

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

Date Wednesday 7 July 2021

Time 6.00 pm

Venue Queen Elizabeth Hall, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

The meeting will also be streamed live on the Council's website at <https://www.oldham.gov.uk/livemeetings>.

- 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, 2 July 2021.
  4. ATTENDANCE DURING COVID-19 – Due to current restrictions, a limited number of members of the public are be able to attend the meeting, therefore this will be on a first come first served basis. Face coverings must be worn at all times and details for track and trace will be required on arrival. The meeting will be streamed live on the Council's website for the public to watch.
  5. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed. Disruptive and anti social behaviour will always be filmed.

Any member of the public who attends a meeting and objects to being filmed for the Council's broadcast should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

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broadcast this meeting when the public and the press are not lawfully excluded. Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:  
Councillors Al-Hamdani, Brownridge, Davis (Vice-Chair), Dean (Chair), H. Gloster, Hobin, F Hussain, Ibrahim, Iqbal, Lancaster, Phythian, Surjan, Toor and Woodvine

Item No

- 1 Apologies For Absence
- 2 Urgent Business  
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest  
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time  
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 6)  
The Minutes of the meeting of the Planning Committee held on 9<sup>th</sup> June 2021 are attached for Members' approval.
- 6 Planning application - RES/345691 - Broadway/Foxdenton Lane, Chadderton (Pages 7 - 12)
- 7 Planning application - FUL/346227/21 - 910 Ashton Road, Oldham (Pages 13 - 18)
- 8 Planning application - HOU/346670/21 - 1A Lower Tunstead, Greenfield (Pages 19 - 24)
- 9 Planning application - LBC/346671/21 - 1A Lower Tunstead, Greenfield (Pages 25 - 30)



**PLANNING COMMITTEE**  
**09/06/2021 at 6.00 pm**

**Present:** Councillor Dean (Chair)  
Councillors Al-Hamdani, Brownridge, Davis (Vice-Chair), H. Gloster,  
Hobin, F Hussain, Ibrahim, Lancaster, Surjan, Toor and Woodvine

Also in Attendance:

Simon Rowberry	Interim Head of Planning
Alan Evans	Group Solicitor
Wendy Moorhouse	Principal Transport Officer
Graham Dickman	Development Management Team Leader
Sian Walter-Browne	Principal Constitutional Services Officer
Christine Wood	Constitutional Services

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Iqbal and Councillor K. Pythian.

2           **URGENT BUSINESS**

There were no items of urgent business received.

3           **DECLARATIONS OF INTEREST**

Councillor Lancaster and Councillor Woodvine both declared a personal interest in Items 10 and 11 of the agenda, by reason of a close association with the applicant.

4           **PUBLIC QUESTION TIME**

There were no public questions received.

5           **MINUTES OF PREVIOUS MEETING - 21ST APRIL 2021**

**RESOLVED** – That the minutes of the Planning Committee meeting held on 21<sup>st</sup> April 2021 be approved as a correct record.

6           **FUL/345847/20 - LAND AT CARDWELL STREET BOUND  
BY DOWRY STREET TO THE SOUTH AND GROBY  
STREET TO THE EAST, OLDHAM**

APPLICATION NUMBER: FUL/345847/20

APPLICANT: c/o M.C.I Developments Limited

PROPOSAL: Full planning permission for 98 affordable dwellings, together with associated parking, landscaping, drainage, the layout of roads and footways and other associated works following demolition of existing structures.

LOCATION: Land at Cardwell Street bound by Dowry Street to the south and Groby Street to the east, Oldham.

It was moved by Councillor Dean and seconded by Councillor Brownridge that the application be APPROVED, subject to the conditions as set out in the report.

On being put to the vote, the Committee was unanimously IN FAVOUR of the application.



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DECISION: That the application be GRANTED subject to the conditions as outlined in the report.

NOTES:

1. That the agent for the Applicant attended the meeting and addressed the Committee on this application.
2. The Committee took into consideration the information from the late list.
3. Councillor Ibrahim and Councillor Toor left the meeting during this Item and did not speak or vote on it.

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**FUL/345895/20 - LAND AT BUCKLEY STREET, LEES, OLDHAM, OL4 5AS**

APPLICATION NUMBER: FUL/345895/20

APPLICANT: Mr Rex Shepherdson

PROPOSAL: Erection of 4 no. residential dwellings

LOCATION: Land at Buckley Street, Lees, Oldham, OL4 5AS

It was MOVED by Councillor Brownridge and SECONDED by Councillor Dean that the application be APPROVED, subject to the Conditions as set out in the report.

On being put to the vote 6 VOTES were cast IN FAVOUR OF the application and 5 VOTES were cast AGAINST, with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report.

NOTES:

1. That an Objector and a Ward Councillor attended the meeting and addressed the Committee on this application.
2. Councillor Ibrahim returned to the meeting part way through this Item and did not speak or vote on it.

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**FUL/346233/21 - FORMER WEAVERS ANSWER, 70-74 MILNROW ROAD, SHAW, OLDHAM, OL2 8ER,**

APPLICATION NUMBER: FUL/346233/21

APPLICANT: Ms Mehtab Shaukat

PROPOSAL: Change of use from public house to supported accommodation

LOCATION: Former Weavers Answer, 7-74 Milnrow Road,  
Shaw, Oldham, OL2 8ER.



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It was **MOVED** by Councillor Davis and **SECONDED** by Councillor Surjan that the application be **APPROVED**, subject to the Conditions as set out in the report.

On being put to the vote 3 **VOTES** were cast **IN FAVOUR OF** the application and 1 **VOTES** were cast **AGAINST**, with 0 **ABSTENTIONS**.

**DECISION:** That the application be **GRANTED** subject to the conditions as outlined in the report.

**NOTES:**

3. The agent for the Applicant attended the meeting and addressed the Committee speaking in support of this application.
4. A Ward Councillor attended the meeting and addressed the Committee speaking against this application.
5. The Committee were advised that only those Members who had been present at the meeting on 21<sup>st</sup> April could speak and vote on this matter.

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**FUL/346270/21 - VALE DRIVE ESTATE, VALE DRIVE, OLDHAM**

APPLICATION NUMBER: FUL/346270/21

APPLICANT: N/A

**PROPOSAL:** Full planning permission for the demolition of the existing buildings and erection of 88 no. dwellings with access, landscaping, a public open space and associated works.

**LOCATION:** Vale Drive Estate, Vale Drive, Oldham.

It was **MOVED** by Councillor Surjan and **SECONDED** by Councillor Davis that the application be **APPROVED**, subject to the Conditions as set out in the report.

On being put to the vote, the Committee was unanimously **IN FAVOUR** of the application.

**DECISION:** That the application be **GRANTED** subject to the conditions as outlined in the report.

**NOTES:**

1. The agent for the Applicant attended the meeting and addressed the Committee speaking in support of this application.

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**HOU/346471/21 - MORLEY BUNKERS, TUNSTEAD LANE,  
GREENFIELD, OLDHAM, OL3 7NY,**

APPLICATION NUMBER: HOU/346471/21

APPLICANT: Mr Graham Sheldon

PROPOSAL: Single storey side extension & alterations

LOCATION: Morley Bunkers, Tunstead Lane, Greenfield,  
Oldham, OL3 7NY

It was MOVED by Councillor Dean and SECONDED by  
Councillor Brownridge that the application be APPROVED,  
subject to the Conditions as set out in the report.

On being put to the vote, the Committee was unanimously IN  
FAVOUR of the application.

DECISION: That the application be GRANTED subject to the  
conditions as outlined in the report.

NOTES:

6. The agent for the Applicant attended the meeting to  
respond to questions from the Committee.

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**LBC/346472/21 - MORLEY BUNKERS, TUNSTEAD LANE,  
GREENFIELD, OLDHAM, OL3 7NY**

APPLICATION NUMBER: LBC/346472/21

APPLICANT: Mr Graham Sheldon

PROPOSAL: Single Storey side extension & alterations

LOCATION: Morley Bunkers, Tunstead Lane, Greenfield,  
Oldham, OL3 7NY

It was MOVED by Councillor Dean and SECONDED by  
Councillor Brownridge that the application be APPROVED,  
subject to the Conditions as set out in the report.

On being put to the vote, the Committee was unanimously IN  
FAVOUR of the application.

DECISION: That the application be GRANTED subject to the  
conditions as outlined in the report.

NOTES:

1. The agent for the Applicant attended the meeting to  
respond to questions from the Committee.



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**FUL/346666/21 - COUNTY COURT, 122A ROCHDALE ROAD, OLDHAM, OL1 1NT**

APPLICATION NUMBER: FUL/346666/21

APPLICANT: Mr Jason Upton

PROPOSAL: Change of use from the former County Court building to a residential building of 42no. apartments and alterations to external elevations, including insertion of new windows (Revision to PA/344948/20)

LOCATION: County Court, 122A Rochdale Road, Oldham, OL1 1NT

It was MOVED by Councillor Dean and SECONDED by Councillor Brownridge that the application be APPROVED, subject to the Conditions as set out in the report.

On being put to the vote, the Committee was unanimously IN FAVOUR of the application.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report.

NOTES:

7. The agent for the Applicant attended the meeting to respond to questions from the Committee.

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**PLANNING APPEALS UPDATE**

**RESOLVED** that the content of the Planning Appeals update report be noted.

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**PRESENTATIONS/LATE LIST**

**RESOLVED** that the content of the Presentations and Late List be noted.

The meeting started at 6.00 pm and ended at 7.55 pm



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## APPLICATION REPORT - RES/345691/20 Planning Committee 7<sup>th</sup> July 2021

**Registration Date:** 21st October 2020  
**Ward:** Chadderton Central

**Application Reference:** RES/345691/20  
**Type of Application:** Reserved Matters

**Proposal:** Details of reserved matters for Appearance, Landscaping, Layout and Scale for development of Linear Park at Zone L1 of the Broadway Green Masterplan

**Location:** Land at Broadway / Foxdenton Lane, Chadderton, OL9 9QR,  
**Case Officer:** Stephen Gill  
**Applicant** Amanda Oakden  
**Agent :** Mr Richard Purser

### INTRODUCTION

The application is presented to Planning Committee as a Large Scale Major application.

### RECOMMENDATION

It is recommended that the application should be approved subject to condition as set out below.

### THE SITE

The development site is located to the west of Broadway (A663) and to the north of Foxdenton Lane (B6189). The Linear Park itself forms part of a wider Foxdenton strategic site granted planning permission in 2013 (PA/334355/13), and subsequently varied under PA/337091/15. The site is referred to as Phase L1 in the approved masterplan.

The site sits in a wider residential and commercial context, with local pockets of green space, including Foxdenton Park to the south and Crossley playing fields to the east.

Elevated above much of the application site to the east is an area (R5/R6) for which planning permission has recently been granted for residential development, whilst Lydia Becker Way lies at a similarly elevated level to the north offering wide public views across the site.

### THE PROPOSAL

The proposal is for a reserved matters application that seeks approval for the Appearance, Landscaping, Layout, and Scale relating to the proposed Linear Park (Phase L1).

### RELEVANT PLANNING POLICIES

The site is located within a Business Employment Area (BEA Foxdenton) within the Local Plan.

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

Policy 1 - Climate Change and Sustainable Development

Policy 6 - Green Infrastructure

Policy 9 - Local Environment

Policy 19 - Water and Flooding

Policy 20 - Design

Policy 21 - Protecting Natural Environmental Assets

Policy 22 - Protecting Open Land

Policy 23 - Open Spaces and Sports

## **RELEVANT PLANNING HISTORY**

PA/337091/15 – Variation of conditions 29, 30, 31 (Part A), and 41, 42 and 43 (Part B) of permission PA/334355/13 Hybrid planning application comprising A) Full planning permission for: 1) A new spine road connecting the A663 'Broadway' and B6189 'Foxdenton Lane' with associated ground re-modelling 2) The means of vehicular access into the site 3) The demolition of all existing buildings within the site B) Outline planning permission for an employment-led mixed use development with access to be considered and all other matters reserved for: 1) Office (Use B1a use); Light Industrial (B1c use); General Industrial (B2 use) and Storage and Distribution (B8 use) floorspace 2) Residential (C3 use) units 3) Area of public open space in the form of a new linear park, to allow phased development and occupation of floorspace and dwellings specified within the 'trip generation threshold' (as defined within Curtins note ref. TPMA1328/STRAT001) prior to the completion of the highway link road ('Interim Trip Generation Threshold') and offsite junction works at A663/Foxdenton Lane/Eaves Lane and M60 Junction 21 ('Trip Generation Threshold'). Approved 28 September 2015

PA/334355/13 - A hybrid planning application comprising A) Full planning permission for: 1) A new spine road connecting the A663 'Broadway' and B6189 'Foxdenton Lane' with associated ground re-modelling 2) The means of vehicular access into the site 3) The demolition of all existing buildings within the site B) Outline planning permission for an employment-led mixed use development with access to be considered and all other matters reserved for: 1) Office (Use B1a use); Light Industrial (B1c use); General Industrial (B2 use) and Storage and Distribution (B8 use) floorspace 2) Residential (C3 use) units 3) Area of public open space in the form of a new linear park. Approved 23 October 2014.

## **CONSULTATIONS**

Highways Engineer – No objections.

Greater Manchester Ecology Unit – No objections

Trees Officer – No objections

United Utilities – No objections subject to development being completed in accordance with the submitted Flood Risk Assessment.

G M Police – No objection subject to the scheme being implemented in accordance with the measures in the Crime Impact Assessment

## **REPRESENTATIONS**

The application was publicised by way of neighbour notification, site notice & press notice. No representations have been received as a result of the publicity.

## **PLANNING CONSIDERATIONS**

### **Principle of development**

In terms of the principle of development, including impact on local services, this has been established by the hybrid planning permission. Conditions are attached to the approvals to cover matters such as off-site highway works, drainage, ecology, contamination, and environmental impact, which will also need to be discharged prior to the commencement of development.

Therefore, the main considerations in determining this Reserved Matters application relate to whether the proposed appearance, landscaping, layout, and scale of the development are acceptable having regard to relevant local and national planning policies and any other material planning considerations. Given the nature of the development, assessment of these matters is largely intertwined, and assessment below is made on this basis.

### **Appearance, landscaping, layout and scale**

Overall, the appearance of the scheme is an improvement on the existing land. Whilst the existing land is open and green, the proposal offers enhancements that will improve the overall appearance of the site and will add positively to an area that is undergoing considerable redevelopment.

The proposal also adds very positively to the species of planting and trees on the site, which is fully supported by both GMEU and the Council's Arboricultural Officer. The mixture of new trees and planting will improve the appearance of the area. The proposal also offers improved pedestrian connectivity through the site, that will help people to enjoy the improved appearance and the hard landscaping proposed will also enable people to sit and enjoy the improvements.

In terms of landscaping, the application proposes a range of native trees, concentrated in both the northern and southern sections of the site, and also pepper potted throughout. A wildflower seed mix is proposed throughout the site and features heavily on the western and eastern boundaries, which helps to soften the transition between the development proposed on R5 & R6 on the eastern boundary and the phases of development that will come forward on phases R3 & C1 on the western side. Wetland planting is proposed around the edges of Wince Brook and riparian planting is proposed in the centre of the site.

The layout will provide 5.3 ha of mixed habitat creation throughout the site, which in terms of size, meets the requirements of Condition 33B of the hybrid planning permission, which requires an area of 4.7ha. GMEU has requested some amendments to the species / habitats being proposed on the site and these amendments have been incorporated by the applicant. Therefore, GMEU do not object to the principles of the layout and the proposals to address habitat creation are supported and provide an excellent opportunity to substantially enhance the site's biodiversity potential. The specifics of habitat creation and areas of grassland will also be addressed through hybrid approval Conditions 33B & 35B.

The proposed layout also includes a 20m buffer zone for the vast majority of the development as required by Condition 26B of the hybrid planning permission. However, there is one exception to the 20m width, and this is situated at the pinch point (10m) as Wince Brook changes direction from west to south.

No comments have been received from the Environment Agency, however, GMEU has not objected to the principle of this exception to the 20m buffer and note that the details of the buffer zone will need to be addressed by the applicant as part of discharging Condition 26B. A Construction Environment Management Plan will also need to be submitted as part of addressing Condition 16B, which will set out how Wince Brook will be protected during construction. The narrowing of the buffer zone from 20m to 10m in this location, is unlikely to preclude any EA management and maintenance requirements given the open nature of the layout, and therefore, this narrowing in the buffer zone is considered acceptable.

In terms of layout, Condition 4 of the hybrid planning permission states that the development shall proceed in broad accordance with the Illustrative Masterplan (dwg ref 05060\_MP\_00\_013). In this regard, the development complies with the illustrative Masterplan, as the proposal follows the intended use for the site as set out on the plan.

The scheme also includes provision for hard landscaping, including new useable footpaths, laid out in self binding gravel with timber edging and this will run through the site as part of a Public Right of Way (PRoW) diversion, which will link into the existing PRoW network both north and south.

Public Rights of Way run through the site, which follow through from residential Phases R5 & R6. As part of the diversion, the applicant is proposing to maintain a link between R5 / R6 and the Linear Park and this link is located centrally between the phases of development. Paths CHADD 44 & 45 will remain as existing and a path will be created, which will run the length of the Linear Park, linking Footpaths 44 (south) & 45 (north) and also the Phases of development in the centre of the strategic site. This will allow for improved accessibility and keeps the two phases of development linked as existing.

The required Public Right of Way (PRoW) diversion will occur under Section 257 of the Town & Country Planning Act.

The Ramblers have reviewed the application and have no objection to the proposals. No objections have been received from the Highways Engineer subject to the necessary legal diversions.

Benches and picnic areas will be provided, constructed of timber, and provision for 1.2m timber fencing and timber kissing gates will be made. Timber bins will also be provided, along with steel information boards and barriers. These additions to the layout make the area useable for exercise and could have a positive effect on wellbeing.

Two natural soft play areas are proposed at the northern end of the site and in the centre. These will incorporate balancing bridges, boulders, tree trunks and stepping logs and this is an additional benefit of the scheme.

The Linear Park and the associated hard and soft landscaping / open space and habitats will be managed by a Management Company set up for the wider Broadway Green Masterplan. Funding will initially be made by the applicant, and long-term funding will come through service

charge on new residential properties.

Further details of management will be required as part of discharging hybrid Condition 8, however, no objections are raised to principle of the proposals set out. Based on the above and overall, the development complies with Local Plan Policies 9 & 20.

### **Ecology and drainage**

As part of addressing hybrid Condition 32, the applicant has submitted an Ecology Survey, which has been assessed by GMEU. No protected species issues were identified in line with previous surveys. However, further surveys will be required before development commences to ensure no changes in that situation. Therefore, a suitably worded condition will be applied to ensure that the layout can be delivered, without potentially having an adverse impact on protected species.

The site is designated within Flood Zones 2 & 3 following the line of Wince Brook. The submitted Flood Risk Assessment (FRA) considers the layout and concludes that the construction of a fully permeable linear park, with new planting of mature shrubbery, is likely to increase the attenuation capacity of the site. The Environment Agency have not commented on the FRA, however, despite the Linear Park being for public use, the use is considered to be 'water compatible development' on the Flood Risk Vulnerability and Flood Zone 'Compatibility' criteria. United Utilities has confirmed no objection to the application and Condition 28B covers the requirement to consider surface water drainage from the site and this information will need to be submitted prior to commencement of development.

Based on the above, the layout is acceptable and a positive improvement and addition to the area. The applicant will need to work closely with GMEU on the outstanding conditions relating to grassland, habitat creation and the proposals around Wince Brook, however, no objections are raised to the proposals set out in this application. Therefore, the development complies with Policy 9 & 20.

### **CONCLUSION**

In conclusion, the proposed development is acceptable. The development will deliver a large Linear Park that will be usable, accessible and modern. The proposal will enhance biodiversity and will deliver habitat growth and significant grassland to the area and will assist in mitigating for the considerable infrastructure surrounding the site. Therefore, based on the above, the development complies with relevant national and local planning policies.

### **RECOMMENDED CONDITIONS**

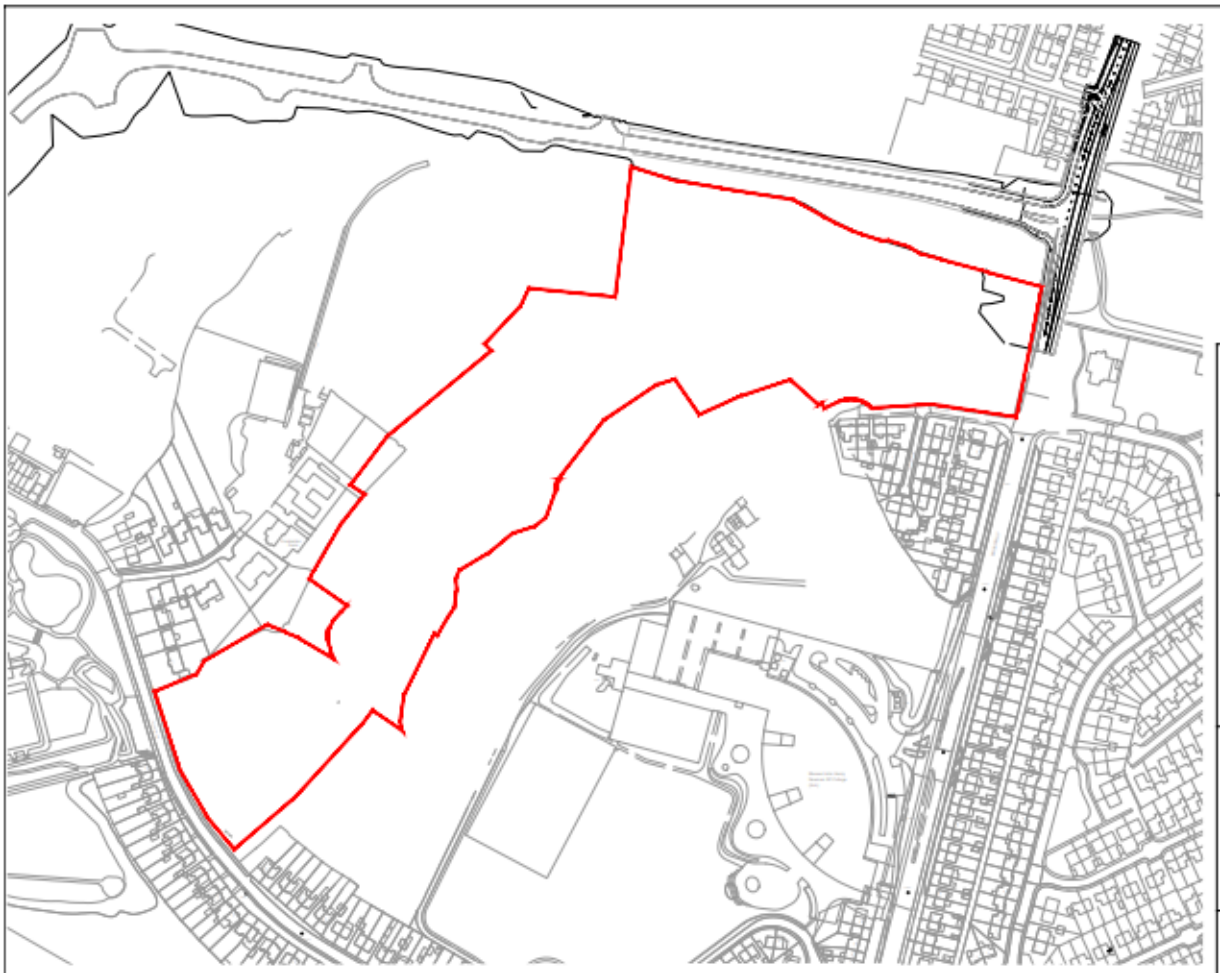
1. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
2. Prior to the commencement of any development, additional specialist surveys shall be undertaken to identify whether badger are present on the site, and if so, no development shall be undertaken until a suitable scheme of mitigation and protection has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented fully

in accordance with the approved scheme. REASON – In order to ensure the protection of ecological assets having regard of Policy 21 of the Oldham Local Plan.

3. The drainage for the development hereby approved, shall be implemented in accordance with principles set out in the submitted E3P Flood Risk Assessment (Ref No. 12-191-L1, dated 12th October 2020). No surface water will be permitted to drain directly or indirectly into the public sewer. REASON - To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy 19 of the Oldham Local Plan.

4. The development hereby approved shall be carried out in accordance with the physical security specifications set out in Section 7 of the submitted Crime Impact Statement v1.0, dated September 2020. REASON - To ensure a safe form of development in accordance with Policy 9 of the Oldham Local Plan.

### **LOCATION PLAN**



## APPLICATION REPORT - FUL/346227/21 Planning Committee 7<sup>th</sup> July 2021

**Registration Date:** 3rd February 2021  
**Ward:** Medlock Vale

**Application Reference:** FUL/346227/21  
**Type of Application:** Full Application

**Proposal:** Change of use from part fitness centre part beauty salon to 15 bed house in multiple occupation

**Location:** 910 Ashton Road, Oldham, OL8 3HT,

**Case Officer:** Abiola Labisi

**Applicant:** Mr P Awan

**Agent :** Mr Alan Doherty

### INTRODUCTION

This application is presented to Planning Committee at the request of Councillor Ur-Rehman.

### THE SITE

The site is located at 910 Ashton Road, Oldham, on the west side of the A627 Ashton Road and within a predominantly residential area. The site is bounded to the north by a Funeral Director's office and to the south by some residential properties fronting onto Danisher Lane. Across the road from the site are properties in residential use as well as a shop. On site is a two-storey building which was last used as a fitness centre/beauty salon.

### THE PROPOSAL

The proposal relates to the change of use of the premises from fitness centre/beauty salon to a 15 bed house in multiple occupation. The main external alteration works to the building includes replacement of a couple of roller shutter doors on the ground floor with windows and the addition of a couple of windows on the rear elevation.

The rooms would be en-suite and would range in floor areas from 16.7 square metres to 27.5 square metres. Two sets of kitchen and dining facilities would be provided, one on ground floor and one on the first floor. A cycle storage area, bin storage area and occupiers' amenity area will be provided at ground level.

### RELEVANT PLANNING HISTORY

None

### RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

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

Policy 1 - Climate Change and Sustainable Development

Policy 3 - An Address of Choice

Policy 5 - Promoting Accessibility and Sustainable Transport

Policy 9 - Local Environment  
Policy 20 - Design  
Policy 11 - Housing

## **CONSULTATIONS**

Highways Engineer - No objection subject to submission of details of secured cycle storage facilities.

Environmental Health - No objections, however, the applicant is advised that the proposal will create a licensable House in Multiple Occupation and an application to the Neighbourhood Enforcement Team should be submitted.

## **REPRESENTATIONS**

A total of 212 objections were received during the period of public consultation and the material planning issues raised in the objections include:

- inadequate parking and highway safety issues
- proliferation of HMOs in the area
- impact on the character of the area
- increased crime and anti-social behaviour
- inadequate amenities for the future occupiers of the HMO
- loss of privacy

## **PLANNING CONSIDERATIONS**

### **Principle of the development**

In the interest of sustainable development, the National Planning Policy Framework specifically requires that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Accordingly, paragraph 118 of the NPPF provides that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing, amongst other requirements.

The proposed development would bring this under-utilised building back into active use to provide additional housing to meet the specific accommodation needs of groups of persons with a requirement for this type of accommodation. In this regard, the proposal would be in accordance with the above referenced requirements of the NPPF.

Paragraph 59 of the NPPF also highlights the Government's aim of significantly increasing supply of homes across the country and states that in order to support this aim, it is important that a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed.

The proposal would boost housing supply in the area thereby contributing towards meeting the Government's housing targets. The site is located in a sustainable location with easy access to public transport and essential daily needs. As such, in addition to being in accordance with relevant national policies, the proposal is considered acceptable in principle.

### **Impact on Amenity**



NPPF paragraph 127 requires that new development should ensure a high standard of amenity for existing and future users, whilst Oldham Local Plan Policy 9 provides 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.

The proposal includes an amenity/communal area for the future occupiers. In addition, the site is in close proximity to public open spaces and as such, it is considered that the amenity requirement of future occupiers would not be compromised to a significant degree.

Furthermore, the Ministry of Housing, Communities and Local Government's 2018 publication 'Houses in Multiple Occupation and Residential property Licencing Reform – Guidance for Local Housing Authorities' sets out minimum sleeping room sizes for HMOs and provides that the minimum sleeping room size for a two person room (where the persons are over the age of 10) is 10.22 square metres.

It is noted that the rooms would meet the minimum size requirement set out in the Government's Guidance for Local Authorities. In addition, each room would have a separate toilet/bathroom. In this regard, it is considered that the proposal would provide adequately for the residential amenity of future occupiers.

With regard to potential impact on the residential amenity of the occupiers of neighbouring properties, it is considered that as there would be no significant external alterations to the building, and there would be no significant overbearing or overshadowing impact on the occupiers of neighbouring properties.

Furthermore, it is noted that the new windows to be inserted, as well as existing ones, would not directly overlook any neighbouring private amenity areas and as such, the proposal would not lead to any significant overlooking impact.

### **Crime Prevention**

A significant number of representations have been received in respect of potential crime and anti-social behaviour and a claimed proliferation of HMO accommodation in the area.

With regard to concerns of potential anti-social behaviour and social problems, whilst such considerations can represent material planning considerations, it is necessary for such concerns to be based on definitive evidence, and in the absence of such, refusal of the application on such grounds cannot be justified.

Records kept by the Environment Health team have indicated that there are approximately 23 known HMOs in the Medlock Vale ward, out of a total population area of around 14000.

Therefore, there is no evidence to suggest that the number of HMOs in the local area is of such magnitude that it has resulted in a material change in the character of the local area which will continue to contain a mix of properties to meet a range of accommodation needs. Consequently, such general concerns would not justify refusal of the application.

Furthermore, there is no Local Plan policy restricting the number of HMOs in a particular area and therefore no policy justification to refuse permission for the proposal. Moreover, the proposed use is residential, which is in keeping with the predominant land use in the area.

It is noted that in response to some of the issues raised in the letters of objection, the applicant commissioned and submitted a Crime Impact Statement prepared by the Greater Manchester Police as well as a Management Plan.

The Crime Impact Statement concludes that the proposed development appears well-considered from a crime prevention perspective and therefore, the scheme is supported subject to the developer implementing the recommendations set out in section 3.3 of the report.

Whilst most of the recommendations of the Crime Impact Statement are targeted at protecting the occupiers of the development, it is also noted that the report recommends that a Landlord Anti-Social Behaviour Management Plan should be prepared. It is considered that such plan would help in reducing anti-social behaviour as well as its impact on occupiers and neighbours.

### **Highway Issues**

The application relates to an existing building which was formerly in commercial use. It must be recognised that any re-use of the building is likely to result in some degree of traffic generation and parking demand. Given the scale and type of accommodation occupied by single persons to be provided, residents are unlikely to own a private vehicle, leading to less demand than many alternative uses. In addition, the site is close to public transport options and local services which leads to a tendency to reduce dependence on the private car.

Whilst the proposal does not include the provision of car parking spaces, it is however noted that secured cycle storage facilities would be provided for the future occupiers.

Furthermore, the Council's Highway Engineer has not raised an objection on highway safety/network capacity grounds. As such, it is considered that the proposal would not lead to a severe detrimental highway safety/capacity issue.

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

NPPF paragraph 127 as well as Oldham Local Plan Policies 9 and 20 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.

Apart from the formation of window openings, the proposal does not include any significant external alteration to the building and as such, it is considered that there would be no significant adverse impact on the character of the area as a result of the development.

In terms of the nature of the proposed use, it is noted that the area is characterised by predominantly residential use and as such, the proposed use would be in keeping with the predominant land use in the area.

### **CONCLUSION**

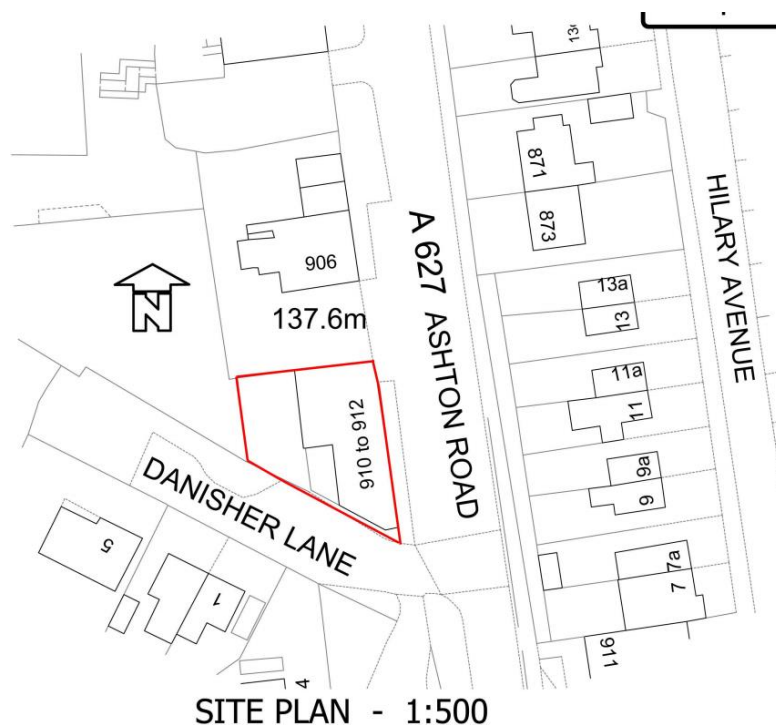
The above assessment indicates that the proposal would not lead to any adverse impact that significantly and demonstrably outweighs the benefits of the scheme.

In addition, the proposal would bring an under-utilised site back into active use, in accordance with the principle of sustainable development. The scheme would therefore be in accordance with relevant provisions of Oldham Local Plan Policies 5, 9 and 20, as well as relevant provisions of Sections 5, 11 and 12 of the National Planning Policy Framework.

## 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 the secure cycle parking has been implemented in accordance with details shown on approved Drawing No. 3873.5 Rev A. The approved cycle storage facility shall remain available for users of the development at all times thereafter. REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
- 4 The development shall be implemented and operated in accordance with the recommendations set out within the Crime Impact Statement prepared by Greater Manchester Police (Reference 2021/0059/CIS/01 - Version A) and submitted with the application. REASON - In order to ensure the safety of the occupiers of the development as well as occupiers of neighbouring properties having regard to Policy 9 of the Oldham Local Plan.
- 5 Prior to the first occupation of any of the rooms within the HMO hereby approved, a detailed Management Plan setting out how the property would be managed, including details relating to the cleaning and maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved scheme thereafter. REASON - To ensure that the amenity of future occupiers as well as that of neighbours is protected, having regard to Policy 9 of the Oldham Local Plan.

## LOCATION PLAN



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## APPLICATION REPORT - HOU/346670/21 Planning Committee 7<sup>th</sup> July 2021

**Registration Date:** 14th April 2021  
**Ward:** Saddleworth South

**Application Reference:** HOU/346670/21  
**Type of Application:** Householder

**Proposal:** Single and two storey rear extensions  
**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 closely related to an Elected Member of the Council.

### RECOMMENDATION

To refuse for the reason set out at the end of this report:

### THE SITE

The site relates to a Grade II listed building, built circa 1730 which is 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

Application refs: HH/345153/20 and LB/345154/20 were refused at the Planning Committee on 14th October 2020. Subsequently, the applications were dismissed by the Planning Inspectorate on the 15th March 2021. The Inspector concluded that the proposal “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 application now seeks a new proposed single and two storey rear extension.

### THE PROPOSAL

This application seeks planning permission and listed building consent for a two-storey rear extension. The extension would measure approximately 3.2m in depth, 2.8m in width, and at ground floor the extension would measure approximately 7.3m in width and 3.2m in depth. The first-floor section would measure 5.7m in height and the single storey would measure approximately 3.3m in height. Both of these measurements have been taken from ground level which is noted to be slightly lower than the garden area.

### RELEVANT HISTORY OF THE SITE

HH/345153/20- Two storey rear extension. Refused – Appeal Dismissed  
LB/345154/20 - Two storey rear extension. Refused – Appeal Dismissed

## **RELEVANT PLANNING POLICY**

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The site is located within the Green Belt on the Proposals Map pertaining to the Local Plan.

The following policies are relevant.

Policy 9: Local Environment  
Policy 20: Design  
Policy 24: Historic Environment

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

The application has been advertised by site notice, press notice and individual neighbour notification letters. No representations have been received as a result of such publicity measures.

Saddleworth Parish Council recommend approval of the application.

## **PLANNING ASSESSMENT**

The main issue to consider is the implications for the character and setting of the listed building.

### **Design and impact on the character and appearance of the listed building**

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 189 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 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.

A design, access and heritage statement has been submitted with the application and seeks to justify the proposals in terms of the changes made in respect of the outcome of the appeal decision.

In relation to the current proposed plans, the two-storey extension is smaller than the previous extension, however there are still concerns surrounding the design. These have only partially been addressed by the applicant.

### **Extension**

Paragraph 13 of the Appeal Decision states that the previous two storey rear extension was “sited in a position where it would obscure part of the historic fabric of the original 1730s house, in particular the quoin details and areas of smaller phasing and would fail to preserve its special interest”.

While this current proposal has been reduced in width, it still has not fully addressed the issue of obscuring part of the historic fabric of the original building dating back to 1730 and 1750, as indicated on the Building Progression plan submitted with the application.

In addition to this, some of the smaller areas of coursed stone would be covered at first floor, negatively impacting the legibility of the building’s historic phasing which was noted by the Inspector as a significant part of the evolution of this building (Paragraph 13).

The Heritage Statement suggests that the first-floor bathroom area would be accessed through the window at the top of the staircase (the window was added in the 1960s) and the stonework below the window would be removed to form the doorway. Notwithstanding this, some of the rear elevation would still be obscured by a modern extension.

The Council agrees with the Inspector in that the loss of the unsympathetic ground floor bay window would be a benefit to the scheme, but overall, this would not outweigh harm caused by the loss of original fabric in the oldest part of the building. The Inspector cited this as a fundamental issue in Paragraph 14 and it is considered this has not been overcome by the new proposal.

### **Windows**

The previous proposal included the enlargement of the side window opening to the kitchen extension and full-length timber patio doors. The Inspector stated that this would replace an existing uPVC window and would be a positive step in terms of using more appropriate materials (Paragraph 15), however the scale and design of the patio doors would fail to respect the historic character of the dwelling.

The new proposal included ‘shadow windows’ which would have filled the gap between the new and existing stonework. The design and access statement suggested that this design would allow the connection between the building and the extension without intervention to the existing historic structure allowing the build to be reversible. While limiting the loss of fabric is a positive step, in this case the design of the proposed windows is not in keeping with the traditional character of this dwelling. This was raised as an issue and consequently, the Agent has removed these windows. However, as a result of this, the proposal now has no window openings at first floor.

### **Roof**

The proposed extension remains with a cat slide roof which is still considered to be at odds with the form of the existing roof. The Inspector agreed this was an issue (Paragraph 17) and the differing roof pitch would result in a discordant addition to the dwelling. The cat slide roof remains with an awkward roof junction providing a small flat section where the roof would join. This is uncharacteristic of the traditional form and design of the building and uncharacteristic of the wider area.

## **Summary**

As the Inspector stated, the listed status covers all the architectural interest as a whole. This is not just confined to the principal elevation. The rear of the building is as important to its special interest. The alterations made are still considered to cause harm to the character of the listed building by virtue of the two storey which would obscure views of the historic part of the building. In addition, the roof design is not in keeping with the dwelling or reflective of the wider character of the area.

It is concluded that the works subject of this application would result in 'less than substantial harm' in the context of NPPF Paragraph 196. In such circumstances, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

No public benefits have been identified to the current proposal, however the previous public benefits cited that the extension would improve the damp currently within the building. The Inspector concluded at Paragraph 24 that the property needs some renovation and maintenance and the proposed works would have some public benefit in helping to preserve a heritage asset. However, the Council agrees that these essential maintenance works could be undertaken without the property being extended.

The building is listed for its historic or architectural interest in its entirety, and this includes its historic context and setting. The fact that the works are not being undertaken on a principal elevation, does not diminish the importance of ensuring the character and appearance of the building as a whole is protected.

Additionally, the Applicant states that "in the future the works could be reversed", however this was raised previously with the Inspector concluding that it was not clear how the works could be reversed satisfactorily to ensure the viability of the building.

It is clear that there are no public benefits arising from the proposal, and therefore, it must be concluded that the development will harm the historic significance of the heritage asset, contrary to the provisions of the Act, and both national and local planning policies.

## **CONCLUSION**

Allowing for the conclusions in respect of the implications for the character and appearance of the listed building, and subsequent conflict with the aims of the aforementioned local and national policies concerning the historic environment, this application cannot be supported.

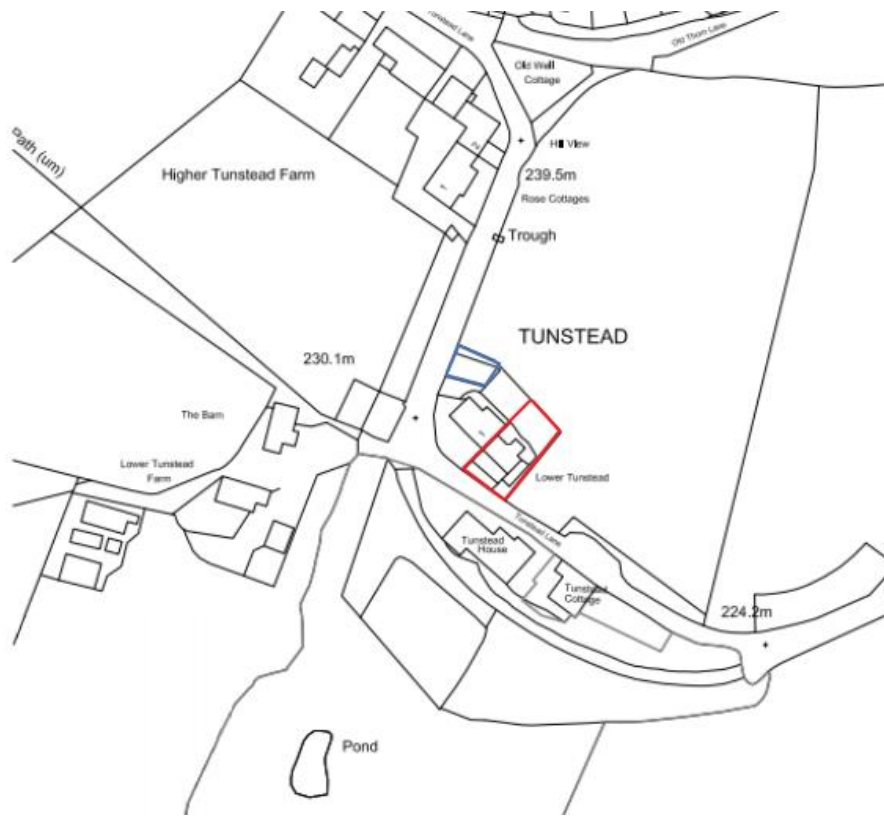
## **RECOMMENDATION:**

Refuse Permission, for the following reason:

1 The proposed extension represents a visually incongruous additional to the historic building by reason of its appearance and scale. As such it would cause 'less than substantial harm' to the significance of a heritage asset, as assessed by Paragraph 196 within the NPPF. No public benefits have been demonstrated to outweigh the identified harm, and therefore, the proposal would be contrary to the requirement of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies 9, 20, and 24 of the Oldham Local Development Framework and Part 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.



# LOCATION PLAN



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## APPLICATION REPORT - LBC/346671/21 Planning Committee 7<sup>th</sup> July 2021

**Registration Date:** 14th April 2021  
**Ward:** Saddleworth South

**Application Reference:** LBC/346671/21  
**Type of Application:** Listed Building Consent

**Proposal:** Single and two storey rear extensions  
**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 closely related to an Elected Member of the Council.

### RECOMMENDATION

To refuse for the reason set out at the end of this report:

### THE SITE

The site relates to a Grade II listed building, built circa 1730 which is 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

Application refs: HH/345153/20 and LB/345154/20 were refused at the Planning Committee Meeting on 14th October 2020. Subsequently, the applications were dismissed by the Planning Inspectorate on the 15th March 2021. The Inspector concluded that the proposal “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 application now seeks a new proposed single and two storey rear extension.

### THE PROPOSAL

This application seeks planning permission and listed building consent for a single and two-storey rear extension. The extension would measure approximately 3.2m in depth, 2.8m in width, and at ground floor the extension would measure approximately 7.3m in width and 3.2m in depth. The first-floor section would measure 5.7m in height and the single storey would measure approximately 3.3m in height. Both of these measurements have been taken from ground level which is noted to be slightly lower than the garden area.

### RELEVANT HISTORY OF THE SITE

HH/345153/20- Two storey rear extension. Refused – Appeal Dismissed  
LB/345154/20 - Two storey rear extension. Refused – Appeal Dismissed

## **RELEVANT PLANNING POLICY**

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The site is located within the Green Belt on the Proposals Map pertaining to the Local Plan.

The following policies are relevant.

Policy 9: Local Environment  
Policy 20: Design  
Policy 24: Historic Environment

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

The application has been advertised by site notice, press notice and individual neighbour notification letters. No representations have been received as a result of such publicity measures.

Saddleworth Parish Council recommend approval of the application.

## **PLANNING ASSESSMENT**

The main issues to consider in this instance include design, residential amenity, the wider implications for the character and setting of the listed building, and Green Belt policy.

### **Design and impact on the character and appearance of the listed building**

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 189 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.

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A design, access and heritage statement has been submitted with the application and seeks to justify the proposals in terms of the changes made in respect of the outcome of the appeal decision.

In relation to the current proposed plans, the two-storey extension is smaller than the previous extension, however there are still concerns surrounding the design. These have been only partially addressed by the applicant.

### **Extension**

Paragraph 13 of the Appeal Decision states that the previous two storey rear extension was “sited in a position where it would obscure part of the historic fabric of the original 1730s house, in particular the quoin details and areas of smaller phasing and would fail to preserve its special interest”.

While this current proposal has been reduced in width, it still has not fully addressed the issue of obscuring part of the historic fabric of the original building dating back to 1730 and 1750, as indicated on the Building Progression plan submitted with the application.

In addition to this, some of the smaller areas of coursed stone would be covered at first floor, negatively impacting the legibility of the building’s historic phasing which was noted by the Inspector as a significant part of the evolution of this building (Paragraph 13).

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### **Windows**

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## **Summary on design and heritage**

As the Inspector stated, the listed status covers all the architectural interest as a whole. This is not just confined to the principal elevation. The rear of the building is as important to its special interest. The alterations made are still considered to cause harm to the character of the listed building by virtue of the two storey which would obscure views of the historic part of the building. In addition, the roof design is not in keeping with the dwelling or reflective of the wider character of the area.

It is concluded that the works subject of this application would result in 'less than substantial harm' in the context of NPPF Paragraph 196. In such circumstances, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

No public benefits have been identified to the current proposal, however the previous public benefits cited that the extension would improve the damp currently within the building. The Inspector concluded at Paragraph 24 that the property needs some renovation and maintenance and the proposed works would have some public benefit in helping to preserve a heritage asset. However, the Council agrees that these essential maintenance works could be undertaken without the property being extended.

The building is listed for its historic or architectural interest in its entirety, and this includes its historic context and setting. The fact that the works are not being undertaken on a principal elevation, does not diminish the importance of ensuring the character and appearance of the building as a whole is protected.

Additionally, the Applicant states that "in the future the works could be reversed", however this was raised previously with the Inspector concluding that it was not clear how the works could be reversed satisfactorily to ensure the viability of the building.

It is clear that there are no public benefits arising from the proposal, and therefore, it must be concluded that the development will harm the historic significance of the heritage asset, contrary to the provisions of the Act, and both national and local planning policies.

## **Residential amenity**

The relationship of the extension to neighbouring properties ensures there will be no detrimental impact.

## **Green Belt policy**

Paragraph 145 of the NPPF states that "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building" would not constitute inappropriate development in the Green Belt. Having regard to the scale of the proposed extension it is concluded that the development would conform to the relevant policy and therefore not harm the fundamental aim or purposes of the Green Belt.

## **CONCLUSION**

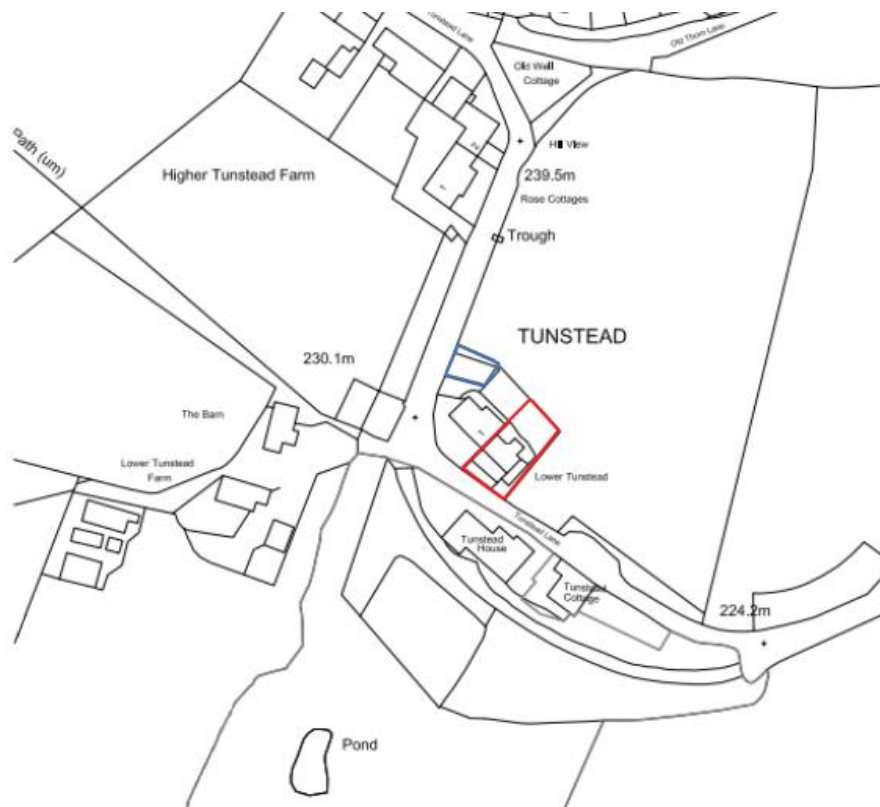
Allowing for the conclusions in respect of the implications for the character and appearance of the listed building, and subsequent conflict with the aims of the aforementioned local and national policies concerning the historic environment, this application cannot be supported.

## RECOMMENDATION:

Refuse Permission, for the following reason:

1 The proposed extension represents a visually incongruous additional to the historic building by reason of its appearance and scale. As such it would cause 'less than substantial harm' to the significance of a heritage asset, as assessed by Paragraph 196 within the NPPF. No public benefits have been demonstrated to outweigh the identified harm, and therefore, the proposal would be contrary to the requirement of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies 9, 20, and 24 of the Oldham Local Development Framework and Part 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

## LOCATION PLAN



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