangements shown on the indicative layout plan as shown is broadly acceptable. There is an access shown from Edward Street. Access is also shown from Milne Street and Block Lane.
- 10.8 This is acceptable in principle, subject to no route for vehicular traffic through the site. There will also be a requirement for an emergency access.
- 10.9 A pedestrian and cycle route will be required through the site to align with the Council's wider pedestrian and cycle infrastructure. This should be a minimum of five metres wide and will be considered at the reserved matters stage.

## **11. LAYOUT AND AMENITY ISSUES**

- 11.1 As the application has been submitted in outline with all detailed matters reserved, issues associated with the layout and design of the subsequent development would be subject to assessment as part of a subsequent Reserved Matters application.
- 11.2 Those details will need to include an acoustic report to ensure future residents are not impacted adversely by noise from the adjacent tramline.
- 11.3 At that stage, full consideration will be given both to the appearance of the development and to the relationship with existing neighbouring dwellings and the Metrolink line.

## **12. BIODIVERSITY AND TREES**

- 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.
- 12.4 As no detailed layout is available at this stage, it is not possible to confirm the extent to which compliance with the biodiversity net gain requirement can be met either on site or through the purchase of off-site credits. Although the site has subsequently been cleared, the assessment will be based on the baseline which existed in January 2020 in accordance with the requirement of the regulations.
- 12.5 The statutory requirement for a biodiversity gain plan to be approved before any development can commence will be included as part of any planning approval.

## **13. HERITAGE**

- 13.1 The application site was previously occupied by the Grade II listed Hartford Mill. Following the grant of Listed Building Consent in 2019, the site has now been cleared completely.
- 13.2 There are consequently no heritage assets on or in the vicinity of the site.

## **14. DRAINAGE AND GROUND CONDITIONS**

- 14.1 The site has been identified as falling within Flood Zone 1 with the lowest probability of flooding. United Utilities has raised no objections subject to submission of a detailed drainage scheme.
- 14.2 In respect of ground conditions, given the previous historic industrial use of the site, conditions are recommended to secure the undertaking of reports in relation to ground

contaminants, gas, and coal mining legacy, and for any necessary remedial measures to be implemented prior to commencement of any future development.

## **15. ENERGY**

- 15.1 Any future submission will be required to demonstrate that the buildings are 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.

## **16. VIABILITY**

- 16.1 As noted in the 'Principle of Development' section above, any application for the approval of reserved matters will be required to demonstrate how the development will satisfy policy requirements in relation to affordable housing and public open space.
- 16.2 Should a future developer seek to demonstrate that, due to cost considerations, those requirements would adversely impact on the viability of the development, it will be necessary for this to be evidenced within a Viability Appraisal which would be independently verified by the Council.

## **17. CONCLUSION**

- 17.1 The application seeks outline approval to confirm the acceptability of residential development on the site. Having regard to the extant local plan allocation of the site and its identification in the Strategic Housing Land Availability Assessment, the proposed use would be acceptable and there are no overriding constraints to its future development for this purpose.
- 17.2 No further details of the development are proposed for assessment at this stage and these will be subject to a subsequent reserved matters submission covering the appearance, landscaping, layout, and scale of the development.

## **18. RECOMMENDED CONDITIONS**

1. Application for approval of the reserved matters of 1) Access 2) Appearance 3) Landscape 4) Layout and 5) Scale shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or two years from the date of approval of the last of the reserved matters. REASON - To comply with 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. Any application for the approval of reserved matters in respect of the landscaping and/or layout of the development shall be accompanied by a Biodiversity Net Gain Metric and Biodiversity Net Gain Statement (including a statement whether

activities have been carried out prior to the date of application that resulted in a loss of on-site biodiversity value) to demonstrate how the development will secure a 10% uplift relative to baseline conditions. Any on-site biodiversity will be subject to a 30 year Habitat Management and Maintenance Plan. REASON – To secure biodiversity improvement at the site in accordance with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021).

4. Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by a statement to demonstrate how the development will contribute towards the provision of new or enhanced open space. REASON – To secure improvements to open space commensurate with the proposed development having regard to Policy 23 of the Oldham Local Plan.
5. Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by a scheme for the provision of affordable housing. The scheme shall include:
  - i) The numbers, type and location on the site of affordable housing provision to be made;
  - ii) The timing of the construction of the affordable housing;
  - iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and,
  - iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

REASON - To ensure an appropriate mix of dwellings is provided having regard to Policy 10 of the Oldham Local Plan and Policy JP-H2 of the Places for Everyone Joint Development Plan.

6. Any application for the approval of reserved matters in respect of the landscaping and/or layout shall be accompanied by a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The submission shall include full details of the root protection to the trees located within or extend into the Metrolink boundary and demonstrate that the development will not impact the stability of such trees and the embankment. REASON – In order to secure the protection of existing trees and the tramway embankment having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.
7. Any application for the approval of reserved matters in respect of layout and/or scale shall be accompanied by:
  - a) A report to confirm that a scheme of intrusive investigations has been carried out to establish whether mine shafts 391404-010, 391404-011 and 391404-012 are present within the site and to establish the risks posed to the development by past shallow coal mining activity. These works shall be carried out in accordance with authoritative UK guidance.
  - b) The findings of the intrusive site investigations (as required above) and a proposed layout plan which identifies the positions of the recorded mine entries if located, the extent of their potential zones of influence (whether located on-site or considered to lie off-site), and suitable no-build zones around these



features.

REASON – To ensure the safe development of the site having regard to Policy 9 of the Oldham Local Plan.

8. Prior to the commencement of above ground development (excluding site clearance), any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be implemented in full in order to ensure that the site is made safe and stable for the proposed development. A signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity. These works shall be carried out in accordance with authoritative UK guidance. REASON – In ensure the safe development of the site having regard to Policy 9 of the Oldham Local Plan.
9. Any application for the approval of reserved matters in respect of appearance, layout, and/or scale shall be accompanied by an acoustic report to include a scheme protecting the proposed housing from noise from the adjacent Metrolink operations. REASON – In the interest of residential amenity having regard to Policy 9 of the Oldham Local Plan.
10. Any application for an approval of reserved matters in respect of layout and/or scale for the development shall show details of:
  - the means of access to the development. This should include an emergency access and should not allow a through route for vehicular traffic,
  - gradients,
  - sight lines,
  - the means of accessing and servicing the buildings,
  - the provision made for car parking facilities clear of the highway,
  - secure cycle storage facilities for all types of user,
  - the means of draining the highway,
  - footway and cycleway infrastructure through the site to include improved access to the Metrolink stop, and,
  - the means of emergency access to each part of the site.

REASON - To ensure adequate highway and drainage standards are achieved having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

11. Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by the following information: A full site survey showing: (i) the datum used to calibrate the site levels (ii) levels along all site boundaries (iii) levels across the site at regular intervals (iv) floor levels of adjoining buildings, and full details of the proposed ground and finished floor levels of all buildings and proposed levels for external areas, including any retaining structures. The development shall be implemented only in full accordance with the approved details. REASON - To ensure that the details of the development are satisfactory having regard to Policy 9 of the Oldham Local Plan.

12. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes 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 in accordance with BRE365;
- 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);
- iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and,
- v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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 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.

13. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. 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.

14. 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:

- a) details for the methods to be employed to control and monitor noise, dust and vibration impacts;
- b) where construction site processes are likely to give rise to significant levels of vibration, details of appropriate monitoring should be provided. A method of vibration measurement should be agreed prior to commencement of site works;
- c) arrangements for construction vehicle access (including routing and hours of construction vehicle movement), loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and construction methods to be used including the use of cranes if intended (which must not oversail the tramway); and,
- d) wheel cleaning equipment to ensure that before leaving the site all vehicles, which have travelled over a non-tarmac surface, use the wheel cleaning equipment provided.

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

- 15. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition. 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 having regard to Policy 9 of the Oldham Local Plan.
- 16. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's written report and recommendation have been submitted to and approved by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition. 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.
- 17. No excavation shall be carried out greater than 1m deep within 1m of the Metrolink operational boundary or any piling works within the zone of influence unless prior details have been submitted to and approved in writing by the Local Planning Authority. Any such works may require track or slope monitoring to be carried out as necessary and shall be implemented in full accordance with the approved details. REASON – To ensure that the development does not adversely affect the embankment and therefore the track alignment and the operation of Metrolink having regard to Policy 9 of the Oldham Local Plan.
- 18. Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan, the occupier shall submit their travel plan to the Local Planning Authority for approval. The

approved plans shall thereafter be implemented within 3 months of such written approval. REASON - To ensure the development accords with sustainable transport policies having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan and Policy 5 of the Oldham Local Plan.

19. 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.
20. 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.

# SITE LOCATION PLAN (NOT TO SCALE)

