

Minutes of the Extraordinary meeting of the Planning Committee held at Saddleworth Civic Hall 28 March 2022.

Present: R. Knotts (VC) P. Byrne (VC)
B. Beeley M. Bingley
H. Bishop K. Dawson
L. Dawson
K. Phillips M. Scholes
D. Simpson

1. Apologies for absence
None
2. Declarations of interest
None
3. Application PIP/348651/22

It was confirmed that an application for one house on this Green Belt site (PA/346015/20) was considered at the Committee on 11 January 2021, where it was resolved to recommend refusal. It was unanimously agreed that the proposal is wholly unacceptable - and more so in light of the decision on PA /339300/16 further down Stockport Road on the other side, and subsequently dismissed at appeal.

PIP/348651/22

**Land Off Stockport Road Lydgate Oldham OL4 4JJ
Proposed development for 3No. dwellings and associated works**

Rectangular field comprising grazing land bounded by drystone wall on west side of Stockport Road opposite car park to The White Hart. Within Green Belt but immediately outside Lydgate Conservation Area.

Planning history:

PA/340891/17 - 1) Erection of gates to access agricultural land 2) Relocation and extension of dry-stone wall 3) Dropped kerb, granted 26 July 2018. SPC recommended approval.

FUL/346015/20 - Erection of 1no. dwelling with internal double garage, refused 5 March 2021 as development not limited infilling in village within Green Belt nor other form of appropriate development as defined in NPPF. Therefore, inappropriate development within Green Belt and no very special circumstances outweighing harm caused. Also, siting, scale, massing and design created over-dominant and incongruous form of development detracting from character and appearance of surrounding area, causing significant harm to designated heritage assets comprising Lydgate Conservation Area and adjacent White Hart and St Annes Church Grade II Listed Buildings. SPC recommended refusal as prominent site within Green Belt, and

inappropriate location for new residential property. Site immediately adjacent to historic Lydgate Conservation Area and Grade II Listed St Anne's Church. Huge house visible from far side of Green Belt in Grotton, providing only gap between built-up area of Oldham and Greater Manchester and Saddleworth's semi-rural fringe. House would create continuous built-up area between Lydgate Conservation Area and housing on Oldham Road, and size of house completely out of character with historic stone-built cottages, church and public house in Conservation Area.

Application in principle for erection of three detached houses, made under Permission in Principle (PIP) procedure, introduced in 2018 via Housing and Planning Act 2016. May be granted for minor housing led development, but Government has consulted on extending approach. Represents alternative way of obtaining planning permission for housing-led development which separates consideration of matters of principle for proposed development from technical detail of development. Has 2 stages - first stage (or permission in principle stage) establishes whether site is suitable in-principle and second (technical details consent) stage when detailed development proposals assessed. Current planning applications require substantial amount of information, even for outline planning permission, and PIP separates absolute basics of principle of development i.e., land use, location and amount of development, from technical details, so whilst similar can require less information than planning application

Details provided show indicative site layout, street elevation and perspective sketch, with further information in accompanying Planning and Heritage Statements. Former states that indicative plans carefully and sensitively considered, showing that site could comfortably accommodate three dwellings with plot sizes reflecting pattern of built development within surrounding area. States that OMBC accepted through planning application FUL/346015/20 that site falls within village of Lydgate for purposes of Green Belt policies in NPPF. Argues that site undoubtedly comprises gap within village, and that indicative plans show that scheme would infill that break in built form. States that demonstrated that high-quality scheme could be secured for site, that integrates well with character of area and setting of Lydgate Conservation Area and nearby listed buildings. As proposed development comprises limited infill development in village, no need to consider impact on openness of Green Belt. Cites various planning appeals in support and refers to significant shortfall in terms of deliverable housing sites across the Borough.

Heritage Statement advises that built of contextual materials, and to style respectful or contextual to historic buildings in Lydgate Conservation Area and to two nearby Listed Buildings. Argues that new dwellings will not affect significant views of Church, and as Church set back within churchyard, assesses that proposed development has neutral impact. Also, will not change reasons for which White Hart Public House significant, views not affected, and development has neutral impact on significance and setting. Views into and out of Lydgate Conservation Area not adversely impacted, so neutral impact on contribution of setting to significance, character and appearance of Conservation Area.

NPPF advises that inappropriate development is, by definition, harmful to Green Belt, and

should not be permitted except in very special circumstances. These do not exist unless potential harm by reason of inappropriateness clearly outweighed by other considerations. Construction of new buildings is inappropriate, but exceptions include limited infilling in villages. Policy 22 'Protecting Open Land' of Joint DPD states that development in Green Belt will be permitted provided it does not conflict with national policies.

NPPF also advises that when considering impact of proposed development on significance of designated heritage asset, great weight should be given to asset's conservation (and more important the asset, greater the weight should be), irrespective of level of potential harm. Any harm to, or loss of, significance of designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where development leads to 'less than substantial harm', should be weighed against public benefit of proposal.

In addition, Policy 24 of Joint DPD states that development to, or within curtilage or vicinity of, a listed building or structure must serve to preserve or enhance its special interest and its setting. Also, development within or affecting setting of a Conservation Area, including views in or out, must serve to preserve or enhance character or appearance of area.

Unsurprisingly, agents make no reference to dismissed appeal relating to refusal of PA/339300/16 for 'Outline application for the erection of [1.no](#) dwelling. Approval sought of access and layout only' on land between 77 & 91-95 Stockport Road, Lydgate. On east side of road about 160m to south of site, within Green Belt and adjacent to Conservation Area as now, OMBC argued that not within village. Inspector noted that:

"The appeal site forms part of a field that extends outwards to the north and east. It is currently used for horse grazing and has an agricultural character that is distinct from the adjoining village. The site also consists of land that is higher than the adjoining road, and a traditional dry stone wall runs along its frontage. These features serve to further separate it from the built up area of the village. In my view, the site forms part of the open countryside and is outside the village of Lydgate. Moreover, the proposal would be situated in a wide gap between Nos 73-77 and the standalone property at No 91-95, of around 50 metres in width. In this regard, I do not consider that the development would represent the infilling of a relatively small gap. Accordingly, the proposal would not comprise 'limited infilling' for the purposes of paragraph 89 of the Framework." (Paragraph 145 of current NPPF).

He concluded that proposal would be inappropriate development in Green Belt, and in respect of openness considered that:

"The proposed dwelling would introduce additional built footprint and volume onto land that is currently open. The development would therefore result in a reduction in openness to this part of the Green Belt. The Framework advises at Paragraph 79 (Paragraph 133 of current NPPF) that openness is an essential characteristic of Green Belts, and the appeal proposal would

therefore cause harm in this regard.

I conclude that the appeal proposal would fail to preserve the openness of the Green Belt. This would further harm the objectives of the Green Belt to which the Government attaches significant importance.”

Finally, in respect of setting of conservation area and Listed Buildings, he commented that:

“The appeal site is adjacent to the boundary of the Lydgate Conservation Area, which encompasses the historic core of the village. The significance of the conservation area stems from its large number of well-preserved buildings and spaces that provide a good example of a Pennine ridge settlement in a rural setting.

A traditional dry stone wall runs along the western edge of the appeal site and is a prominent feature within the street. It reflects the traditional boundary treatments within the conservation area and makes a positive contribution to its immediate setting. The proposal would involve the partial removal of this wall in order to facilitate access into the site. This would erode the contribution that the wall currently makes and would detract from the traditional character of the area.

The appeal site currently affords open views across Saddleworth Moor from within the village. This provides a direct link between the conservation area and its rural setting, and is mirrored by a similar open aspect on the opposite side of the road. The appeal development would result in the partial loss of this open view, which would further harm the setting of the conservation area.’

Fundamental disagreement in respect of impact of development and quality of scheme, which proposes executive estate-type dwellings of no particular architectural merit within Green Belt, adjacent to Conservation Area and Listed Buildings. Proposal wholly out of character with historic stone-built cottages, Listed church and public house in Conservation Area, and would cause harm to designated heritage assets, adversely affecting settings of Listed Buildings and Conservation Area, as well as views in and out. In particular, fine views available towards Oldham and Manchester, whilst removal significant parts of dry stone boundary wall to allow double driveways would erode contribution made, detracting from traditional character of area.

In Green Belt terms, and notwithstanding reference to Planning Officer’s previous view that falls within village of Lydgate, not considered that 50m width of site represents small gap in otherwise built-up frontage, so difficult to argue that infilling. No very special circumstances to justify development of this greenfield site within Green Belt, which consequently represents inappropriate development seriously harmful to openness, visual amenity and character.

Recommendation: Refusal (unanimously)

4. Items for the next Agenda

None

Next meeting 4 April 2022