

# APPLICATION REPORT - PA/344184/19

Planning Committee, 12 February, 2020

**Registration Date:** 19/11/2019  
**Ward:** Saint Mary's  
**Application Reference:** PA/344184/19  
**Type of Application:** Full Planning Permission

**Proposal:** Change of use of first and second floors from financial services (Class A2) to residential (Class C3) comprising four residential apartments  
**Location:** 1-5 Church Terrace, Oldham, OL1 3AU  
**Case Officer:** Abiola Labisi  
**Applicant Agent :** Mr Mushtaq Whittaker Design

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In accordance with the Council's Scheme of Delegation, the application is required to be determined at Planning Committee as the applicant is a relative of an elected member.

## THE SITE

1-5 Church Terrace is a three-storey stone building occupying a prominent setting within the Oldham Town Centre Conservation Area.

## THE PROPOSAL

The proposal relates to the change of use of the first and second floors of the building to residential use comprising of 4 apartment units. Two of the proposed four units would be on the first floor while the other two would be on the second floor. In terms of occupancy/size, two of the units would be one bedroom apartments for two persons while the other two would be two bedroom apartments for four persons. The one bedroom apartments would be laid out over 58 square metres while the two bedroom apartments would have an internal area of 70 square metres.

There would be no external alterations to the building.

## RELEVANT HISTORY OF THE SITE:

PA/343581/19 - Permission granted for change of use from offices (Class A2) to 2no.residential apartments (Class C3) on 18/10/201.  
PA/341814/18 - Permission granted for alterations to front elevation following removal of existing ATM and night safe on 18/07/2018

## CONSULTATIONS

Highway Engineer	No objection subject to the provision of secure cycle parking facilities.
Environmental Health	No objection subject to submission of details relating to wall sound proofing and noise mitigation.

## REPRESENTATIONS

Occupiers of neighbouring properties were notified of the application and a site notice was displayed near the site. No representation was received.

## **RELEVANT PLANNING POLICIES & GUIDANCE**

The application site is located within a Conservation Area as identified within the Proposals Map associated with the Joint Development Plan Document (DPD). Therefore, the relevant policies are as listed below:

Policy 1 - Climate change and sustainable development  
Policy 3 - An address of choice  
Policy 5 - Promoting accessibility and sustainable transport choices  
Policy 9 – Local Environment  
Policy 11 - Housing  
Policy 20 – Design  
Policy 24 - Historic Environment

## **PLANNING CONSIDERATIONS**

The main planning issues to consider are:

- Principle of the development
- Impact on the character of the area
- Residential amenity
- Highway issues.

### **Principle of the development**

The site occupies a sustainable location and the provision of dwelling units in the town centre is consistent with DPD Policies 1, 3 and 5 with ready access to a range of services.

The proposal is therefore considered acceptable in principle.

### **Impact on the character of the area**

The proposal does not include any significant external alteration works to the building and as such, it is considered that the proposal would not lead to any harm to the character and appearance of the Conservation Area neither would it harm the significance of any of the designated heritage assets within the vicinity of the site.

In terms of land use, it is noted that the ground floors of majority of the properties in the area are in commercial use. The proposal would not alter this established character as the proposed change of use is limited to the upper floors only with the ground floor retaining its current commercial use.

### **Residential amenity**

In terms of compliance with the provisions of the Technical housing standards - nationally described space standard, it is noted that the proposed single bed units would have an internal floor area of 58 square metres while the two bed units would have an internal area of 70 square metres. The minimum requirement for a single bedroom two person unit is 50 square metres while that for a two bedroom four person unit is 70 square metres. The scheme would comply with these minimum requirements and would therefore provide adequate amenity in terms of internal space.

The Environmental Health Officer has recommended a condition relating to the soundproofing of the walls, floors and ceilings between the flats, and for mitigation of noise from external sources, in the interest of the amenity of the occupiers of the flats. This is considered reasonable.

### **Highway Issues**

The site is located in close proximity to a range of public transport modes and the proposal

does not include any provision for on-site car parking. Given the location and the available range of public transport modes, it is considered that non-provision of car parking spaces as part of the scheme would be acceptable. However, a condition requiring the provision of secure cycle parking facilities within the site is recommended.

## **CONCLUSION**

Having regard to the scale and nature of the proposed development, the location of the site and the general pattern of development in the area, it is considered that the proposal would not lead to any significant adverse impact on the character of the area neither would it lead to any significant adverse impact on the amenities of the occupiers of neighbouring properties. The proposal would therefore be in accordance with relevant provisions of Oldham Local Plan and relevant provisions of the NPPF.

## **RECOMMENDATION**

Approve, subject to the following 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 plans and specifications received on 19/11/2019, which are referenced as Drawing No. 3760.3 (Proposed Floor Plans).

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 first occupation of the development, details of measures for the insulation of floors/ceilings and separating walls between commercial and residential uses, and for mitigation of external noise, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved measures shall be implemented in full prior to first occupation of the approved residential apartments.

Reason - To minimise the impact of noise on the future occupiers of the development in accordance with Policy 9 of the Oldham Local Plan.

4. The apartments hereby approved shall not be occupied until facilities for the storage and removal of refuse and waste materials have been provided in accordance with a scheme which has previously been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved facilities shall remain available for use.

Reason - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area.

5. The development hereby approved shall not be occupied until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.

Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development ) (England) Order 2015, or any Order revoking and re-instating that Order with or without modification, the use of the residential apartments hereby permitted shall be restricted to use within Class C3 of the Town and Country Planning (Use Classes) Order 1987, and to no other purposes including those within Class C4 of that Order.

Reason – To protect the amenity of the area and the character of the Oldham Town Centre Conservation Area.

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