

## ***PLANNING COMMITTEE Regulatory Committee Agenda***

Date Wednesday 8 June 2022

Time 6.00 pm

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 or email [Constitutional.Services@oldham.gov.uk](mailto:Constitutional.Services@oldham.gov.uk)

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 3 June 2022.

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MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:

Councillors Al-Hamdani, Dean (Chair), H. Gloster, Hobin, F Hussain, Lancaster, Surjan, Woodvine, Cosgrove, A Hussain, S Hussain, Islam, Nasheen and C. Phythian

Item No

- 7 FUL/348415/22 - Spindles Town Square Shopping Centre, High Street, Oldham (Pages 1 - 18)
- Comprehensive redevelopment of the Spindles Town Square Shopping Centre comprising the rationalisation of the existing Upper Mall floorspace to create new flexible high quality office use including co-working space (Use Class E), Change of use of part of the existing Upper Mall and car park to create a new archive space (Sui generis) and construction of a new market hall (Use Class E) and event space (Sui generis) including rooftop terrace, together with external alterations, cycle storage and changing facilities, roof mounted solar photovoltaic panels, public realm improvements, and other associated works.
- 8 FUL/346141/21 - Thornham Mill, Oozewood Road, Royton (Pages 19 - 38)
- Demolition of existing derelict mill to be replaced with the proposal of a 5 storey, 60 unit residential development with under-croft parking and shared landscaped amenity.
- 9 FUL/346918/21 - The Vestacare Stadium, Whitebank Road, Oldham (Pages 39 - 46)
- Siting of an ancillary food kiosk (mobile catering van) and provision of sheltered seating areas (including within a converted steel container).
- 10 FUL/348308/22 - Bee Mill, Shaw Road, Royton,. Oldham (Pages 47 - 54)
- Retrospective application for erection of storage building.
- 11 FUL/348446/22 - 6 Pole Lane, Failsworth, Oldham (Pages 55 - 60)
- Change of use from C3 to Sui Generis (7 no. bedroom/9 person Houses of Multiple Occupation) including external alterations.
- 12 HOU/348488/22 - 1A Lower Tunstead, Tunstead Lane, Greenfield (Pages 61 - 66)
- Single storey rear extension.



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- 13 LBC/348487/22 - 1A Lower Tunstead, Tunstead Lane, Greenfield (Pages 67 - 72)  
Single storey rear extension.
  
- 14 Appeals Update (Pages 73 - 76)

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## **APPLICATION REPORT – FUL/348415/22 Planning Committee 8<sup>th</sup> June 2022**

Registration Date: 10th March 2022  
Ward: Coldhurst

Application Reference: FUL/348415/22  
Type of Application: Full Application

Proposal: Comprehensive redevelopment of the Spindles Town Square Shopping Centre comprising the rationalisation of the existing Upper Mall floorspace to create new flexible high quality office use including co-working space (Use Class E), Change of use of part of the existing Upper Mall and car park to create a new archive space (Sui generis) and construction of a new market hall (Use Class E) and event space (Sui generis) including rooftop terrace, together with external alterations, cycle storage and changing facilities, roof mounted solar photovoltaic panels, public realm improvements, and other associated works

Location: Spindles Town Square Shopping Centre, High Street, Oldham, OL1 1JD,

Case Officer: Graham Dickman  
Applicant: Oldham Council  
Agent: Mr Chris Sinton

### **INTRODUCTION**

This application is presented to Committee as a Major application involving the Council as applicant and landowner.

### **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### **THE SITE**

The application site extends to circa 2.63 hectares and comprises two adjoining shopping centres within Oldham town centre - the Spindles and Town Square. The centres were constructed in two separate phases between 1981 and 1991 covering circa. 450,000 sq. ft of retail space, together with car parking and back of house functions including service yard.

Town Square is the older of the shopping centres, being constructed in 1981 with 5 (smaller) storeys, with the Spindles built out in 1991 with 4 floors (larger floor-to-ceiling heights). The centres were knocked through with escalators inserted to connect the principal retail floor levels.

The existing retail element is currently located at Spindles mall level and upper mall levels, and Town Square Mall Level. A large circulation space currently allows movement between

the two centres at mall level and upper mall level. At gallery level is a storage space for the retail units. The existing car parking at the site provides circa. 1,355 car parking spaces and a large service area is present on the ground floor.

The site is bounded to the north by Market Place, to the west by George Street and George Square which comprises public open space, to the south by Silver Street and Ascroft Street and to the east by Parliament Square which is an area of public realm which has recently undergone a series of improvements.

Vehicular access, including to car parking, is achieved via Ascroft Street and Silver Street with the Spindles service area accessed from Barn Street.

The site is situated in a location highly accessible on public transport, within Oldham town centre in close proximity to a number of services, amenities and public transport modes.

## **THE PROPOSAL**

This application seeks planning permission for a comprehensive redevelopment, including changes of use internally and replacement floorspace.

This includes the rationalisation of the existing Upper Mall floorspace to create the following:

1. A new flexible high quality office use including co-working space over 7039 sqm GIA (Use Class E). This will include the relocation of Council offices from the Civic Centre, and a new independently operated co-working space for entrepreneurs and local businesses seeking flexible, contemporary workspaces with modern facilities. 24 hours flexible access will be available for occupiers of the offices
2. Change of use of part of the existing Mall and car park to create a new archive space (1160 sqm GIA (sui generis)).

This facility will store museum, archive and library collections accessible to the public. The repository and back of house areas of the new archive will be located on the lowest two existing car park levels (A and B). The public search room and reading room will be located on the Town Square mall and mezzanine level within a former retail unit, adjacent to the proposed new market space.

In order to facilitate the creation of the archive space, a 67 no. existing car parking spaces will be lost.

3. The construction of a new market hall over 4649 sqm GIA to be created adjacent to the Spindles Town Square Shopping Centre, replacing the existing TJ Hughes unit which is to be demolished. This will include the relocation of the existing Tommyfield Market units.

The produce market will maintain the current retail operating hours of 9am to 5.30pm Monday to Saturday and 10.30am to 4.30pm on Sundays and Bank Holidays.

It is envisaged that the Food & Beverage market hall will operate between 11am and 11pm daily. A night-time security line will be established at around 6pm which will enable the market fronting on to Parliament Square to continue operating into the evening.

4. Finally, an event space over 3108 sqm GIA (sui generis), including rooftop terrace.

The opening hours for the Event Space will be closely aligned with the F&B Market and proposed to extend from 9am until midnight. A night-time security line will also be established for the event space to allow the space to be used independently of the main shopping centre outside of hours.

Additional elements include external alterations, cycle storage and changing facilities, roof mounted solar photovoltaic panels, public realm improvements, and other associated works

### **Environmental Impact Assessment**

The proposal has been subject to a Screening Request and Opinion in respect of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), as to whether an Environmental Statement is required.

The development is of a type listed within the descriptions of development contained within Schedule 2 of the Regulations, falling under category 10(b) urban development projects (including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas).

The site is not within a 'Sensitive Area' as defined in the Regulations. However, the overall site area exceeds the threshold for assessment.

Following careful assessment; it has been determined that the impacts of the development would not be significant in terms of environmental impacts and an Environmental Statement is not required.

### **RELEVANT PLANNING HISTORY**

Planning permissions for the present shopping centres were granted in the 1970s and 1980s. There have subsequently been a number of applications relating to the site, but which are not relevant to the present application.

DEM/348220/21 – Prior approval for the demolition of the existing TJ Hughes unit. Granted 11 January 2022.

### **RELEVANT PLANNING POLICIES**

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as Central Shopping Core and Primary Shopping Frontage (part)

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

Policy 1 - Climate Change and Sustainable Development;  
Policy 2 – Communities;  
Policy 5 - Promoting Accessibility and Sustainable Transport;  
Policy 9 - Local Environment;  
Policy 14 - Supporting Oldham's Economy;  
Policy 15 – Centres;  
Policy 18 – Energy;  
Policy 20 – Design;

## **CONSULTATIONS**

Highways Engineer:	No objection subject to submission of a Green Travel Plan.
Environmental Health:	No objection in principle subject to further investigation into landfill gas and land contamination, to include soil sampling and gas monitoring.
Drainage	The proposed drainage strategy and discharge rates are acceptable in principle. No objections subject to a condition requiring submission of a detailed drainage scheme.
G M Ecology Unit	No objection as no ecological impacts have been identified.
GM Police	No objection subject to the crime prevention measures set out in the Crime Impact Statement.
United Utilities	Request detailed drainage plans prior to determination, failing which a condition requiring details of a sustainable drainage scheme before the development commences is recommended.
Coal Authority	No objections subject to a scheme of intrusive investigations and subsequent confirmation that any necessary remediation measures have been implemented.
GM Archaeological Unit	Request the implementation of a scheme of investigative archaeological works.

## **REPRESENTATIONS**

The application has been publicised by means of press notice, site notices, and neighbour notification letters.

In response, no representations have been received.

## **PLANNING CONSIDERATIONS**

### **Principle of development**

Due to the recent shift in retail trends towards a greater online presence, the high street is seeing a steady decline in footfall and at present it is considered that the vacancy rate and quality/variety of existing tenants within both shopping centres is not conducive to the long-term health of the shopping centre or to the town centre as a whole.

Due to recent challenging retail conditions the Spindles Town Square Shopping Centre has a vacancy rate of circa. 30% with a number of vacant retail units present. As part of wider regeneration ambitions, the Council acquired the site in October 2020 with a view to re-positioning the shopping centre, introducing alternative uses and catalysing transformational change in the town centre.



The Tommyfield Market is both historically and culturally significant and is one of the largest indoor markets in the North West, with over 115 stalls. In recent decades however, it too has suffered from a decline in footfall and reputation, with only half of those visiting the Spindles also visiting Tommyfield Market.

Oldham town centre is forecast to see significantly below average percentage growth in the available pool of retail spending over the forecast period, end 2020-2025, suggesting existing vacancies are unlikely to be replaced with retail uses.

The existing evidence and current trends suggest there is an imminent requirement to consolidate the retail offering in Oldham and diversify the town centre to include a stronger leisure offer.

The redevelopment is central to the Council's Creating a Better Place regeneration strategy that will increase footfall in the town centre, unlock valuable brownfield sites for new homes and public open space and generate significant public benefits.

### **Policy context**

Local Plan Policy 15 identifies Oldham town centre as a focal point for commercial, shopping, social, civic, community and cultural activities, and that it should be the main location for major retail and leisure development, with the focus being on the `Central Shopping Core`. The policy states that Oldham town centre should "at least maintain, and if possible, enhance its existing role by improving the quality as well as the quantity of its retail offer".

It acknowledges that there is a need to "improve the commercial leisure offer of the town centre with appropriate uses that will create a pleasant and attractive environment". A key aim of the plan is to promote and enhance the vitality and viability of Oldham town centre, protecting and maintaining their function.

In terms of uses, Policy 15 advises that "*proposals for uses in `centres`, including retail, leisure and offices, wherever located, will be determined in accordance with national policies*". With regard to Primary Shopping Frontages the policy states that the Council will "*permit developments or changes of use within the primary shopping frontages only where 70% of the ground floor frontage subsequently remains in A1, A2 or A3 use*".

In respect of food, drink and night-time economy related uses, the policy requires that proposals for such uses address specific criteria.

In September 2020 The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force, significantly reforming existing planning use classes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

As a result of these reforms, Use Class E 'Commercial, Business and Services' was created to enhance flexibility, particularly in town centres. Class E including retail, for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises, offices, indoor sport, health or medical services, and for a crèche, day nursery or day centre.

The Council is currently in the process of preparing a Local Plan Review which will guide development in the Borough up to 2037. Upon adoption it will replace the current Core Strategy (2011) and any 'saved' planning policies from the UDP (2006).

Paragraph 16.5 of the Issues and Options Consultation provides an overview of the vision for the Town Centre and states:

*“The Local Plan will reflect the Oldham Town Centre Vision that has been refreshed to include plans for around 2,500 modern homes, 1,000 new jobs and a linear urban park, in support of delivering Creating a Better Place. The proposals go beyond numbers to recognise that quality housing must be complemented by access to local services, public transport, shops and open space to improve quality of life and make Oldham an even better place in which to live, work, visit and do business”.*

The refresh of the Vision coincides with the Council’s purchase of Spindles Town Square Shopping Centre in October 2020 to act as a catalyst for economic regeneration.

Part of the shopping centre will be transformed into a modern home for Tommyfield Market traders, releasing the site of the current market hall for a brand-new linear park surrounded by new homes. The purchase of the shopping centre will also unlock other brownfield development sites in the town centre, allowing Oldham Council to put these forward for future housing and employment development.

Paragraph 16.8 notes that Oldham Town Centre has been subject to a health check assessment which concludes that:

*“the town centre is well represented in the convenience and comparison goods sectors, the food and drink sector, and the professional services sector. However, there is a large proportion of vacant units. The town centre economy could be improved by reducing the number of retail units and repurposing them for other uses including office and residential”.*

The submission of the Local Plan Review to the Secretary of State is currently earmarked for September 2023 with adoption anticipated in Summer 2024.

Paragraph 86 of the NPPF notes that planning policies and decisions must support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaptation.

An ‘Oldham Green New Deal Strategy’ (to replace the Climate Change Strategy 2013- 2020) includes a new carbon neutrality target declared for the Council as an organisation by 2025. These commitments are in the wider context of the GM Combined Authority target for carbon neutrality for the city region by 2038, with a programme of delivery set out in the GM five-year Environment Plan.

The Oldham Town Centre Vision (2019) renews a commitment to ensure that the town centre provides a safe living, working, visiting environment and atmosphere which supports the local economy and supports opportunities for people. The vision aims to attract, retain and grow businesses, and one mechanism outlined is by increasing the office and service sector space.

In Creating a Better Place (August 2020) the Council introduced Creating a Better Place- a strategic framework for the Borough that will unlock an investment value of £285m and create more than 2,000 new homes in Oldham town centre, 1,000 new jobs and 100 apprenticeship opportunities.

The plan includes the Housing Strategy and the use of Oldham Council’s corporate estate (land and property) to support development and open space requirements across the borough.

The framework builds on the Oldham Town Centre Vision (2019), Creating a Better Place seeks to increase town centre footfall, residential options, and access to work experiences and jobs, while championing local culture and heritage and ensuring the centre is easily

navigable. It comprises several projects with external funding support from the future high streets fund and the towns fund.

Oldham was one of the towns selected to receive up to £25m for transformative capital projects via the Government's Towns Fund. The fund is designed to drive economic growth with a focus on regeneration, skills and culture, improved transport and better broadband connectivity.

Although the proposed redevelopment will involve minor deviation from the policies of the Local Plan in respect of Primary Shopping Frontages, it nevertheless recognises the changes in retail demand with the associated experienced and projected impact on footfall, and the benefits accruing highlighted above in terms of the town centre's regeneration and future prosperity. The retail market has significantly changed since the Local Plan was adopted, and therefore it is necessary to consider diversification of the Shopping Centre to ensure we maintain a healthy and vibrant town centre that attracts visitors and to reduce the existing level of vacancies.

## **Highways**

A Transport Statement has been submitted in support of the application.

The existing car parking at the site provides circa. 1,355 car parking spaces. The car parks operate on a pay-and-display management regime.

An occupancy survey in August 2021 indicates a maximum occupancy of 528 spaces across the car parks. Therefore, based upon the total of 1,355 car parking spaces available, this confirms that even at peak times there were 827 unoccupied spaces, with the car parks operating at a maximum of 39% capacity during these times.

Information provided by the operator indicates that car parking revenue performance for this period was 25% lower than pre-pandemic. If the occupancy figures were adjusted accordingly this would suggest a maximum parking demand of 660 spaces, equating to a maximum parking occupancy level of 49%.

The town centre location of the site means that it is ideally located to encourage journeys to be undertaken on foot, benefiting from convenient access to surrounding residential areas, a multitude of conveniently located day-to-day amenities, and a range of public transport opportunities.

An 800 metre catchment encompasses the entirety of the town centre, Oldham bus station and the two Metrolink Stations of Oldham Central and Oldham King Street. Also included within this catchment is the wide range of amenities on offer within the town centre, including leisure and retail opportunities.

Due to the location of the site within Oldham town centre, an extensive pedestrian network is available. There are footways and street lighting provided along all roads within the town centre which provide connections between the Centre and the surrounding areas.

It is considered that that the pedestrian infrastructure surrounding the proposed site is of appropriate quality and coverage to safely serve trips on foot across the town centre, while the range of public transport services conveniently located means that walking can also be promoted as part of a multi-modal journey, thereby also encouraging a movement away from single occupancy vehicle trips.

The IHT and Department for Transport (DFT) document 'Cycle Friendly Infrastructure: Guidelines for Planning and Design' (1996) provides a guide on suggested cycle speeds associated with cyclists of varying confidence and ability. With reference to this guidance, a catchment of 5km would be available within approximately 20 minutes cycle time, using a speed of 10 mph (16 kph).

A 5km cycling catchment includes Oldham town centre, and the surrounding residential areas of Chadderton, Lee, Royton and parts of Shaw. Cycle infrastructure provided within the 5km catchment indicates that there are a number of quiet routes provided within the town centre which would provide connections to site. A traffic free route is provided from King Street to Ashton Road providing connections over Oldham Way.

There is currently no secure cycle parking on site.

The Transport Statement has demonstrated that the proposed development would have no material impact on the operation of local highway network or detrimental impact upon highway safety. As such the impact of the development would be acceptable and accords with relevant guidance and there are no reasons why the planning application should be refused on highway or transportation grounds.

### **Design, appearance, and heritage**

There are no statutory or non-statutory heritage assets within the site boundary. However, situated directly to the east is the Oldham Town Centre Conservation Area, together with a number of listed buildings in the vicinity of site. These include St. Mary and St. Peter Church (Grade II\*), the 'Oldham War Memorial, including memorial wall, piers, gates and steps to St. Mary's churchyard' (Grade II\*), the former Oldham Town Hall (Grade II), 'Barclays Bank' (Grade II), the 'Independent Methodist Chapel' (Grade II\*), no. 8 Church Lane (Grade II), nos. 10-14 Church Lane (Grade II) and the 'Lyceum and Art School' (Grade II).

The height, scale and massing of the new market and events building has been designed to fit within the existing context of the Spindles Town Square Shopping Centre, Parliament Square and Yorkshire Street, and the adjacent Conservation Area and listed buildings.

The proposed development places emphasis on verticality with projecting columns and large vertical spans of glazing. New feature 'sawtooth' windows at Upper levels and glazed entrance will face on to Ascroft Street. On Parliament Square dark grey brick creates a plinth at lower levels with a high level of glazing provided at ground floor to promote activity and permeability. Pressed metal column cladding and rainscreen cladding is proposed with colours intended to reflect the local palette.

Insofar as the implications for the character and setting of the Conservation Area and listed buildings is concerned, consideration is given to the Planning (Listed Building and Conservation Areas) Act 1990, Chapter 16 of the NPPF and Local Plan Policy 24 (Historic Environment).

Section 66(1) of the Act states that in considering whether to grant planning permission for development that affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

Further, NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance, great weight should be given to the asset's conservation and the more important the asset, the greater that weight should be.

It is concluded that the proposal would lead to "less than substantial harm" to the significance of the heritage assets, which must be "weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"

In summary, the proposals will generally cause no harm to surrounding heritage assets. Any identified harm would be less than substantial harm and would be outweighed by the significant public benefits associated with the proposal.

Overall, therefore, the proposed development is compliant with the relevant heritage paragraphs contained in Section 16 of the NPPF and Oldham Core Strategy policy 24 'Historic Environment'.

An Archaeological Desk-Based Assessment accompanies the application which draws together the available archaeological, historic, topographical and land-use information in order to understand the heritage significance and archaeological potential of the study site. The Assessment confirms that none of the known below-ground archaeological remains identified within the site are considered to be of national importance that would require preservation in-situ.

The Assessment concludes that the only remains which may be lost would be the possible remains of early-late 19th century residential and commercial structures. These assets are of local significance their potential loss could be mitigated by a programme of archaeological investigation secured via a suitably worded planning condition.

In light of the above, the proposed development accords with Local Plan Policy 24 'Historic Environment' and Paragraph 194 of the NPPF and is considered to be acceptable in archaeological terms.

## **Ecology**

The site is not situated within or adjacent to a statutory or non-statutory nature conservation designation. A Preliminary Ecological Appraisal (PEA) has been prepared in support of the application and sets out the findings of an 'Extended Phase 1' habitat survey and preliminary roost assessment.

Following the survey, the Appraisal concludes that there were no impacts expected to statutory or non-statutory sites and no effects expected on any protected or priority species as a result of the development.

The proposed green roof was anticipated to deliver bio-diversity net gains on site, an improvement on the current position.

A Biodiversity Net Gain Technical Note, which assessed the proposed development and provided a calculation in accordance with the Defra Metric 3.0, has been prepared. Based on the landscape proposals, including green roof, the note concludes that the proposals would secure a net gain of 0.12 biodiversity units which equates to a percentage increase of 1515.75%.

This is a significant benefit of the scheme and ensure that the proposals accord with paragraph 174 of the NPPF and Draft Places for Everyone policy JP-G 9 'A Net Enhancement of Biodiversity and Geodiversity'.

Overall, the proposals full accord with Local Plan Policy 21 and Chapter 15 'Conserving and Enhancing the Natural Environment' of the NPPF.

### **Residential Amenity**

An acoustic assessment has been utilised to inform the scheme proposals from a noise perspective, particularly in respect of the proposed event space, and to engage with the Council's Environmental Health Officer. A Noise Impact Assessment accompanies the application which details the findings of noise surveys undertaken at the site.

Surveys were undertaken to establish the existing ambient and background noise climates to nearest noise sensitive receivers (NSRs). Potential noise egress from the development was modelled to the nearest NSRs and compared against the existing ambient and background noise climate to ascertain to overall noise impact of the development.

Overall, the assessment concludes that noise egress from the various noise sources associated with the proposed development are considered 'low' and predominantly below the existing ambient and background noise climates at the nearest NSRs. Overall a 'low' impact as a result of noise egress from the development was therefore predicted.

As such, the proposed development is considered to be acceptable from a noise perspective and is fully compliant with Local Plan Policy 9 'Local Environment' and paragraph 185 of the NPPF.

### **Accessibility**

The proposed workspace, market, and event space have been designed to be fully accessible to all, in accordance with the space, layout and provision guidance within Approved Document M of the Building Regulations and BS 8300.

The constraints of working with an existing building have presented some challenges. However, features have been incorporated into the development to make it accessible to all.

### **Energy**

Local Plan Policy 18 'Energy' states that all developments over 1,000 square metres are required to achieve reductions of 15% above Part L of Building Regulations 2010 or 2013.

An Energy Statement accompanies the application.

The proposed development incorporates an area of solar photovoltaic panels on the roof which, together with fabric first measures, will achieve reductions in carbon emissions against Part L Building Regulation requirements (2013). Additionally, there is potential scope through later phases of development to further utilise renewable energy technologies and measures such as electric vehicle charging points within the car park to improve performance against Part L requirements.

Furthermore, the proposed development will redevelop an underutilised and brownfield site facilitating the wider regeneration of Oldham town centre; encourage the use of a highly sustainable and accessible site in the centre within close proximity to public transport provisions; and promote sustainable construction measures

The proposed development therefore accords with Local Plan Policies 1 'Climate Change and Sustainable Development' and 18 'Energy'.

### **Air Quality Management Area**

The site is not situated within, but is in the vicinity of, the Greater Manchester Air Quality Management Area (AQMA). Roads in the immediate vicinity fall within the AQMA declared for the potential exceedances in annual mean NO<sub>2</sub> objective.

A qualitative construction phase assessment has been undertaken and measures were recommended for inclusion in a Demolition Management Plan to minimise emissions during construction activities. With the implementation of these mitigation measures the impact of construction phase dust emissions is considered to be 'not significant' in accordance with IAQM guidance.

An operational phase road traffic emissions screening assessment was undertaken in accordance with Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) guidance to consider the impact of the development on local air quality.

The proposed development was identified to lead to a reduction in road traffic compared to the existing traffic generation associated with the site. The Stage 2 criteria set out in IAQM and EPUK guidance was therefore not exceeded and the impact of the development on local air quality was considered to be 'not significant'. No further assessment of operational phase road traffic movements was therefore undertaken.

In summary, the proposals are considered to be acceptable in air quality terms and fully accord with Local Plan Policy 9 'Local Environment' and paragraph 186 of the NPPF.

### **Drainage**

A Flood Risk Assessment and Drainage Strategy has been prepared in support of the application. The site is located within Flood Zone 1 (low probability) and the Assessment has determined that the proposed development is at low risk of flooding from all sources.

The proposed surface water drainage strategy for the new development limits the surface water runoff from the reconstructed areas to the existing 1-year event, less 50% in line with UU and LLFA Policy. Due to this reduction, attenuation measures will be incorporated within the scheme. The new surface water networks will be designed in line with current British Standard guidance up to the 100-year storm return period including an allowance for climate change.

The use of SuDS in the form of site control measures will help to minimise the flood risk impact to the surrounding networks. This will include a required maintenance regime for the on-site drains and drainage facilities such as the channels, gullies, pipes, manholes and all SuDS facilities. This will be maintained by facilities management at the site to ensure that the surface water drainage system always operate at its maximum efficiency.

The Assessment notes that the proposals do not impair the hydraulic continuity of any watercourses or the current "local hydraulics" of distributing watercourses / outfalls. Surface water runoff will reduce for the higher order event from the pre-development regime and utilises SuDS solutions to satisfy the site constraints. This will reduce surface water flooding impact onto the downstream catchment.

As there is no flood displacement or increased rate of runoff as part of this proposal into the adjacent watercourse, the proposed development will therefore not increase flood risk onto its locality.

The Council's Drainage team and United Utilities has reviewed the submission and require that detailed drainage plans are submitted and approved before development can commence.

It should be noted that some elements of the overall development scheme, such as the conversion to offices within the retained shopping centre building, does not require planning permission of itself, therefore a condition is recommended to ensure no new build development can be undertaken before the required scheme is approved.

As such, the proposed development fully accords with Local Plan Policy 19 'Water and Flooding' and Chapter 14 of the NPPF.

### **Ground conditions**

A Combined Phase 1 Geo-Environmental Investigation and Coal Mining Risk Assessment has been submitted.

The report concludes that there is a low risk to human health with no significant contaminative linkages identified. The risk to controlled waters is deemed very low to low given the lack of identified contaminative linkages.

However, it advises that a Phase 2 intrusive environmental ground investigation be undertaken with chemical testing of the site materials considered prudent. The report identifies a moderate to high ground gas risk in certain areas of the site and recommends that ground gas monitoring is undertaken.

The report recommends that site investigation works be carried out in order to determine the ground conditions with a greater degree of certainty and to allow further detailed design of the proposed development, drainage, services, and immediate external areas to be undertaken.

The Coal Mining Risk Assessment notes 2 no. coal seams recorded on-site. A coal mine shaft is also identified within the site boundary. The report advises that further ground investigation works be carried out to determine the risk associated with shallow coal seams. Further details of the suggested scope of the required Phase 2 Intrusive Geo-environmental Ground Investigation are provided by IGE Consulting at paragraph 5.11 of the Phase 1 Geo-Environmental Investigation and Coal Mining Risk Assessment.

In this context, conditions are recommended in relation to further site investigation in line with the comments of the Coal Authority and the Environmental Health officers.

### **CONCLUSION**

The proposals involve the redevelopment of an important and prominent site within the town centre, which will ensure benefits in reinvigoration of the existing retail core, along with longer term benefits associated with redevelopment of the wider town centre.

Economic benefits include a significant investment in the town with 230 full time equivalent (FTE) posts over the 20-month construction period, assuming a consistent development programme, contributing £24.9m over the period, with indirect spend through the supply chain.



Once completed and fully occupied, the development is estimated to accommodate around 1,750 FTEs jobs, generating annual GVA of £83.2m. The jobs accommodated will provide varied employment opportunities for Oldham residents.

The new multi-purpose events space will help to improve the leisure and cultural offer, attract visitors and increase footfall and dwell time, supporting economic benefits by supporting spend in the local area, for example on shopping, eating out, local transport and accommodation.

The total annual business rates generated are estimated to be £1.4m, applying Valuation Office Agency (VOA) statistics for the relevant uses, and therefore any additional business rates generated as a result of the redevelopment can help to support the delivery of local services, generating wider benefits for the borough.

The social benefits include a major step forward in delivering on the Council's key regeneration ambitions including those set out in 'Creating a Better Place' and the Oldham 'Town Centre Investment Plan' establishing a strong sense of place, enhancing the quality of the streetscape, public realm and the architectural fabric of the town centre.

The proposals will enhance the viability and vitality of Oldham town centre by encouraging additional footfall and stimulating the night-time economy.

The environmental benefits that could be secured by the development include redevelopment of a prominent brownfield site in the town centre creating a new development of high design quality, and delivering a biodiversity net gain improvement.

The significant changes in retail demand which have occurred since the Local Plan was adopted, with the projected impact on footfall, have created a necessity to consider diversification of the Shopping Centre to ensure we maintain a healthy and vibrant town centre whilst reducing the existing level of vacancies. Furthermore, the clear economic, social, and environmental benefits identified above, weigh in favour of the proposed realignment of uses to assist with the town centre's regeneration and future prosperity.

## **RECOMMENDED CONDITIONS**

Grant planning permission, 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 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. No development comprising the erection of any external walls shall take place until a specification for the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

4. No development comprising the construction of the new or replacement buildings hereby approved shall commence until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and details of any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or 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 methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

REASON - To ensure that any potential impact from coal mining legacy features has been addressed having regard to Policy 9 of the Oldham Local Plan.

5. No development comprising the construction of the new or replacement buildings hereby approved shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. Be informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:
  - i - an archaeological watching brief undertaken during groundworks (including ground-level reductions below modern overburden, the excavation of foundation trenches, drainage/service runs etc)

2. A programme for post investigation assessment to include:
  - i - analysis of the site investigations records and finds
  - ii - production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

REASON - To record and advance understanding of the significance of any heritage assets having regard to Policy 24 of the Oldham Local Plan.

6. No development comprising the construction of the new or replacement buildings hereby approved shall take place until a Phase II site investigation to deal with any

risks associated with contamination of the site, has been submitted to, and approved in writing by, the local planning authority.

This strategy will include the following components:

- A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site
- A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- The results of the site investigation and the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

REASON - Approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety and the water environment, having regard to Policy 9 of the Oldham Local Plan.

7. No development comprising the construction of the new or replacement buildings hereby approved shall commence until 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 Policy 19 of the Oldham Local Plan.

8. The development hereby approved shall be implemented in accordance with the measures set out in the Energy Strategy Ref: SPO-WSP-00-XX-RP-M50003 dated January 2022. Within 3 months of the date of the commencement of the development, a detailed scheme for the installation of photovoltaics as set out in paragraph 3.3.1, including a timetable for implementation, shall be submitted for the written approval of the Local Planning Authority. The measures shall therefore be fully implemented in accordance with the approved details.

REASON – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

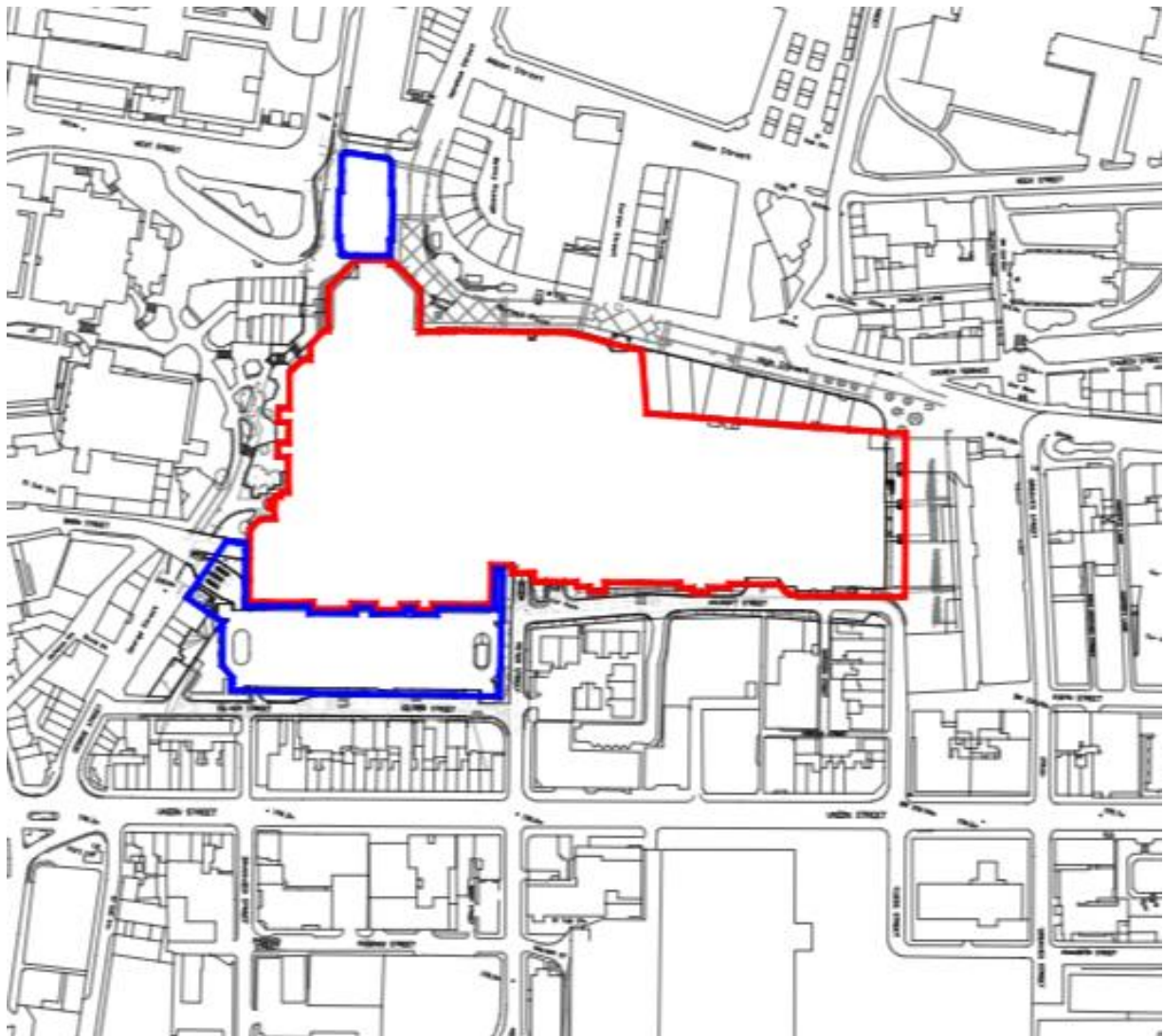
9. The development hereby approved shall be implemented in accordance with the security measures set out in Section 4 of the submitted Crime Impact Statement Version A 08.03.22.

REASON - To secure a safe form of development having regard to Policy 9 of the Oldham Local Plan.

10. The development hereby approved shall be implemented in accordance with the measures set out in paragraph 6.15 of the submitted Framework Travel Plan VN212149 February 2022.

REASON - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.

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



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## **APPLICATION REPORT – FUL/346141/21 Planning Committee 8<sup>th</sup> June 2022**

Registration Date: 19<sup>th</sup> January 2021  
Ward: Royton North

Application Reference: FUL/346141/21  
Type of Application: Full

Proposal: Demolition of existing derelict mill to be replaced with the proposal of a 5 storey, 60-unit residential development with under-croft parking and shared landscaped amenity.

Location: Thornham Mill, Oozewood Road, Royton, Oldham

Case Officer: Stephen Gill  
Applicant: Mr. Ian Shorrocks  
Agent: Susannah Fairbank Angus

### **INTRODUCTION**

The application is referred to Planning Committee for determination since it is a Major development proposing more than 20 dwellings.

### **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### **THE SITE**

The site is currently occupied by Thornham Mill, which sits in a prominent location adjacent to the A671 within a predominantly residential area towards the north of Royton. The mill buildings subject of the application have been vacant for a prolonged period and coupled with limited maintenance during this period have fallen into a state of disrepair. In terms of the wider context, the site is bordered by a commercial building to the east, low rise houses to the west and north, and Oozewood Road to the south. Access is currently gained from Oozewood Road with a driveway leading to a large parking area behind the mill.

### **THE PROPOSAL**

The application proposes the demolition of the existing derelict mill and the erection of a large-scale apartment building, which will accommodate 60no. residential units, with under-croft parking and shared landscaped space.

## **RELEVANT PLANNING HISTORY**

PA/052296/06 - Residential development of two to five storey building to provide 71 apartments with car parking. - Approved subject to a Legal Agreement

PA/040735/00 - Proposed change of use from B2 (industrial) to B8 (storage and distribution) refused in Feb 2001, due to the likely noise and disturbance to residential amenity caused by HGV movements, though this was allowed at appeal.

PA/036915/98 - Outline application for residential development withdrawn in Aug 1999.

PA013364/81 - Use of site for storage of LPG containers refused in Jan 1982, due to detrimental impact upon adjoining residential amenity

## **RELEVANT PLANNING POLICIES**

The following policies of the Joint Core Strategy and Development Management Policies DPD (the “Joint DPD” or “Local Plan”) are relevant to the determination of this application:

Policy 1 - Climate Change and Sustainable Development;  
Policy 2 – Communities;  
Policy 5 - Promoting Accessibility and Sustainable Transport;  
Policy 9 - Local Environment;  
Policy 14 - Supporting Oldham's Economy;  
Policy 20 – Design;  
Policy 21 – Protecting Natural Environmental Assets; and  
Policy 24 – Historic Environment.

In addition, the following retained policy from the Unitary Development Plan is also relevant:

Retained Unitary Development Plan Policy D1.5 – Protection of Trees on Development Sites

## **CONSULTATIONS**

Highways Engineer:	No objection subject to conditions
Environmental Health:	No objection subject to conditions
Greater Manchester Ecology Unit:	No objection subject to conditions
CPV Viability:	No objections
Conservation and Design:	In summary, states that the loss of the mill is very regrettable. However, following the submission of robust viability and structural report evidence, the Conservation Officer concludes that the loss of the mill can be justified providing that the public benefits outweigh the harm.



Transport for Greater Manchester:	No objection
Education:	No objection subject to a contribution of £378,095.40 towards primary and secondary school places.
United Utilities	No objection subject to condition
Greater Manchester Police	No response
Lead Local Flood Authority	No objection subject to condition

## REPRESENTATIONS

The application has been publicised by neighbour notification letters, a site notice and a press notice. In response, 26 representations have been received, with 25 objecting and 1 expressing neither support nor objection. The comments are summarised below:

- The development will overlook existing properties and will result in a loss of privacy.
- Potential traffic increase and noise pollution, as well as car parking issues.
- The development will impact the value of the surrounding properties.
- The development represents overdevelopment of the land.
- The existing facilities such as doctors, schools and dentists will become oversubscribed.
- Concerns in respect of the position of the access point.
- The development will prevent existing residents from putting bins out for collection.
- Not enough parking provision in the development.
- The development will cause adverse impact to highway safety.
- Development could impact safety gates
- The developments overall scale is unacceptable, cramped, and disproportionate.
- The mill should be retained, and its loss is unacceptable.
- The mill is a heritage asset, and no heritage statement has been submitted.
- The materials proposed do not match anything in the surrounding area.
- The flat sizes do not meet the NDSS standards.
- The design is bland with incongruous.
- Concerns on the additional impact the development will have on the drainage network.
- The development should be restricted to a height of two storey.
- The development would benefit from traffic calming measures.
- Development will cause an over population in the area.
- The green space in the area is not sufficient to give the future occupants enough outdoor space.

## **PLANNING CONSIDERATIONS**

### **Principle**

#### Employment

The principle of demolishing Thornham Mill and constructing a new scheme for 71no. apartments was established as acceptable under previous planning approval PA/052296/06. However, given the length of time since that approval, and the fact new national and local planning policies have now been introduced, means that the principle of development will need to be assessed against the most recent national and local planning policies.

The site subject of the application was previously used for an employment use, and therefore Local Plan Policy 14 is relevant. Local Plan Policy 14 seeks to protect all employment sites and states that development proposals which result in the loss of employment sites to other uses should include measures to outweigh the loss of the site and support Oldham's economy. Policy 14 sets out that if the use proposed does not meet the alternative uses listed as being acceptable in the policy, within Business Employment Areas and/or elsewhere, then the applicant would need to submit the following:

- A. A marketing exercise; or
- B. A viability exercise or
- C. Demonstrate that the development of the site for alternative uses would benefit the regeneration area as identified by the council as being in need of investment or would benefit the community of an area.

The application proposes residential development and therefore does not comply with Policy 14. With that considered, the applicant has submitted a viability appraisal, which has been undertaken by Resolve 106, which considers various employment end uses including:

- Retention and refurbishment scheme;
- New build industrial scheme; and
- New build office scheme.

CPV Viability ("CPV") (for the Council) have reviewed the viability assessment submitted by Resolve 106 on the applicants' behalf and concluded that they agree that a proposal for an employment end use at the site, whether it was a new build or conversion, is not viable and is likely to result in considerable losses for the developer. Therefore, CPV conclude that a residential end use can be considered for the site.

Based on the above, the proposed development is considered to meet exception B of Policy 14. It has been proven through the submission of a viability assessment that an employment use is not viable, therefore, other uses not listed in the Policy can be considered, including residential.

## Residential

### *Local Plan Policy 3*

Local Plan Policy 3 is considered out of date in terms of housing requirement as the Council cannot demonstrate a 5-year housing land supply, when measured against the Standard Methodology and this is discussed in detail below. However, other parts of the Policy criteria are still considered relevant in the determination of the application. Policy 3 states that proposals for residential development on non-allocated sites will be considered favourably where it meets the three criteria listed under b. in the Policy, which is as follows:

- i. a deliverable five-year supply of housing land cannot be demonstrated;
- ii. it contributes to the delivery of the borough's regeneration priorities; and
- iii. it contributes to the delivery of affordable housing that meets the local affordable housing needs.

In addition, the Policy states that the use of previously developed land and vacant and underused buildings is the Council's first preference for residential development.

Considering the above criteria, the Council cannot demonstrate a 5-year housing land supply against the national standard methodology's housing requirement for Oldham of 677 homes per year. However, this matter is discussed further below. In addition, the development will contribute to the delivery of the borough's regeneration priorities, which is in part to help facilitate the delivery of new homes on suitable sites in the borough. Although the proposal will not deliver any affordable housing due to viability (discussed below), the development will be delivered on a previously developed site in place of a building that is no longer fit for purpose and is in poor condition.

Local Plan Policy 3 also states that major development should be near key services. In this regard, the development site is a 15-minute walk from Royton Centre, which has a range of shopping facilities, and schools. In addition, there is a bus stop outside the site, as well as several bus stops close to the site on Rochdale Road. Therefore, the site is considered sustainable in accordance with Local Plan Policy 3.

### *Housing Provision*

Oldham's housing requirement is for 677 homes per year. The most recent housing land supply position, as of 1 April 2021, identifies a five-year supply of 2,893 homes taking into account projected clearance. This represents 78% of the dwellings required or a 3.9-year supply of deliverable housing land against the standard methodology. Given that the Council cannot demonstrate a 5-year housing land supply position against this national requirement, this means that Local Plan Policy 3 is out of date in terms the distribution of housing.

However, Places for Everyone (PfE) (formerly The Greater Manchester Plan for Homes, Jobs and the Environment - GMSF) has now been submitted to the Planning Inspectorate and examination is likely to take place later in 2022. PfE proposes a stepped housing requirement for Oldham of 352 homes per year for the first five years of the plan period (2020-2025); 680 homes per year for years 6-10 (2025-2030); and 868 homes per year for years 11-17 (2030-

2037). Based on the PfE stepped housing requirement, Oldham Council can demonstrate a 6.3-year supply, i.e., not only showing a five-year supply with an appropriate buffer but a significant surplus over a five-year supply. This is supported by several large applications, some of which have been granted planning permission since 1 April 2021.

In addition, housing delivery is increasing in the borough. The latest Housing Delivery Test result for 2021, which was published 14 January 2022, sets out that Oldham has delivered 91% of its housing need over the past three years. This is a significant improvement on the previous year's results of 80%. As per the latest result, the Council are no longer required to identify a 20% buffer of deliverable housing land on top of the five-year supply, but only the standard 5% buffer.

Based on the above, it should be noted that Oldham's housing land supply position is strengthening, and this is a material consideration in determining how much weight can be afforded to housing provision. Notwithstanding this, the Council's position is that it cannot currently demonstrate a five-year supply of deliverable housing land, when considered against the standard methodology, and paragraph 11d) of the National Planning Policy Framework ("NPPF") states that, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In assessing whether the most important policies for determining the application are 'out of date', it is for the Local Planning Authority to decide how much weight should be afforded to those 'most important policies' in the determination of the application.

In relation to NPPF paragraph 11d(i), the development is not considered to adversely impact areas or assets of particular importance as set out in footnote 7. Considering NPPF paragraph 11d(ii), a balancing exercise will be undertaken in the conclusion section of this report, however, it is important to state at the outset that for the reasons set out in this Committee Report, it is not considered that the impacts of granting planning permission will significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole, and this will be justified throughout the Committee Report.

Therefore, based on the above, the principle of residential development on the site is considered acceptable in this instance for the reasons set out in this report.

### **Heritage & Structural Matters**

Thornham Mill is a disused unlisted mill building dating from the late 19th century and was formerly part of a much larger cotton mill complex. The surviving mill building comprises a main block of five storeys that is adjoined on its west side by a collection of three-storey and single-storey elements. A detached garage building occupies the western part of the site.

The Oldham Mills Strategy, which is now adopted and is a material consideration in the determination of this application, categorises Thornham Mill as having high landscape value, and medium heritage value. The Mills Strategy goes on to state that there should be a presumption in favour of retaining the mill (until it is clearly demonstrated that this is not a possibility). The mill is also considered to be a Non-Designated Heritage Asset (“NDHA”).

Based on the above, the retention of the mill must be explored in the first instance, and the structural integrity of the mill is a consideration. The applicant submitted a Structural Inspection Report which followed on from a building survey undertaken on 20th August 2019. The Structural Inspection Report noted the partial collapse of the roof structure at the eastern end and the failure of the valley gutter which has resulted in substantial and long-term water ingress through the building down to the ground floor. In addition, it was also observed that the timber boards and some of the joists in the building have lost all structural capacity. The report concluded that significant roof and valley gutter repairs would be required to halt water ingress, and floor coverings and loose infill material would need to be removed to properly assess the condition of the brick arches and steel joists. Depending on the condition of the arches and joists, further major remedial and restoration works could be required in these areas. In conclusion, structurally the building is in a very poor state of disrepair.

Resolve 106, on behalf of the applicant, has also provided a high-level cost analysis of retaining and converting the building for both a build for sale and build to rent scenarios. The analysis concludes that, due to the configuration and size of the existing mill building, including the position of the fenestration (windows), this is likely to restrict a conversion scheme to 10no 2 bed apartments per floor, with the sub-basement area discounted due to unsuitability. This would result in a development capacity of 40no units, which is significantly less than the demolition and new build scheme. The cost analysis submitted for this type of scheme generates a significant negative land value, which makes this unviable.

In addition, as highlighted above, a significant amount of structural work and repairs would also be required to restore the building, and it should be noted that the cost breakdown of the structural repair work required has not been factored into the above cost analysis. A 3% contingency was factored in for structural work, however, Resolve 106 conclude that this is very unlikely to cover the cost of the work required to restore the building. Therefore, it is reasonable to conclude that the cost of the structural repair work would further render a scheme for conversion unviable.

In addition to considering the structural merits of the building, the applicant also submitted a Built Heritage Statement undertaken by the Pegasus Group. The Conservation Officer has reviewed this document alongside the structural and viability information and concludes that the retention and reuse of the mill is not possible, which is highly regrettable. However, it is considered that, in this instance, clear and robust information has been provided that confirms that the conversion of Thornham Mill to allow the delivery of housing cannot realistically be achieved. A condition is recommended by the Conservation Officer to ensure that full recording of the heritage asset is undertaken prior to any demolition. The record and commentary should then be deposited with the Local Planning Authority and the Historic Environment Record.

Based on the above, it is clearly not viable to retain the mill building given the condition and the cost to refurbish, and this will result in the loss of a NDHA. Therefore, in accordance with NPPF paragraph 203, in weighing applications that directly or indirectly affect NDHA's, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In balancing the loss, the benefits of the development will be considered, which are identified as follows:

- A significant contribution to housing provision in Oldham. The Housing Needs Assessment 2019 identified that, under aspirations and expectation scenarios, there is a marked shift towards a need for smaller flats.
- Demolition of a now structurally unsafe structure; and
- Redevelopment of a brownfield site

The viability of the scheme is discussed in full below, however, it does need to be considered here in the context of the loss of the NDHA. Viability is very constrained on this scheme, and it appears that the viability of the proposed development would be dependent on the developer taking a significantly reduced profit than the industry standard of between 15-20% which is confirmed as acceptable in Planning Practice Guidance: Viability. CPV concur with this view, confirming that a scheme for the conversion of the mill is unviable, and a scheme for the demolition and re-build, would only be viable if the developer significantly lowers their profit margins. Given that the viability of the scheme is so constrained, and it would result in the loss of a NDHA, NPPF paragraph 204 is relevant and states the following:

*“Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.”*

Considering the above, discussions have been undertaken with the applicant to better understand how they are planning to deliver the development. The applicant has confirmed during those discussions that they will be taking a lower profit percentage than the industry standard, as set out in their viability assessment, to enable the delivery of the new development. With that considered, the Council has taken the reasonable steps necessary to ensure the new development proceeds.

Overall, it is considered that the public benefits outweigh the loss of the NDHA in this instance.

### **Viability and Developer Contributions**

CPV assessed the applicant's viability assessment in relation to the potential for developer contributions on behalf of the Council, and considered four separate scenarios where developer contributions may be possible, including:

- New Build (sale of individual flats)
- New Build (Build to Rent)
- Mill Conversion (sale of individual flats)
- Mill Conversion (Build to Rent)

CPV conclude in the case of all four scenarios that given the costs of redeveloping the site, whether that be a proposal to convert the mill or a demolition and new-build scheme, developer contributions are not possible. As discussed above, the general viability of the scheme is very constrained, and the applicant has indicated that they will be taking a reduced profit to ensure that the development is viable, and this is without developer contributions.

Therefore, following the review of the applicant's viability assessment by CPV, it has been demonstrated that developer contributions towards open space, affordable housing and education are not possible in relation to this application.

### **Residential Amenity**

Given the scale of the development, residential amenity is a key consideration for this scheme. The existing mill is very large and is already a dominant structure in the street scene, albeit a non-habitable structure.

The development would slot into a site that is surrounded by existing residential properties to the north, west and south, and commercial premises to the east. When considering residential amenity and separation, Local Plan Policy 9 is relevant and states that the council will ensure that development does not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety and security, noise, pollution, the visual appearance of an area, access to daylight or other nuisances. This is also reflected in the NPPF paragraph 130.

To ensure that appropriate levels of amenity are maintained in new residential development, it is generally acknowledged that a separation distance of 21m should be demonstrated (habitable room to habitable room) and a separation of 10-12m should be achieved (habitable room to a blank gable or non-habitable room window).

Firstly, no residential amenity implications will occur on the eastern side, given that the development is not near any existing residential properties, and this is acceptable.

The development on the western side has been pulled in slightly since the application was submitted to create a wider access point, which is beneficial for the amenity of the existing residents on the western boundary. The development on the western side would appear as a stepped design from 2 – 4 storeys, and the closest habitable room to habitable room distance to existing properties on Queensgate Drive is 60m. The development does expand out further towards the properties on Queensgate Drive, however, at the closest point between the development and the existing properties it would be 16.8m, and at this point the development is two storey, with no facing habitable room windows. This is an improvement on the previously approved scheme PA/052296/06, which projected closer to the existing properties on the western side than the current scheme.

To the north, the closest property habitable room to habitable room would be to 11 Prince Way (diagonally) at a distance of 20m. This is slightly short of 21m, however, given the diagonal orientation, the slight shortfall is not considered to be adverse in this instance. Other properties north of the development are also impacted, including 24 Consort Avenue, which would sit at 15m from the development. This distance is considered acceptable, given that

the existing property would face a staircase within the development. The amended plans demonstrate a pull back from the northern boundary, which is supported, and again, this represents an improvement on the previously approved scheme PA/052296/06, which projected a lot closer to the northern boundary.

The southern part of the development faces Oozewood Road and the scheme's height is stepped on this side ranging from 2 storey to 5 storey. Although the development does stretch further west than the existing mill building, the massing variation and reduction in height makes the proposal appear less dominant to the street scene. In terms of separation distances to the existing properties on Oozewood Road, these vary from 19.5m to 21.5m distances. At the closest point (19.5m) the development would face the existing properties at a level of two storey, and as the height of the development increases the scheme then becomes further set back within the site where it then demonstrates a 21.5m separation distance. The previous approval demonstrated similar separation distances on the southern side and given the stepped height design this helps to minimise privacy implications for existing residents.

It should be noted that in a scenario where the mill was retained for a residential use because the massing is more dominant than what is proposed on the southern side, this would have the potential to cause greater amenity implications than the current scheme. Overall, it is not envisaged that the separation distances will cause unacceptable amenity implications, and this complies with Local Plan Policy 9

In relation to the individual apartments, these all comply with the Nationally Described Spacing Standards (NDSS), as set out in the Design and Access Statement. This will ensure the internal space and the amenity of future occupants is acceptable which complies with Local Plan Policy 9. The applicant has also undertaken a daylight and shading study which compares the existing mill with the proposed scheme at various points of the year, including December, April and July, and what this demonstrates is that the development will have no greater impact on existing residents than the current mill in terms of the daylight they receive, and this meets the requirements of Local Plan Policy 9.

Given the surroundings, which comprise mostly of residential properties, the construction phase of the development does have the potential to cause a disturbance, if this is not appropriately managed. Following consultation with Environmental Health, a condition would be placed on any planning permission to ensure the submission of a Construction Management Plan and an Air Quality Assessment. The Construction Management Plan will need to detail how the construction phase will be managed, while minimising disturbance to the residents that surround the site.

Overall, it is considered that subject to condition, the development will not have an unacceptable impact on existing and future residents, and on that basis, the development complies with Local Plan Policy 9 and NPPF paragraph 130.

### **Design and Integration with Local Character**

Considering the design merits of the scheme, there are some similarities to the previously approved scheme PA/052296/06. The footprint remains as two rectangular forms that intersect perpendicularly, with the longest running parallel to Oozewood Road. The building



at the highest level is 5 storeys plus a lower ground floor level. The lower ground floor level will contain parking provision for residents, the ground floor of the building will contain a mixture of 1 and 2 bed self-contained apartments, and more parking provision (18 spaces), and the first, second, third and fourth floors will contain a mixture of self-contained 1, 2, and 3 bed apartments.

As indicated in the residential amenity section, the scale and massing of the development has evolved since the submission of the application and has been amended to consider consultee comments. The access point has been widened, and as a result the width of the development where it fronts Oozewood Road has been reduced. The massing on the northern part of the site has been pulled back from the boundary, and a section has been reduced from 4 storeys to 2 storeys, to bring the overall height more in line with the residential properties adjacent. The reduction in massing has reduced the development from 72 units to 60 units, whilst the parking ratios will remain the same. Finally, the lower ground floor parking area has been reconfigured to allow for provision of cycle storage in one location, which is supported.

Overall, the scale and massing of the proposed building is now considered to be acceptable. Considering the scale of the current mill building, the proposed development would be lower in height and would also be set further back from Oozewood Road than the existing mill building. The proposal when viewed from the main frontage of Oozewood Road reads as 4 blocks incorporating a 2 storey, 3 storey, 5 storey and 4 storey blocks in that order visually. The massing design at the main frontage is broken up, to create more visual interest in the proposal, with the taller parts of the proposal positioned closer to Rochdale Road (to the east), which is the furthest point from residential properties.

Overall, whilst the preference would have been to retain and restore the mill, the current scale, massing and design is not considered to harm the overall quality of the area, given the dilapidated state of the existing mill building. The scheme does have some interesting features, and with a strong landscaping scheme, it will add positively to the street scene over the long term and will not adversely impact the immediate setting. On that basis, it is considered to comply with Local Plan Policy 20 and NPPF section 12.

In terms of the materials proposed, the design and access statement confirm that some materials have been selected, however, the specifics (aside from some images) have not been provided. The applicant indicates that the main materiality will be brick work, with the addition of some extruding brick work, which will add interest to the building. The principle of using primarily brickwork in the proposed development is supported, however, the proposal would be a key landmark building in the area, given its scale and massing, and therefore the specific materials such as brick work, windows, roof material detail etc will be pivotal to ensuring that the development fits the character of the area. With that considered, a pre commencement condition would be attached requiring a full and specific schedule of materials to be used.

Overall, subject to condition, the development is considered to comply with Local Plan Policy 20 and NPPF section 12.

## Highways

The Highways Engineer has reviewed the application and states that the site is in an established residential area with access to public transport and wide range of local amenities. The Highways Engineer does not anticipate that there will be a significant amount of traffic generated as a result of the development to the detriment of highway safety. Parking provision is also considered sufficient within the proposed development and no additional demand for on street parking is envisaged. Therefore, the development complies with Oldham Local Plan Policies 5 & 9.

## Ecology & Landscaping

In relation to ecology, a Bat and Nesting Bird Survey were submitted, with the application, which was undertaken by Envirotech. Greater Manchester Ecology Authority (“GMEU”) have reviewed the details submitted. GMEU did raise some initial concerns about the level of information submitted, especially relating to bats. However, following the submission of some additional information GMEU were satisfied.

The Bat and Nesting Bird Survey found no evidence of roosting bats at the site and no further survey work is required. GMEU conclude that the site is a large and complex structure, and therefore, it is recommended that the precautionary guidelines provided in paragraph 9.2.1.1 of the survey should be implemented and this can be secured by way of condition.

Nesting birds were recorded within the building, and the nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended). Building demolition should therefore not take place while any active nests are present, and this can also be secured by way of condition. The applicant has also submitted a document demonstrating a net gain for the proposed development site through the use of introduced shrub and amenity grassland, which is supported by GMEU.

GMEU did request that an updated bat and bird survey updated survey be submitted in May 2022 if the building had not been demolished by that point. The applicant has submitted this detail and the outcomes of the survey have not changed.

The applicant has submitted a landscaping scheme with the application which provides an overview of the landscaping proposed. In terms of soft landscaping, the plan states that tree species such as *Alnus glutinosa*, *Amelanchier lamarckii*, *Betula pendula*, *Carpinus betulus* ‘Frans Fontaine’, *Prunus avium* “Plena” and *Pyrus calleryana* ‘Chanticleer’ will be introduced to the south and centre of the site. In addition, a proposed native shrub mix will be introduced along the northern boundary, to add some screening between the existing properties and the proposed development. Hedgerows are proposed along Oozewood Road that will separate the public and private curtilage, and the applicant has stated that both the hard and soft landscaping will be maintained by a management company although no further details have been provided at this stage.

The hard landscaping and boundary treatments proposed include brick walls to the eastern, northern and western boundaries to bind the site together. Paving slabs are proposed for the footpaths, tarmac surfacing is proposed for the carriageways and coloured tarmac for the

parking bays. Timber decking is also proposed to the east of site to break up the hard landscaping proposals.

Whilst no objections are raised to the proposed boundary treatments and the hard and soft landscaping, more details are required in relation to landscape management, and specific boundary treatment details i.e., precise materials and height etc. The requirement for this information can be secured by way of a suitably worded planning condition.

Based on the above, the development complies with Local Plan Policies 9 and 21, subject to condition.

### **Energy**

The applicant has submitted an Energy Statement with the application. Policy 18 is relevant in relation to energy and requires a 15% reduction in CO<sub>2</sub> emissions as set out in Part L 2013 Building Regulations. The Energy Statement concludes that through the use of solar PV, a saving of 15.14%, which meets the Policy requirement. The Energy Statement has been reviewed and no objections are raised to the conclusions and the recommendations set out in the report will be conditioned to ensure they are implemented.

Based on the above, the development is considered to comply with Local Plan Policy 18 subject to condition.

### **Drainage**

Local Plan Policy 19 states that the council will ensure development does not result in unacceptable flood risk or drainage problems by directing development away from areas at risk of flooding.

According to the Environment Agency Flood Maps, the whole site is in Flood Zone 1 and is at the lowest risk of flooding. The Council expects that proposals for all new development will use Sustainable Drainage Systems (SuDS) in accordance with the Surface Water Drainage Hierarchy. The site is a brownfield site and therefore, should also achieve a 50% betterment on the existing run off.

United Utilities and the Lead Local Flood Authority have both been consulted on the application, and whilst neither have an objection to the development in principle (subject to condition), no drainage details have been submitted with the application. Therefore, a suitably worded pre-commencement condition would need to be attached to ensure drainage is appropriately considered. On that basis, subject to a pre-commencement condition, the development complies with NPPF Section 14 and Local Plan Policy 19.

### **Ground Conditions**

NPPF paragraphs 178 and 179 and Local Plan Policies 7, 8 and 9 are relevant, which seek to ensure that a site is suitable for its use, taking account of ground conditions, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The Environmental Health team has advised that having reviewed the application and the site history, there are no objections to the proposal subject to conditions requiring a landfill gas investigation and contaminated land assessment is submitted before development commences on site.

## **CONCLUSION**

There are several material planning considerations which must be weighed up in assessment of this application. Some of these point in different directions, some positive, some adverse, which are considered as part of the balancing exercise.

The positives include:

- The provision of much-needed housing, which will assist in meeting the Council's housing land supply;
- The removal of a derelict and structurally unsound building;
- The comprehensive redevelopment of a previously developed site in a sustainable location, securing the site's long-term future;
- Benefits to the local economy from the introduction of users of local businesses and services;

The adverse impacts include:

- The loss of a non-designated heritage asset;

In weighing up these factors, regard must be given to NPPF paragraph 11 (as referenced earlier in this report) and the Council's lack of a 5 year housing land supply. As a consequence, the *'tilted balance'* and presumption in favour of sustainable development set out in NPPF paragraph 11 is triggered.

In this context, the principle of residential development is considered as being acceptable for the reasons set out in this report. The harm caused by the loss of the NDHA has been robustly assessed and, whilst there is a preference in favour of retaining the building, it has also been necessary to consider the feasibility of retention and conversion. In this regard, the evidence submitted with this application clearly indicates that this is not possible in this instance.

In respect of retention of the site for employment purposes, this has been proven not to be possible, which has been confirmed by CPV Viability who have assessed viability on the Council's behalf.

This is weighed against benefits of redeveloping a brownfield site, removing a redundant and structurally unsound building, and replacing it with much needed housing.

On the basis of applicable national and local planning policy, and the various considerations set out above, on balance, it is recommended that the application should be approved.

## **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. No demolition or development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the local planning authority.

The WSI shall cover the following:

1. A programme of archaeological survey to include:
  - a. historic building survey (Level 3)
  - b. a targeted watching brief during stripping out works
  - c. an archaeological desk based assessment
  - d. informed by the above, evaluation through trial trenching
  - e. informed by the above, more detailed, targeted archaeological excavation and recording.
2. A programme for post investigation assessment to include:
  - a. detailed analysis of finds
  - b. production of a final report on the significance of the archaeological interest.
3. Deposition of the final report with the Greater Manchester Historic Environment Record and Oldham Local Studies and Archives.
4. Dissemination of the results.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible and in accordance with the policy in the National Planning Policy Framework. Reason for pre-commencement condition: Any works to the site may interfere with the any archaeological evidence present.

4. No development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
5. Prior to the commencement of any part of the development hereby approved, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained thereafter. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy 19 of the Oldham Local Plan.
6. Prior to the commencement of development hereby approved, a scheme in the form of a Construction Environment Management Plan (CEMP) and Demolition Management Plan (DMP) as applicable shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts, along with adequate wheel wash facilities. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the demolition or construction works are commenced, which shall be maintained for the duration of the demolition or construction works. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.
7. Prior to the commencement of development hereby approved, an Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with any recommended mitigation measures and shall be retained thereafter. REASON - To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.
8. Prior to the commencement of development hereby approved, a Crime Impact Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with any

recommended mitigation measures and shall be retained thereafter. REASON - To help safeguard the future occupiers of the development having regard to Policy 9 of the Oldham Local Plan.

9. No development shall commence until a site investigation and assessment into landfill gas risk and ground contamination has been carried out and the consultant's written report and recommendation 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 as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.
10. No development shall take place until full details of both hard and soft landscape works and boundary treatments with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme.

All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

11. 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 plans Ref: 20013 (PL) 090 F and 20013 (PL) 110 A and with 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 Policies 5 and 9 of the Oldham Local Plan.

12. The development hereby approved shall not be first 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. The approved scheme shall be retained thereafter. REASON - To protect the amenity of the area having regard to Policy 9 of the Oldham Local Plan.
13. The use of the building hereby approved shall not commence 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.
14. The development hereby approved shall be carried out in accordance with the mitigation set out in Section 9 of the submitted Bat & Nesting Survey (May 2022 Rev 04 Envirotech). REASON - To ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and to the Wildlife and Countryside Act 1981.
15. The development hereby approved shall be carried out in accordance with section 8 of the Energy Statement (Environmental ECE Consulting Engineers dated 21.05.21). REASON - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.



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

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REV DESCRIPTION DATE DRAWN

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CHESHIRE	SURREY	SHEFFIELD	LIVERPOOL	MANCHESTER	<b>CALDERPEEL</b> ARCHITECTS	
Market Court	100 High St	Electric Works	AvenueHQ	All Work & Social	<b>THORNHAM MILL, OLDHAM</b> BLACKWORES PLANNING & DEVELOPMENT CONSULTANTS	LOCATION PLAN DWG: 20013 (SU) 001 * DATE: 21.10.20 SCALE: 1:1250 @ A4 DRAWN: SPA
20-24 Church St	Esher	3 Concourse Way	17 Mann Island	312 Building		
Altrincham	Surrey	Sheffield	Liverpool	2 Hardiman Boulevard		
WA14 4DW	KT10 9QJ	S1 2BL	L3 1BP	M3 3AQ		
0161 929 7622	01372 203 335	0114 250 7985	0151 662 0122	0161 929 7622		

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## **APPLICATION REPORT – FUL/346918/21 Planning Committee 8<sup>th</sup> June 2022**

Registration Date: 10 November 2021  
Ward: Hollinwood

Application Reference: FUL/346918/21  
Type of Application: Full

Proposal: Siting of an ancillary food kiosk (mobile catering van) and provision of sheltered seating areas (including within a converted steel container)

Location: The Vestacare Stadium, Whitebank Road, Oldham

Case Officer: Mr. Stephen Gill  
Applicant: AVRO Junior Football Club  
Agent: Mr. Mark Prestwich

### **INTRODUCTION**

The application is referred to Planning Committee for determination since the site is Council owned land.

### **RECOMMENDATION**

It is recommended that the application be approved for a temporary period of 3 years subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### **THE SITE**

The site forms part of the Vestacare Stadium complex located along Whitebank Road, Oldham. The stadium landholding is within the Green Belt and is surrounded primarily by residential properties of predominantly two-storeys adjacent to the site to the north, south and west.

### **THE PROPOSAL**

The application is for the retention of a mobile catering van, the provision of a sheltered seating area, and an outdoor seating area. In addition, the application also includes the retention of two storage containers on the site which are used for the storage of football equipment, and are situated directly north of the football pitch.

The food truck is a converted steel container, which sits on the bed of the food truck, the indoor seating area sits directly adjacent, and this is enclosed by a metal sheet cover, supported by scaffolding. The entire development is enclosed within the stadium from the frontage by high

paladin style fencing, and within the site, the facility and is enclosed by timber fencing and a storage container, and a gated entrance to the facility.

### **RELEVANT PLANNING HISTORY:**

FUL/347685/21 - Temporary permission for a period of 3 years for retention of 2 no. steel containers to provide temporary changing rooms and a marquee to provide replacement gym facilities. Granted, 14/01/2022.

PA/339093/16 - 1) Replacement of the existing grass football pitch with a new 3G pitch and associated fencing , 2) Development of a new natural turf playing field and associated works. – Granted 16/11/2016.

PA/059224/11 - Erection of 6 no. temporary single and two storey modular buildings (temporary consent 5 years) – Granted, 25/03/2011.

### **RELEVANT PLANNING POLICIES**

The following policies in the Joint Core Strategy and Development Management Policies DPD (Joint DPD) are relevant to the determination of this application:

Policy 5 - Promoting Accessibility and Sustainable Transport;

Policy 9 - Local Environment;

Policy 20 – Design;

Policy 21 – Protecting Natural Environmental Assets; and,

Policy 22 – Protecting Open Land

### **CONSULTATIONS**

Highways Engineer: No objection

Environmental Health: No objection

United Utilities: No objection

### **REPRESENTATIONS**

The application has been publicised by means of site notice and press notice. In response, 9 representations have been received raising the following issues (summary):

- The stadium should not be located where it is.
- There is a lack of facilities on the overall premises, and this results in people relieving themselves in open view.
- The shouting and screaming during games are a noise disturbance for surrounding residents.
- The AVRO Academy is a constant disruption, which means local residents cannot sit out in their gardens.

- The AVRO Academy should be relocated to a less sensitive location.
- The application is causing major distress to local residents.
- The light pollution from the floodlights is a major disturbance.
- The AVRO management do not communicate with the residents.
- The applicant has little regard for the planning process.
- The food truck looks unsightly to the street scene.
- The facility is selling alcohol and food for 11 hours a day without planning permission.
- The hours of operation are excessive.
- The facility will create more anti-social behaviour.
- The application will cause additional parking issues in the area.
- Residents' quality of life is severely compromised by the overall facility.
- The AVRO facility has destroyed all the local wildlife.
- The facility has the potential to attract vermin and cause food odours.

## PLANNING CONSIDERATIONS

### Principle

The site is designated as being within the Green Belt. National Planning Policy Framework (“NPPF”) at paragraph 147 is clear that inappropriate development in the Green Belt is, by definition, harmful and should not be approved except in Very Special Circumstances (“VSCs”), and NPPF paragraph 148 states that substantial weight should be given to the potential harm to the Green Belt.

When considering the impact on the Green Belt, National Planning Practice Guidance states that Green Belt has both a spatial and visual aspect. Firstly, considering the retention of the storage containers, NPPF paragraph 149 lists some exceptions for development in the Green Belt, which includes (b) *“the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”*. The storage containers are used for the storage of football and maintenance equipment, and are connected to the use of the land, and given their containment within the site, are not considered to have a greater impact on the openness of the Green Belt. Therefore, they are considered to meet the exceptions for development in the Green Belt, and do not need to be considered further.

Considering the food catering van and the seating areas, this development does not meet the exceptions for development in the Green Belt under NPPF paragraph 149 and is therefore considered inappropriate. Considering the impacts to Green Belt, the food catering van and seating area are visually contained and set back from the street scene of White Bank Road and are not readily visible. The development sits in a discreet location north of the pitch, near the entrance, in an urban setting, and would have minimal impact to the Green Belt from a visual standpoint. From a spatial standpoint, the scheme adds a level of development and volume that was not there previously, and this is considered as inappropriate. On that basis, the applicant needs to demonstrate very special circumstances (VSCs) as required by NPPF paragraph 147.

In terms of VSCs, following extensive discussions with the applicant and a detailed site visit, the following points are considered to make a valid case for VSCs:

1. The staff involved with the Vestacare Stadium are volunteers who work very closely with local charities. With that considered, the applicant confirmed that any profit generated from development is always reinvested into maintaining and enhancing the Vestacare facilities. During the site visit, it was clear that a new boxing gym has opened on the premises for the local community to use, and this is managed by volunteers. The money generated by the development during match days helps to sustain the overall facility.
2. The applicant states that the development was introduced in response to Covid-19 and the need for the football club to provide safe, outdoor catering facilities to replace the indoor arrangement, which was cramped and does not allow safe social distancing to take place. It is noted that social distancing is no longer a legal requirement, however what Covid-19 has highlighted is the need for businesses to have the facilities available to adapt quickly to changing circumstances so they can survive. Covid-19 has been particularly hard on businesses and has seen many cease trading, and as stated above, for those that have survived, and in the right circumstances, the planning system should provide support to help local businesses ensure they have the right facilities to survive.

Based on the above, it is considered that of the clear community benefit of the proposals (enabling the wider club to be financially viable) form the VSCs that outweigh the limited harm to Green Belt caused by the proposal, and therefore, the principal of development is acceptable.

### **Residential Amenity**

Local Plan Policy 9 states that development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

Environmental Health have been consulted on the application and do not object on residential amenity or waste management grounds. A condition has been recommended in relation to hours of operation (10am – 9pm) when an event takes place and the condition also stipulates that the facility should not be open outside of those hours.

Many of the residential amenity issues raised in this application seem to relate to the overall use of the site, specifically on match days, and the disturbance this causes to residents in terms of lighting, noise, hours of operation and anti-social behaviour. Whilst these issues are noted, the Council are not considering the matter of whether the stadium use is appropriate to the site. This application is solely in relation to the food truck and associated seating areas and the proposal to retain two storage containers. The storage containers have no impact on residential amenity. In terms of the food truck and seating areas these are located just under 50m away from the nearest residential property (opposite the site on White Bank Road) and given that Environmental Health do not object on residential amenity grounds (subject to

condition), it is not considered reasonable to refuse the application on residential amenity grounds.

Therefore, the development complies with Local Plan Policies 5 & 9 and NPPF section 12.

### **Design and Integration with Local Character**

Local Plan Policies 9 and 20 and NPPF Section 12 require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

The food truck and enclosure and the steel containers are purely functional in their design. The part of the site where the food truck and seating areas are situated is set-back from the main street scene of White Bank Road by over 35m, which means the development is not readily visible to passers-by. It is noted from a site visit that the appearance of the development is not overly appealing, specifically the metal sheet and supporting scaffolding that cover the area, however, as set out above, it is set back considerably from the street scene, within the curtilage of the stadium. The steel containers are not visible at all from the street scene and are set well within the site. They are considered entirely appropriate in terms of design and appearance, as these types of structures are expected in leisure facilities.

In conclusion, whilst it is acknowledged that the appearance of the food truck and seating area, specifically the way it is enclosed is not appealing, given the set back and the fact that it is not readily visible from the street scene, means on balance, it is acceptable in this instance. Therefore, it is not considered reasonable to refuse the application on design grounds in this instance.

### **Highways**

The Highway Engineer has reviewed the application and does not object to the proposed development. It is not considered that proposal will cause severe highway safety issues to the main highway network, and it is not considered that the proposal will cause severe parking issues as a result. Therefore, the development is considered to comply with Local Plan Policies 5 and 9.

### **Ecology**

It was brought to the Council's attention that there are badger setts within the curtilage of the AVRO site. Badgers and their setts are legally protected under the terms of the Protection of Badgers Act 1992.

After liaison with Greater Manchester Ecology Unit ("GMEU") the Council is now aware of the position of badger setts within the site, and we can confirm that the development will have no impact on Badgers or their setts and so the development complies with Local Plan Policy 21.

## **CONCLUSION**

In conclusion, the development is acceptable. The proposal would not be an undue and dominant addition to the site. The proposals' proximity and siting mean neighbours' amenity would not be impacted to unacceptable levels and highway and pedestrian safety will be maintained.

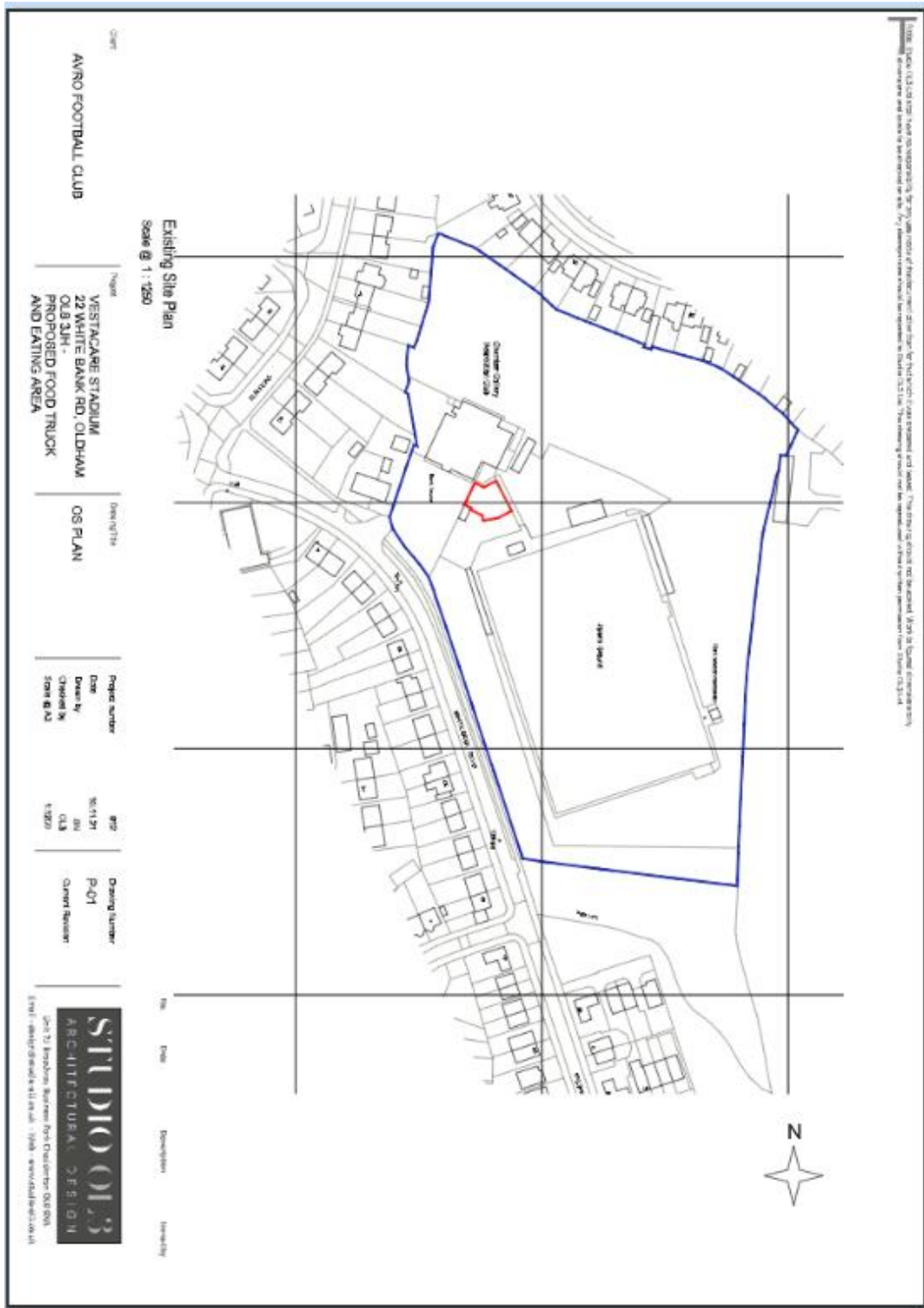
The limited impact to the Green Belt is outweighed by the VSC's discussed in the principal section of this Committee Report, and therefore, the development meets the criteria in NPPF Sections 5,12 and 13 and Local Plan Policies 5, 9, 20 and 22.

## **RECOMMENDED CONDITIONS**

1. This permission hereby granted shall be for a limited period only expiring on 8th June 2025 and the use shall be discontinued on or before this date. REASON - In order that the effect of the development upon the amenity of the area can be assessed during this period having regard to Policies 9 and 20 of the Oldham Local Plan.
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. The mobile catering van shall not be parked on the site except on days when an event is taking place. The use hereby permitted shall not be open to customers outside the following times 10:00 to 21:00 Monday to Sunday and Bank Holidays and shall only be open when an event is taking place. REASON - To protect the amenities of surrounding residents and occupiers in accordance with Local Plan Policy 9.



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



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## **APPLICATION REPORT - FUL/348308/22 Planning Committee 8<sup>th</sup> June 2022**

Registration Date: 13th January 2022  
Ward: Royton South

Application Reference: FUL/348308/22  
Type of Application: Full Application

Proposal: Retrospective application for erection of storage building  
Location: Bee Mill, Shaw Road, Royton, Oldham, OL2 6EH

Case Officer: Matthew Taylor  
Applicant: W Lynock  
Agent: Mr David O'Connor

### **INTRODUCTION**

The application is referred to Planning Committee for determination since it is a Major development proposing the creation of over 1,000m<sup>2</sup> of industrial floorspace.

### **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### **THE SITE**

The application site comprises Bee Mill and its associated curtilage. The site is located to the south east of Shaw Road and to the south west of Lion Mill. The south eastern boundary of the site adjoins the residential curtilages of properties on Penthorpe Drive.

The site is currently used for Injection Moulding and Plastic Moulding falling within Use Classes B2 ((General Industrial) and B8 (Storage and Distribution). The site comprises one large building, one smaller scale steel portal frame type warehousing unit, staff parking, a large service yard, and a number of silos.

Access to the site is via Shaw Road and is enclosed by 2 metre (or above) boundary fencing/gates and mature planting along the north and southwest boundaries.

The buildings provide large open floor areas for warehousing, office space associated with the administrative side of the business and loading areas.

The site is allocated for business/employment use within the Local Plan and is in a Coal Standing Advice Area.

## THE PROPOSAL

Retrospective planning permission is sought for the retention of a new storage building within the existing yard area.

The building measures approximately 60m by 20m, is 5.8m to eaves level and attains an overall height of 9.5m. The structure has insulated PVC covers, 40mm insulated wall panels and bolts down to the existing yard surface.

## RELEVANT PLANNING HISTORY

PA/336535/15 - Double portal frame industrial unit: 36m x 32m – Granted, 22/05/2015

CL/052044/06 - Use of premises for industrial purposes (Class B2) between the operating hours of Monday 06:00 to Saturday 13:00 (continuous 24 hour operation) Sunday 06:00 to 13:00 – Granted, 01/02/2007

## RELEVANT PLANNING POLICIES

The following policies are relevant to the determination of this application.

### Joint Development Plan Document

Policy 01 - Climate Change and Sustainable Development;  
Policy 09 - Local Environment;  
Policy 13 - Employment Area;  
Policy 14 - Supporting Oldham's Economy;  
Policy 19 - Water and Flooding;  
Policy 20 – Design; and,  
Saved UDP Policy D1.5 - Protection of Trees on Development Sites

National Planning Policy Framework

### Statutory and Internal Consultees:

Highways Engineer	Does not object to planning permission being granted for highway safety reasons.
Environmental Health	No objection.
Coal Authority	No objection.

## REPRESENTATIONS

0 **support** comments have been received.  
0 **neutral** comments have been received  
7 **objection** comments have been received

## **SUMMARY OF OBJECTIONS:**

- Close to adjoining properties
  - Increase of pollution
  - Loss of privacy
  - Noise nuisance
  - Over development
  - Affect local ecology
  - Not enough info given on application
  - More open space needed on development
  - Residential Amenity
  - Increase in traffic
- 
- Concerns that an area of trees to the rear of the building will have no access and as a result will be left unattended and will become unkempt and an eyesore to immediate residents.
  - Since the building was erected, there has been an increase in machinery noise to the area which can be clearly heard from neighbouring properties and gardens.
  - Concerns that should the noise from the mill and the machinery used will have a negative impact on my peace and enjoyment of neighbouring properties and gardens
  - Building has been erected too close to neighbouring properties and if allowed to stay will open up applications for further expansion close to the borders, causing further noise nuisance and disruption.
  - The mill creates excessive noise and light pollution at various times of the day, sometimes beginning early morning and ending late evening, at times I've had to close my windows and it can still be heard inside neighbouring property.
  - The spotlights/security lights are often kept on throughout the night and shine directly into neighbouring windows.
  - The local residents have previously raised concerns with the mill owners and some progress has been made but they have not fulfilled all they said they would.
  - Additional storage has just increased the issues above and will continue to do so.
  - The fact that retrospective planning permission is being applied for shows a lack of care from the business about the constant noise and light pollution it is causing to the local residents, this should have been applied for before the buildings were built, not after.
  - There is constant noise from the yard 24/7, plus lights switching on and off and loading up during the night.
  - The letter regarding this retrospective planning application should have also gone to all the surrounding residents not just selected ones so all affected residents were aware of it.
  - Environmental footprint of this factory is immense with expanding increased noise and light pollution from premises seven day a week already.

- illegal and inadequate fencing currently surrounds the premises and offers no sound barrier to neighbours.
- The Company have no social impact policy and our lives have been affected with constant noise and light pollution for long enough.
- Previous complaints upheld by OMBC have yet to be dealt with.
- The yard is an eyesore, the forklift trucks bounce over uneven ground which then produces loud metallic clanking sounds, covers, wrappings and other detritus blows everywhere and litters the surrounding area which is a local natural amenity.

## **PLANNING CONSIDERATIONS**

The main issues to consider are:

- Principle of the proposed development;
- Design;
- Residential amenity;
- Highway safety;
- Trees; and,
- Ground conditions

### **Principle of the development**

Policy 1 seeks to ensure the effective and efficient use of land and buildings, promote economic prosperity, and meet the needs of existing and new businesses, and to promote high quality and sustainable design. Policy 14 states that it is important that Oldham has a range of sites to support the local economy for both existing and new firms within the area.

It is considered that the application is acceptable in principle as the development would support local business and maintain an employment generating use on a brownfield site. It is therefore considered compliant with the aims and objectives of Policy 14.

### **Design**

Policy 20 requires such proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

The building is considered to be appropriate in scale and massing in relation to the adjoining industrial building on site. Furthermore, the unit has a functional design using a simple palette of materials.

In this context it is considered that the development accords with the design principles set out in Policy 20.

### **Residential Amenity**

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant

harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security and noise.

The Council's Environmental Health section have raised no objection to the application in terms of impacts on residential amenity.

The closest neighbouring properties to the building are those located on Turfland Avenue and Shaw Road. Given the scale of the unit and its position within the original service yard and separated from the closest neighbouring residential properties by a linear path and mature planting, it is considered that the impact on the amenity of the occupiers these neighbouring properties would be minimal.

### **Highway safety**

The development does not alter the existing access to the site nor does it create any additional parking provision. The development is not considered to impede the ability of service vehicles for the existing industrial unit to safely manoeuvre. Therefore, it is not considered that the proposed development will generate any additional significant traffic or demand for on street parking to the detriment of highway safety, and does not conflict with the requirements of Policy 9 or Paragraph 111 in the National Planning Policy Framework

### **Trees**

Saved UDP Policy D1.5 'Protection of Trees on Development Sites', states the following:

*'In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:*

- a) the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and*
- b) development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas.*

*In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission for the development.*

There are trees to the rear of the site in close proximity to the retrospective development. The supporting BS5837 Tree Survey & Arboricultural Impact, by Peter Jackson, notes that these trees did not require removal to facilitate the development and would not be affected directly by it as there were no changes in ground levels within the root protection zones. In addition, access to the site was via the existing driveway and, as such, plant and machinery did not need to pass the retained trees.

Therefore, it is considered that no long-term impacts are likely to have resulted from the construction of the building and the scheme accords with the requirements of saved UDP Policy D1.5.

### **Ground conditions**

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report, December 2021, are sufficient for the purposes of the planning system and meets the requirements of NPPF paras. 183 and 184 in demonstrating that the application

site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

## **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 development would not lead to any significant adverse impact on the character of the area and neither would it lead to unacceptable adverse impact on the amenity of the occupiers of neighbouring properties.

The building supports the continued viability of the established business, thus helping retain/create new employment opportunities thereby boosting the local economy. The development therefore complies with the relevant provisions of the Local Plan Policies and National Planning Policies Framework.

## **RECOMMENDED CONDITIONS**

1. 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.



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



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## **APPLICATION REPORT - FUL/348446/22 Planning Committee 8<sup>th</sup> June 2022**

Registration Date: 8th February 2022  
Ward: Failsworth East

Application Reference: FUL/348446/22  
Type of Application: Full Application

Proposal: Change of use from C3 to Sui Generis (7 no. bedroom/9 person Houses of Multiple Occupation) including external alterations  
Location: 6 Pole Lane, Failsworth, Oldham, M35 9PB

Case Officer: Matthew Taylor  
Applicant: Mr M Blum  
Agent: Mrs Deborah Day

### **INTRODUCTION**

The application has been referred to the Planning Committee at the request of Councillor Norman Briggs. Councillor Briggs has given the following reasons for making such a request:

- The proliferation of HMOs in Failsworth over the last few years (especially in the area around Failsworth Pole) has resulted in a serious deterioration in the number of Family Homes in the area; and,
- The concentration of HMOs around Failsworth Pole adds to car parking issues in the area, as very few of the previous applications that have been granted have any off-road parking.

### **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### **THE SITE**

The application site comprises a five-bedroom mid-terraced property which benefits from both front and rear gardens. It is located within the Failsworth Pole Conservation Area identified on the Proposals Map associated with the Local Plan.

The property is located close to Failsworth Centre, in a sustainable location, with local shops, supermarkets, public houses and town hall in a short walk from the property. Moreover, regular bus services between Oldham and Manchester operate along Oldham Road which is a short walk from the property.

## THE PROPOSAL

The proposal is for the change of use of the property to form a seven bedrooomed House in Multiple Occupancy (HMO), a single storey rear extension to extend the existing kitchen, and the creation of a bike store.

The proposed plans show the building configuration as:

- The ground floor having 2 no. bedrooms (1 no. single bedroom with en-suite and 1no. double bedroom with en-suite), a shared kitchen/dining area and a bike store;
- The first floor having 3 no. bedrooms (2 no. single bedrooms with en-suite and 1no. double bedroom with en-suite); and,
- The third floor having 2 no. single bedrooms with en-suite.

## RELEVANT PLANNING HISTORY:

None

## RELEVANT PLANNING POLICIES

The following policies are relevant to the determination of this application:

### Joint Development Plan Document

Policy 01 - Climate Change and Sustainable Development;  
Policy 03 - An address of choice;  
Policy 05 - Promoting Accessibility and Sustainable Transport Choices;  
Policy 09 - Local Environment;  
Policy 20 – Design;  
Policy 24 - Historic Environment; and,  
Saved UDP Policy D1.5 - Protection of Trees on Development Sites.

National Planning Policy Framework

### Statutory and Internal Consultees:

Conservation & Design Advice	Raised concerns over the removal of shrubs in the front garden, as Trees within a conservation area that have a stem diameter of at least 7.5cm and a height of 1.5m are protected.
Highways Engineer	No objection, subject to a cycle storage condition.
Environmental Health	No objection, subject to a working hours condition to ensure that site working only takes place during normal, working hours in order to restrict the times during which any, disturbance and nuisance may arise.

## REPRESENTATIONS

0 **support** comments have been received.

0 **neutral** comments have been received

0 **objection** comments have been received

### **SUMMARY OF OBJECTIONS:**

N/A

### **PLANNING CONSIDERATIONS**

The main issues to consider are:

- Principle of the proposed development;
- Design/impact on the conservation area;
- Residential amenity;
- Highway safety;
- Trees; and
- Other matters.

#### **Principle of the proposed development**

Policy 1 promotes development which supports the vitality and viability of designated Centres such as Oldham and residential uses in these areas can help support the shops and services they host. Furthermore, Policies 3 and 5 aim to ensure residential uses are located in highly sustainable locations in respect of access to key services and public transport options. In this regard, the site is within a 10-minute walk to Failsworth Centre and a walk to the nearest bus stop on Oldham Road. Therefore, for the purposes of Policy 5, the site is 'very highly accessible'.

Policy 11 states that houses in multiple occupancy will not be permitted unless it can be demonstrated that the proposal does not adversely affect the local character of the area, the residential and workplace amenity of current, future and neighbouring occupants, and traffic levels and the safety of road users. Consideration of these matters is provided below. However, in summary, and having regard to the requirements of policies 1, 3 and 5, the principle of the proposed development is acceptable.

#### **Design and impact on the Failsworth Pole Conservation Area**

Policy 20 requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene. Policy 24 states that development within conservation areas must serve to preserve or enhance the character or appearance of the area, as an appropriate response to context.

Given the only proposed external alteration is the single storey rear extension, which is only 0.8m wider than the original store and will have a matching ridge height to the existing mono pitched single storey outrigger, it is considered that the proposal will not have an adverse effect upon the character and appearance of the street scene or conservation area as a whole.

In this context it is considered that the development accords with the Policy 20 and 24 of the Local Plan.

In terms of the concern raised regarding the loss of the shrubs in the front garden, for them to be considered as trees they would have to measure 7.5cm in trunk girth at a height of 1.5m. However, if there are trees, and a works to trees application in a Conservation Area was submitted for their removal, the local planning authority could only refuse consent if the trees are first placed under a Tree Preservation Order. Given the size and type, they do not warrant this level of protection and removal is therefore acceptable, as a hedge is to be planned as replacement.

### **Residential Amenity**

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security and noise.

It is considered that any outlook and potential for overlooking already exists between the adjoining property and that the proposed HMO would not materially alter the level of residential amenity for the occupiers of surrounding properties. However, a condition is attached to require the side elevation en-suite window in the existing two storey outrigger to be provided in obscure glazing.

It is important to consider the amenity of future occupiers of the proposed development. In this regard, it is considered that all the rooms within the HMO comply with both the National Space Standards Document (DCLG, 2015) and the Standards for Houses in Multiple Occupation document (Oldham Council, 2010). Therefore, the proposed accommodation is considered to be a suitable size to meet the needs of future occupiers having regard to the requirements of Policy 9.

In regards working noise issues associated with the proposal, noted by the Council's Environmental Health team, a condition has been attached to the recommendation to ensure that site working only takes place during normal working hours to restrict the times during which any, disturbance and nuisance may arise.

### **Highway safety**

The Council's Highway Engineer has been consulted regarding the proposals and has raised no objections on highway safety grounds as the change of use is in a sustainable location with excellent links to public transport and access to a wide range of amenities.

However, whilst it is noted that the scheme makes provision for cycle storage, the security of this has not been confirmed. As such, a condition is attached to the recommendation requiring details of the cycle storage facilities, and that they are provided and made available for occupiers and retained thereafter to promote sustainable travel.

### **CONCLUSION**

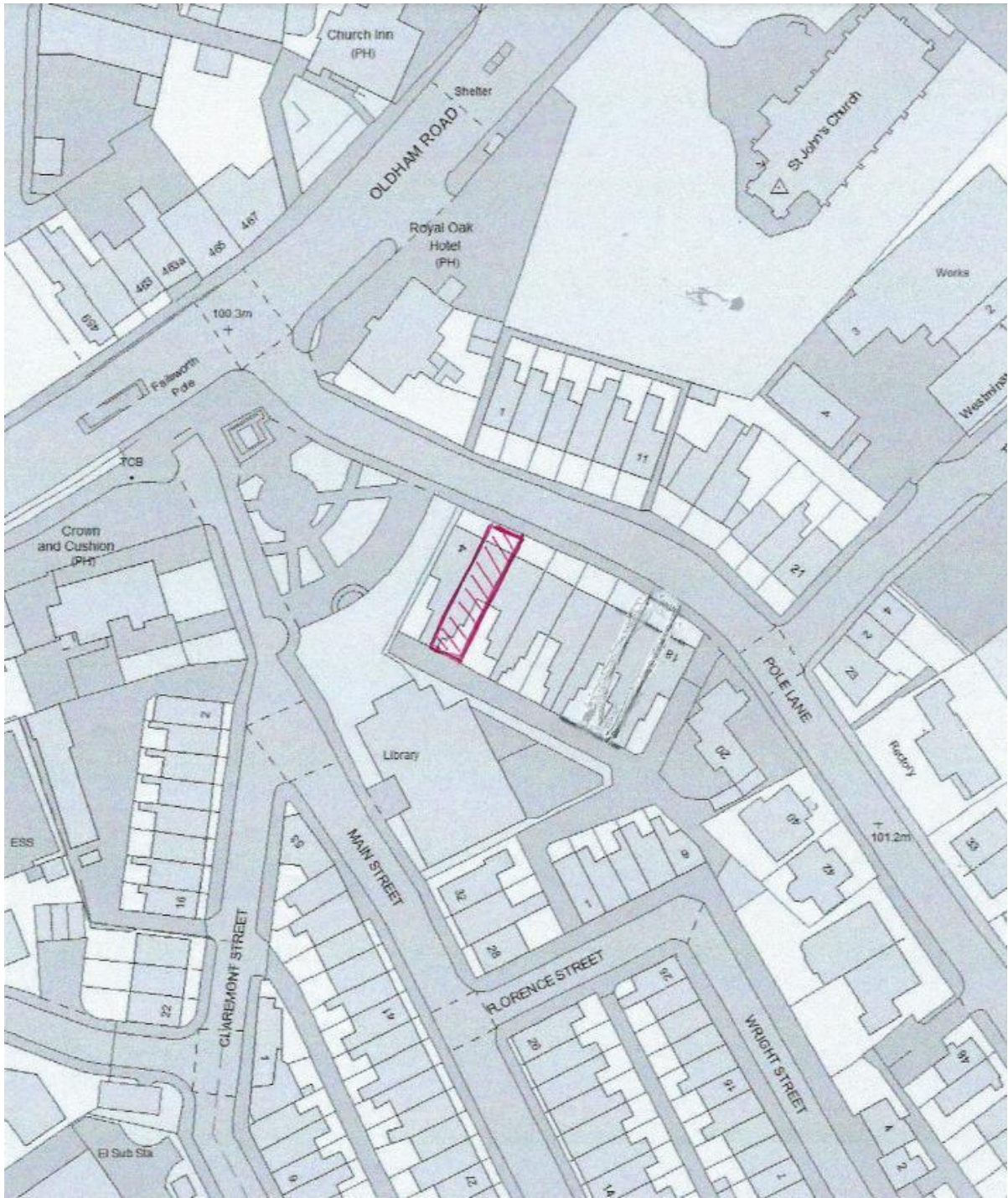
It is considered that the conversion of the building to a HMO, together with a single storey rear extension, will not harm the character of the surrounding area and is acceptable in principle.

## **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. The use of the building hereby approved shall not commence 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.
4. No vehicle shall enter or leave the site, and no working shall take place on the site, on Sundays or Bank and Public Holidays at all or on, Monday to Friday inclusive except between the hours of 08:00 to 18:00, or on Saturdays except between the hours of 09:00 to 13:00. Reason - to ensure that site working only takes place during normal working hours in order to restrict the times during which any, disturbance and nuisance may arise, having regard to Policy 9 of the Local Plan.
5. The first floor en-suite window shown on the northwest facing (side) elevation of the existing two storey outrigger shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the development hereby approved is first occupied, and shall be retained as such thereafter. Reason - To protect the amenities of occupiers of nearby properties having regard to Policy 9 of the Local Plan.



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





## APPLICATION REPORT – HOU/348488/22 Planning Committee – 8<sup>th</sup> June 2022

Registration Date: 11<sup>th</sup> February 2022  
Ward: Saddleworth South

Application Reference: HOU/348488/22  
Type of Application: Householder

Proposal: Single storey rear extension

Location: 1A Lower Tunstead, Tunstead Lane, Greenfield, OL3 7NT

Case Officer: Sophie Leech  
Applicant: Mr David Sheldon  
Agent: Mr Kenneth Waddington

### INTRODUCTION

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the applicant is related to an Elected Member of the Council.

### RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### THE SITE

The site relates to a two storey semi-detached dwelling which is a Grade II listed building, built circa 1730 and located on the northern side of Tunstead Lane in the small hamlet of Tunstead, approximately 600m north east of the village of Greenfield. There are a number of listed buildings in the Tunstead area and all buildings are characterised by traditional stone and slate. The site lies within the Green Belt and is close to the Peak District National Park.

### BACKGROUND

Previous Applications (reference numbers HH/345153/20 and LB/345154/20) proposing single and two storey rear extensions to the property were refused by the Planning Committee at their meeting on 14 October 2020. Subsequently, the applicant lodged appeals with the Planning Inspectorate which were both dismissed by on 15 March 2021. The Inspector concluded that the proposals *“would fail to preserve the special interest of the listed building. The scheme would fail to satisfy the requirements of the Act, paragraph 192 of the Framework and Policies 9, 20 and 24 of the Oldham Local Plan 2011”*.

This was followed by amended application (reference numbers HOU/346670/21 and LBC/346671/21) which were also refused by the Planning Committee at their meeting on 7 July 2021. Subsequently, the applicant lodged appeals with the Planning Inspectorate which were both dismissed by on 25 April 2022. The Inspector concluded that the proposals *“would*

*harm the significance of the Grade II listed building. The proposal would therefore conflict with Policies 9, 20 and 24 of the Oldham Local Development Framework”.*

The third amended application (reference number LBC/347521/21) was refused by the Planning Committee at their meeting on 16 February 2022.

## **PROPOSAL**

Householder planning permission is now sought for a single storey rear extension. The extension would measure 6.6m in width, 3.1m in depth and approximately 4m in height from the lowest ground level. The materials would be to match the existing stone / slate.

## **RELEVANT PLANNING HISTORY**

LBC/347521/21 – Single and two storey rear extensions – Refused (16/02/22)

HOU/346670/21 – Single and two storey rear extension – Refused (07/07/21) – Appeal Dismissed

LBC/346671/21 – Single and two storey rear extension – Refused (07/07/21) – Appeal Dismissed

HH/345153/20 – Two storey rear extension – Refused (20/10/20) – Appeal Dismissed

LB/345154/20 – Two storey rear extension – Refused (20/10/20) – Appeal Dismissed

## **RELEVANT PLANNING POLICIES**

The following policies of the Joint Core Strategy and Development Management Policies DPD (the “Joint DPD” of “Local Plan”) are relevant to the determination of this application:

Policy 9 – Local Environment;  
Policy 20 – Design;  
Policy 22 – Protecting Open Land; and,  
Policy 24 – Historic Environment.

National Planning Policy Framework (NPPF)

## **CONSULTATIONS**

Conservation Officer: No objections.

## **REPRESENTATIONS**

The application has been advertised by means of neighbour notification letters, site notice, and press notice. No representations have been received in response.

## PLANNING CONSIDERATIONS

The proposal falls to be assessed against Policies 9 – Local Environment, 20 – Design, 22 – Protecting Open Land and Policy 24 – Historic Environment of the Oldham Local Plan.

Policy 9 seeks to protect the amenity of neighbouring properties by ensuring development does not cause significant harm to the amenity of the occupants or future occupants of the application site and neighbouring occupants through loss of privacy, safety and security, noise, visual appearance or other nuisance.

Policy 20 seeks to ensure development proposals respect the character and appearance of an area by achieving well designed buildings.

Policy 22 states that developments within the Green Belt will be permitted in accordance with guidance in the National Planning Policy Framework (NPPF).

Paragraph 147 of the NPPF states that construction of new buildings within the Green Belt will represent inappropriate development. Exceptions to this include the extension of a building, provided that it does not result in disproportionate additions over and above the size of the original building.

Local Plan Policy 24 – Historic Environment seeks to protect, conserve and enhance heritage the architectural features of assets and their settings, including Listed Buildings. Alterations to Listed Buildings must serve to protect or enhance its special interest and its setting. A full assessment on the impact on the Heritage Asset and the relevant sections of the town and County Planning Act and the NPPF is contained within the accompanying report for Listed Building Consent LBC/348487/22.

### *Single storey rear extension:*

The proposed extension would not have a significant impact on the amenity of the neighbouring property in terms of overlooking or overshadowing due to its size, projection and design.

The design of the proposed extension would respect the character and design of the host dwelling and would not cause harm to the visual amenity of the dwelling as a whole or the surrounding area.

As the proposed extension is single storey only and it would not project significantly from the rear wall of the host dwelling, it would not harm the openness of the Green Belt. In addition, given its modest projection, the proposal would not represent a disproportionate addition in this instance.

The proposal for a single storey rear extension would be subservient to the Grade II listed building and would not appear over dominant or out of character owing to a similar roof design and matching materials.

The proposed development would remove the later 1930's single storey rear extension and unsympathetic ground floor windows and replace it with a modest addition. The single storey rear extension would be constructed out of appropriate materials, subject to a samples condition, and designed to serve to enhance the heritage asset, compared to the existing structure, with regards to the proposed roof pitch and stone mullions.

In addition to this, the single storey rear extension would allow the smaller coursed stonework at first floor level to remain visible and unaffected. The later addition bay window on the ground

floor rear elevation will be replaced with a new window with stone head cills. This is a positive change as the later addition bay window does not make a positive contribution to the special interest of the building. The existing quoin detail to the left-hand side of the rear elevation will also remain visible which is acceptable.

## **CONCLUSION**

The proposed development is considered to accord with relevant development plan policies and guidance contained within the NPPF and is therefore recommended for approval, subject to conditions.

## **RECOMMENDED CONDITIONS**

Grant planning permission, subject to the following conditions:

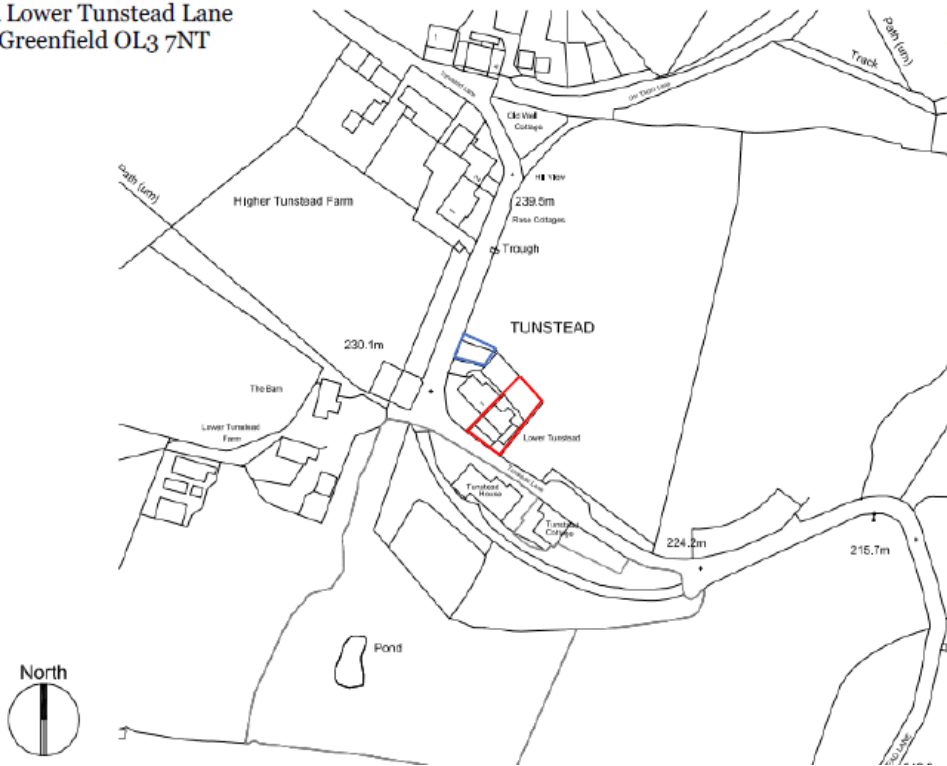
1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved 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 construction of any external walls or replacement of the rear bay window, samples of the coursed stone, stone slate roof and stone window surrounds should be made available on site and shall thereafter be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the listed building and area having regard to Policy 20 and Policy 24 of the Oldham Local Plan.
4. Each of the proposed timber framed windows should have a maximum glazing profile of 14mm. Further, the thickness of the frames should be no more than existing within the property and be painted a heritage white colour. REASON - To protect both the character and appearance of the listed building having regard to Policies 20 and 24 of the Oldham Local Plan.
5. All new windows to the building, shall be recessed a minimum of 75mm behind the external face of the stonework. REASON - To protect both the character and appearance of the listed building and the area having regard to Policies 20 and 24 of the Oldham Local Plan.

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

1A Lower Tunstead Lane  
Greenfield OL3 7NT

Location plan

Scale 1:1250 at A4



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## **APPLICATION REPORT – LBC/348487/22 Planning Committee – 8<sup>th</sup> June 2022**

Registration Date: 11<sup>th</sup> February 2022  
Ward: Saddleworth South

Application Reference: LBC/348487/22  
Type of Application: Listed Building Consent

Proposal: Single storey rear extension

Location: 1A Lower Tunstead, Tunstead Lane, Greenfield, OL3 7NT

Case Officer: Sophie Leech  
Applicant: Mr David Sheldon  
Agent: Mr Kenneth Waddington

### **INTRODUCTION**

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the applicant is related to an Elected Member of the Council.

### **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

### **THE SITE**

The site relates to a two storey semi-detached dwelling which is a Grade II listed building, built circa 1730 located on the northern side of Tunstead Lane in the small hamlet of Tunstead, approximately 600m north east of the village of Greenfield. There are a number of listed buildings in the Tunstead area and all buildings are characterised by traditional stone and slate. The site lies within the Green Belt and is close to the Peak District National Park.

### **BACKGROUND**

Previous Applications (reference numbers HH/345153/20 and LB/345154/20) proposing single and two storey rear extensions to the property were refused by the Planning Committee at their meeting on 14 October 2020. Subsequently, the applicant lodged appeals with the Planning Inspectorate which were both dismissed by on 15 March 2021. The Inspector concluded that the proposals *“would fail to preserve the special interest of the listed building. The scheme would fail to satisfy the requirements of the Act, paragraph 192 of the Framework and Policies 9, 20 and 24 of the Oldham Local Plan 2011”*.

This was followed by amended application (reference numbers HOU/346670/21 and LBC/346671/21 which were also refused by the Planning Committee at their meeting on 7 July 2021. Subsequently, the applicant lodged appeals with the Planning Inspectorate which were both dismissed by on 25 April 2022. The Inspector concluded that the proposals *“would harm*

*the significance of the Grade II listed building. The proposal would therefore conflict with Policies 9, 20 and 24 of the Oldham Local Development Framework”.*

The third amended application (reference number LBC/347521/21) was refused by the Planning Committee at their meeting on 16 February 2022.

## **PROPOSAL**

Listed Building Consent is now sought for a single storey rear extension. The extension would measure 6.6m in width, 3.1m in depth and approximately 4m in height from the lowest ground level. The materials would be to match the existing stone / slate.

## **RELEVANT PLANNING HISTORY**

LBC/347521/21 – Single and two storey rear extensions – Refused (16/02/22)

HOU/346670/21 – Single and two storey rear extension – Refused (07/07/21) –  
Appeal Dismissed

LBC/346671/21 – Single and two storey rear extension – Refused (07/07/21) –  
Appeal Dismissed

HH/345153/20 – Two storey rear extension – Refused (20/10/20) – Appeal Dismissed

LB/345154/20 – Two storey rear extension – Refused (20/10/20) – Appeal Dismissed

## **RELEVANT PLANNING POLICIES**

The following policies of the Joint Core Strategy and Development Management Policies DPD (the “Joint DPD” of “Local Plan”) are relevant to the determination of this application:

Policy 9 – Local Environment;  
Policy 20 – Design;  
Policy 22 – Protecting Open Land; and,  
Policy 24 – Historic Environment.

National Planning Policy Framework (NPPF)

## **CONSULTATIONS**

Conservation Officer: No objections.

## **REPRESENTATIONS**

The application has been advertised by means of neighbour notification letters, site notice, and press notice. No representations have been received in response.



## **PLANNING CONSIDERATIONS**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 194 of the National Planning Policy Framework (NPPF) requires the applicant to describe the significance of the heritage asset including any contribution made by its setting with the level of detail proportionate to the assets' importance.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance, great weight should be given to the asset's conservation and the more important the asset, the greater that weight should be.

Local Plan Policy 24 – Historic Environment seeks to protect, conserve and enhance heritage the architectural features of assets and their settings, including Listed Buildings. Alterations to Listed Buildings must serve to protect or enhance its special interest and its setting.

A Design, Access and Heritage Statement has been submitted with the application and justifies the proposals in terms of the changes made in respect of the outcome of the appeal decision.

### *Single storey rear extension:*

The proposal for a single storey rear extension would be subservient to the Grade II listed building and would not appear over dominant or out of character owing to a similar roof design and matching materials.

The proposed development would remove the later 1930's single storey rear extension and unsympathetic ground floor windows and replace it with a modest addition. The single storey rear extension would be constructed out of appropriate materials, subject to a samples condition, and designed to serve to enhance the heritage asset, compared to the existing structure, with regards to the proposed roof pitch and stone mullions.

In addition to this, the single storey rear extension would allow the smaller coursed stonework at first floor level to remain visible and unaffected. The later addition bay window on the ground floor rear elevation will be replaced with a new window with stone head cills. This is a positive change as the later addition bay window does not make a positive contribution to the special interest of the building. The existing quoin detail to the left hand side of the rear elevation will also remain visible which is acceptable.

The proposal is therefore considered to enhance the heritage asset as required by Policy 24 of the Local Plan and Paragraphs 194 and 199 of the NPPF.

## **CONCLUSION**

The proposed development is considered to accord with relevant development plan policies and guidance contained within the NPPF and is therefore recommended for approval, subject to conditions.

## RECOMMENDED CONDITIONS

Grant planning permission, subject to the following conditions:

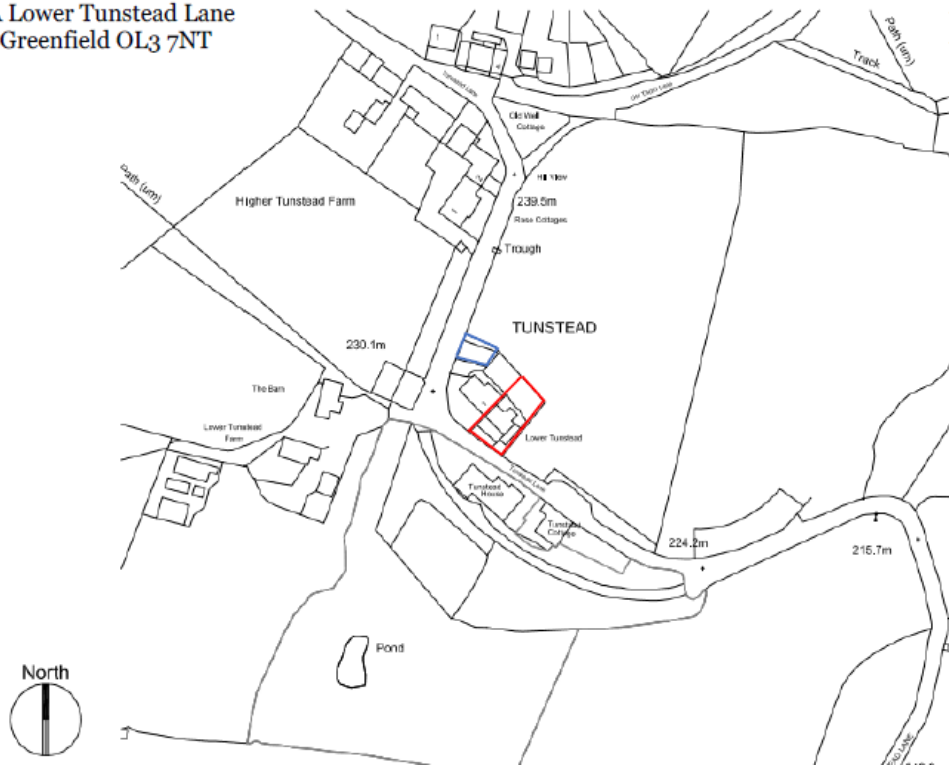
1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby approved shall be fully implemented 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 construction of any external walls or replacement of the rear bay window, samples of the coursed stone, stone slate roof and stone window surrounds should be made available on site and shall thereafter be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the listed building and area having regard to Policy 20 and Policy 24 of the Oldham Local Plan.
4. Each of the proposed timber framed windows should have a maximum glazing profile of 14mm. Further, the thickness of the frames should be no more than existing within the property and be painted a heritage white colour. REASON - To protect both the character and appearance of the listed building having regard to Policies 20 and 24 of the Oldham Local Plan.
5. All new windows to the building, shall be recessed a minimum of 75mm behind the external face of the stonework. REASON - To protect both the character and appearance of the listed building and the area having regard to Policies 20 and 24 of the Oldham Local Plan.

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

1A Lower Tunstead Lane  
Greenfield OL3 7NT

Location plan

Scale 1:1250 at A4



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# Planning Appeals Update

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## Planning Committee

### Report of Head of Planning and Infrastructure

#### DATE OF COMMITTEE

**8 June 2022**

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 6 April 2022. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals since 25 March 2022 (until 29 May 2022) which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
FUL/347375/21	59, 59a, 59b, 59c and 61 High Street, Uppermill, Oldham, OL3 6AP	Dismissed, 14/04/2022	19/01/2022	Various alterations/extensions to mixed commercial/residential building including four storey rear extension, two storey side extension, and the creation of top floor outdoor seating area.
HOU/346670/21	1A Lower Tunstead, Tunstead Lane, Greenfield Oldham, OL3 7NT	Dismissed, 25/04/2022	04/02/2022	Single and two storey rear extensions
LBC/346671/21	1A Lower Tunstead, Tunstead Lane, Greenfield Oldham, OL3 7NT	Dismissed, 25/04/2022	04/02/2022	Single and two storey rear extensions
ADV/346943/21	390 Manchester Road, Oldham, OL9 7PG	Dismissed, 20/01/2022	25/11/2021	

PA/342885/19	Jubilee Mill, Milnrow Road, Shaw, OL2 8PN	Ongoing	02/03/2022	1) Demolition of existing mill 2) Proposed residential development of 11 dwellings 3) Associated works
MMA/345836/20	Former Delph Chapel, Newbuild Cottages 2 No. Delph Lane, Delph, OL3 5HW	Ongoing	02/03/2022	Variation of condition 3 and 6 (parking arrangements) of approval PA/341040/17
HOU/346372/21	4 Sharon Avenue Grasscroft Oldham	Allowed, 19/05/2022	09/03/2022	Single storey side extension, new balcony, including extending existing balcony to the South Elevation and render & feature stone to the external walls of the property
HOU/346501/21	2 High Grove Road Grasscroft Oldham	Dismissed, 19/05/2022	14/03/2022	Proposed outbuilding.
FUL/347087/21	166 Trent Road Shaw Oldham	Ongoing	14/03/2022	Change of use from shop (Class A1) to hot food takeaway (sui generis), food to be delivered only from the premises.
FUL/347257/21	326 Lees Road Oldham OL4 1NZ	Dismissed, 31/03/2022	18/01/2022	Change of use of ground floor to a cafe (Class E) and a two storey side extension with apartment to first floor.
HOU/347522/21	Hodge Clough Farm Wilkes Street Oldham	Ongoing	18/03/2022	Single storey extension to existing detached garage, amended application relating to HOU/345894/20.

ADV/347754/21	Unit 8 Propulsion Works Duchess Street Industrial Estate	Ongoing	09/03/2022	Two temporary banners - Height: 2.8m x Width: 7.5m
WTA/347039/21	12 The Nook Greenfield OL3 7EG	Withdrawn, 19/05/2022		
PA/343735/19	Land On Delph New Road Oldham OL3 5BY	Ongoing	10/05/2022	Erection of three new dwellings.
FUL/345402/20	Land Adj To Woods House Sugar Lane Dobcross	Ongoing	25/05/2022	Erection of three dwellings.
FUL/346143/21	5/7 Scholes Street And 19 Rhodes Street Scholes Street Oldham	Ongoing	10/05/2022	Proposed change of use of 5-7 Scholes Street from office to a transitional Care Home (Class C2) and change of use of 19 Rhodes Street from meeting hall to a soup kitchen and dormitory with two storey extension above the existing buildings.
FUL/347100/21	298 Moston Lane East Manchester M40 3HZ	Ongoing	07/04/2022	Change of use of residential dwelling (Class C3) to residential institution (Class C2), single storey and first floor rear extensions.
FUL/347636/21	33 Leaside Avenue Chadderton Oldham	Ongoing	05/05/2022	Change of use of property from residential use (C3) to Class E (day care centre).

HOU/347739/21	161 Oldham Road Springhead Oldham	Ongoing	07/04/2022	Erection of a fire escape and railings leading to access door on the first floor at the rear.
HOU/347813/21	42 Shadowbrook Close Oldham OL1 2UE	Ongoing	21/04/2022	Retention of external garden structure/feature to rear of property
HOU/347829/21	7 Range Lane Denshaw Oldham	Ongoing	10/05/2022	Juliet balcony with double doors.
FUL/347898/21	Royal Oak Inn Broad Lane Delph	Ongoing	28/04/2022	Conversion and change of use of public house with associated living accommodation to single dwellinghouse with garden.
CEA/348450/22	Land At Station Road/ Harrop Green Lane Diggle Oldham	Ongoing	27/04/2022	Certificate of lawfulness for Erection of 1 no. dwelling.

**RECOMMENDATION -** That the report be noted.

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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 as defined by that Act.

If any person has any questions regarding these appeals and decisions, they can request further information from the Planning Service by contacting Martyn Leigh (Development Management Team Leader) via [planning@oldham.gov.uk](mailto:planning@oldham.gov.uk)