

# APPLICATION REPORT - CA/049134/05

Planning Committee, 27 July, 2005

**Registration Date:** 30/03/2005  
**Ward:** Chadderton North

**Application Reference:** CA/049134/05  
**Type of Application:** Conservation Area Consent

**Proposal:** Demolition of all buildings on the site  
**Location:** Eustace Street Primary School, Eustace Street, Chadderton, Oldham  
**Case Officer:** Matthew Lamb

**Applicant** Oldham MBC  
**Agent :** Executive Director, Environmental Services

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## UPDATE

Members will recall that this application was deferred at the Planning Committee meeting of the 1<sup>st</sup> June 2005 to allow further consideration of the merits of the scheme. It was asked that a further round of marketing for the site be considered in order that the buildings, which are of historical and architectural importance, could be retained.

I would advise that the previous marketing exercise for the site was extensive, with sales particulars appearing in national, regional, and local publications (Manchester Evening News 28/11/01 & 13/2/02; Oldham Chronicle 29/11/01 & 14/02/02; Property Week 7/12/01; and Estates Gazette 9/2/02). From the outset, it was stated that the Council, as Local Planning Authority would be flexible in its approach, stating that although the retention of all buildings on the site was desirable, that consideration would be given to proposals which sought to secure the substantial retention of the Eustace Street block itself. As has already been detailed, such an approach was unsuccessful, with very limited interest shown. I am satisfied that this previous approach was appropriate, and is consistent in terms of the levels of publicity and terms and conditions, with all the Councils other marketing exercises.

I am of the opinion that the undertaking of another marketing exercise, which would be almost identical to that which has already taken place, would be unnecessary and unproductive in this instance.

It is clear that the re-use of the buildings and site is not currently a viable alternative. The site has deteriorated to the extent that it would cost over £1 million pounds (excluding VAT) to renovate. I am also mindful that the site has been a regular target for vandalism and anti-social behaviour over the past 4 years. The building is in a ruinous and dilapidated condition and parts of the building are now in a dangerous condition. To postpone a decision would lead to further delay, uncertainty, and ongoing disturbance for local residents.

I am satisfied that every reasonable effort has been made to preserve the buildings, and/or secure a replacement building/use for the site. In this instance, I regrettably conclude that demolition is the only viable alternative left available.

**In having regard to the above I therefore support the approval of the application, and recommend that the Secretary of State, who will make the decision on this application, be advised that Committee would have been minded to grant consent.**

## **THE SITE**

Eustace Street Primary School, Eustace Street, Chadderton, Oldham

## **THE PROPOSAL**

Conservation Area Consent is sought for the demolition of Eustace Street Primary School and associated buildings. These buildings comprise the main school building itself, the nursery, and the caretaker's residence at 144 Victoria Street.

The school is located within the Victoria Street Conservation Area, which was designated in 1989 as constituting a typical example of a late Victorian industrial suburb epitomized by its mill buildings, co-operative store, chapel, school and terraced housing.

National and local planning policy seeks to encourage the retention and re-use of all buildings in Conservation Areas that contribute to their character and historic interest. Such buildings may not be demolished without the prior consent of the Local Planning Authority. In this case, as the application for demolition is being made by the Council, the application must be forwarded to the Secretary of State for determination. With this in mind members are asked to provide a recommendation only, in this instance.

In support of the proposal the applicant has submitted a building condition survey and evidence that the site has been previously marketed for sale.

The applicant goes on to report that when the buildings were in school use, they suffered from extreme dry rot problems. Due to their increasing unsuitability for the provision of modern education curriculum a decision was taken in the 1990's to apply for funding to replace the school. This replacement, now known as Burnley Brow, was constructed on the nearby site of Kent Mill.

On completion of the new school buildings in Summer 2001, Eustace Street School was vacated and the buildings have remained vacant since.

The school site has been advertised for sale by informal tender in national, regional, and local publications. By the closing date two offers were received. The lower offer was for £70,000 and was not considered to be economically viable for a 0.5 hectare site and buildings. The higher offer of £140,000 with a proposed use as a day care centre was considered reasonable and was accepted in June 2002. Unfortunately, the proposed purchaser was unwilling or unable to complete and the sale fell through in late 2002. As the extensive period of marketing had produced little interest it was decided that further marketing would be fruitless. An attempt was also made to identify alternative Council use for the complex.

The buildings were identified as being potentially suitable as an extension to the Falcon Centre, which is situated on the other side of Victoria Street, adjoining Manor Mill. During 2003 initial costings were drawn up and discussions suggested that a bid for ERDF (European Regional Development Fund) funding would be likely to be successful. However, due to the nature of the buildings and their condition the scheme would have required significant gap funding and would require a grant of 50%. Unfortunately such assistance was not forthcoming, and in the absence of grant monies the scheme was not viable.

Since the vacation of the school, the site has been the target for theft and vandalism. It is reported that due to the lack of viable uses for the building, and ongoing problems with maintenance and vandalism, that regrettably, the only option now left is to seek consent to

demolish the buildings. It is hoped that a cleared site could be successfully marketed and brought back into use.

### **RELEVANT HISTORY OF THE SITE:**

None of relevance to this application

### **SITE SPECIFIC UDP POLICIES**

NONE

No site specific policy applies.

### **CONSULTATIONS**

English Heritage – Recommend regard is had to PPG 15, which states that applications for demolition in Conservation Areas should not be determined before a replacement scheme is agreed.

\*\*Greater Manchester Archeology Unit – To be reported

\*\*Traffic Section – To be reported

Environmental Health (Pollution) – No objection

Chadderton Historical Society – express regret and disappointment that application has been made to demolish the building. However, it is recognised that the building is in a “ruinous and dangerous” condition”, and that “much of its dignity has gone”. It is requested that the foundation stone and terracotta lintels above both ‘Boys’ and ‘Girls’ entrances be donated to the society so that they can be suitably displayed for future generations.

### **REPRESENTATIONS**

Neighbours – 2 no. individual letter of objection have been received from the occupiers of neighbouring premises, the grounds of which can be summarised as follows:

- A. This listed building would not need to be demolished if the Local Authority had addressed the situation from the outset instead of leaving the premises abandoned to the point where it is considered that renovation is not worthy
- B. The cost of demolition will not be a great deal less than renovation. The community should not therefore lose out on this wonderful piece of architecture
- C. The re-use of the site should be known before demolition is considered, with a scheme having been approved prior to the commencement of development
- D. Leaving the space open would attract youths and vandals in the evening, to the detriment of the amenities of occupiers of nearby dwellings
- E. Occupiers of nearby dwellings would be subject to noise and disturbance whilst demolition works will be ongoing
- F. The demolition of the buildings may lead to a devaluation in property prices

### **PLANNING CONSIDERATIONS**

As detailed above, national and local planning policy seeks to encourage the retention and re-use of all buildings in Conservation Areas that contribute to their character and historic interest. Before being minded to approve any such consent, I must be satisfied that every effort has been made to preserve the building, and/or secure a replacement building/use for the site.

AUDP Policy BE2.5 states:

**“The Council will not permit the demolition, or damaging alteration, of a building or**

**other structure in a Conservation Area which it believes makes a positive contribution to the architectural or historic interest of the area unless it is satisfied that:**

- a. every effort has been made to continue the buildings present use or find a suitable alternative use, or**
- b. the demolition is part of a redevelopment proposal which will enhance the area as a whole.”**

PPG 15 states that “The general presumption should be in favour of retaining buildings which make a positive contribution to the character and appearance of the conservation area” and “...that proposals to demolish such buildings should be assessed against the same criteria as proposals to demolish listed buildings”. It goes on to state that “consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment.” (para 4.27, PPG15).

Historically, although not listed, the school has represented a key building(s) within the Conservation Area. It is hemmed in by contemporary terraced housing on three sides and sits in the shadow of the listed Manor Mill on the opposite side of Victoria Street.

The school buildings are of traditional Victorian design in red brick with stone detailing with steeply sloping pitched roofs of blue slate. On the Eustace Street frontage the school has separate gabled entrances for boys and girls. The entrances have double doors with fanlight and decorative surrounds of alternate brick and stone courses with central keystones and terracotta work above.

The main elevation of the infants building can be viewed from Victoria Street across the schoolyard. This has similar detailing to the main building and worthy of note are two large arched window openings. The buildings are now in a very poor state of disrepair. The majority of the roof tiles have been removed/stolen, cracks have appeared in the fabric of the building, and all windows have been smashed and subsequently boarded.

In 1993 a Conservation Area study was undertaken which outlined the importance of not only the architectural quality and design of buildings within the Conservation Area, but also their historical significance, as an example of the mill communities that emerged and prospered during the Industrial Revolution, only to decline rapidly during the post war slump. This assessment refers to Eustace Street school, which is described as an important factor in the special character of the conservation area. It is not only of architectural interest but is also historically important in that the school would once have been a central part of the Victorian mill community. It goes on to state that the school is visible from many areas within the Conservation Area, being framed by the views down the surrounding terraced streets.

Eustace Street School clearly has, and does, make an important and significant contribution to the character and appearance of the Victoria Street Conservation Area. However, I note that the school has been vacant since 2001. Since this time the fabric and appearance of the building has seriously declined, to the extent that it would cost over £1 million (exclusive of fees and VAT) to renovate, according to the submitted conditions survey. Moreover, the site is the subject of regular vandalism, crime, congregation of youths, and anti-social behavior. These has also been a suspected arson attack which has severely damaged the old kitchen quarters.

I note that attempts have been made to secure the use/re-use of the buildings and site, both through a private marketing exercise, and consideration of potential alternative Council uses. All such attempts have failed, with limited interest having been shown from any potential occupiers/buyers. I am satisfied that every effort has been made to find a suitable alternative use for the school, and that accordingly, criteria a). of AUDP Policy BE2.5 has been satisfied.

I sympathise with the applicant's view that following such efforts, and the 4 years decline and

vandalism which have followed, that demolition is considered the only remaining option. Thus, whilst ordinarily I would expect an approved replacement scheme to be in place prior to being minded to allow such a demolition (particularly given the historical functional and architectural importance of the school, and guidance contained within PPG15 and criteria b) of UDP Policy BE2.5), I am mindful that attempts have been made to secure such a replacement. Given the lack of interest following previous advertisements it is difficult to firmly identify any potential for future re-use. With this in mind I am of the opinion that, regrettably, demolition is the only viable option left remaining in this instance. This would then allow the re-advertisement of a cleared site, which would hopefully generate more interest.

I would point out that if demolition were allowed, the former presence of the school will be a material consideration in the assessment of the planning application for a replacement scheme. Whilst as officers, my development control team can only negotiate within the remit of wider planning guidance and legislation, I would advise that as landowners, the Council could secure a higher quality of design to secure a sympathetic replacement over and above what could be achieved through the planning regime, perhaps through the use of a development agreement with any potential developer, or through the preparation of a design brief for the site.

I have considered the option of imposing a condition requiring demolition works to only take place upon the approval of a replacement scheme, particularly given concerns over gap sites that can be created which can, in themselves, damage the character and appearance of the Conservation Area. However, given the lack of interest previously shown, and continuing problems with crime, vandalism, and anti-social behavior, I consider such a condition would be unhelpful.

Turning to issues raised by neighbours regarding the material considerations of noise and disturbance whilst demolition works are ongoing, I would recommend that the hours of works be controlled and movements to and from the site restricted.

With respect to highway issues, my highway engineer is assessing additional information regarding materials which will be removed from site during demolition works. I will advise further on this aspect at the Committee meeting.

In having regard to the above I am of the opinion that, on balance, demolition is the only option remaining to find a use for the site. Whilst the loss of the school is regrettable, I am mindful of the importance of finding an alternative use, and bringing an end to the problems for local residents. I therefore support the approval of the application, and recommend that the Secretary of State, who will make the decision on this application, be advised that Committee would have been minded to grant consent.

## **RECOMMENDATION**

That Committee would have been minded to approve the application subject to the following conditions, and that it be referred to the Secretary of State for determination.

1. The development must be begun not later than the expiry of FIVE years beginning with the date of this permission.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. Prior to the commencement of development a schedule for the demolition Works, to include timescales, hours of operation, periods when vehicles will enter/leave the site, etc shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the demolition works shall be fully implemented in accordance with the approved schedule unless otherwise agreed in writing by the Local Planning Authority.

Reason - To protect the amenities of occupiers of nearby dwellings.

3. Prior to the commencement of development a scheme to securely fence the site following demolition works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be fully implemented within 1 month of the completion of demolition works and be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason – To protect the amenities of occupiers of nearby dwellings.

# PLANNING COMMITTEE INFORMATION ABOUT BACKGROUND PAPERS

## REPORT OF THE EXECUTIVE DIRECTOR ENVIRONMENTAL SERVICES - PLANNING AND ADVERTISEMENT APPLICATIONS

### WHAT ARE THE 'BACKGROUND PAPERS'?

The Local Government Act 1972 provides that the public are entitled to the agendas, minutes and papers of meetings of the Council which are held in public and some access to the "background papers" relating to reports. Papers, agendas and minutes of meetings must generally be available five clear days prior to the date of the meeting. The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

### THE BACKGROUND PAPERS

- 1. The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
  - The application forms
  - Plans of the proposed development
  - Certificates relating to site ownership
  - A list of consultees and replies to and from statutory and other consultees and bodies
  - Letters and documents from interested parties
  - A list of OMBC Departments consulted and their replies.
- 2. Any planning or advertisement applications:** this will include the following documents:
  - The application forms
  - Plans of the proposed development
  - Certificates relating to site ownership
  - The Executive Director, Environmental Services' report to the Planning Committee
  - The decision notice
- 3. Background papers additional to those specified in 1 or 2 above or set out below.**

### ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Environmental Services Department, Level 12, Civic Centre, West Street, Oldham during normal office hours, i.e. 8.40 am to 5.00 pm or on the Council's internet at [www.oldham.gov.uk/decision\\_recording.htm](http://www.oldham.gov.uk/decision_recording.htm)

Any person wishing to inspect copies of background papers should contact Mrs Barbara Hodgson, Planning Administration Manager or Mrs Nicola Robinson, Senior Planning Administrator, telephone no. 0161 911 4171 or by email [planning@oldham.gov.uk](mailto:planning@oldham.gov.uk)

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Burnley Brow  
Community School

Burnley Brow  
Community School

El Sub Sta

El Sub Sta

EUSTACE STREET

Post

WESTFIELD STREET

TCB

BAMF

Works

Eustace Street  
County Primary School

Boundary Court  
151.7m

VICTORIA STREET

GARFORTH STREET

Brierley

MANOR CLOSE

FALCON



Scale 1:1250