

## ***PLANNING COMMITTEE***

### ***Agenda***

Date Wednesday 21 February 2024

Time 6.00 pm

Venue Council Chamber, 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 Constitutional Services 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, 16 February 2024.
  4. 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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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.

Please also note the Public attendance Protocol on the Council's Website

[https://www.oldham.gov.uk/homepage/1449/attending\\_council\\_meetings](https://www.oldham.gov.uk/homepage/1449/attending_council_meetings)

MEMBERSHIP OF THE PLANNING COMMITTEE IS AS FOLLOWS:  
Councillors Akhtar, S. Bashforth, Cosgrove, Davis, Fryer, H. Gloster,  
Harkness, Hince, Hobin, Ibrahim (Vice-Chair), Iqbal, Lancaster, Surjan  
(Chair) 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 - 4)  
The Minutes of the meeting of the Planning Committee held on 24<sup>th</sup> January 2024 are attached for Members' approval.
- 6 FUL/351515/23 - Land adjacent to the Grapes, 161 Saint John Street, Lees (Pages 5 - 16)  
Retention of existing public house and erection of 3 no. three-bedroom dwellings (Use Class C3) utilising existing access off Medlock Way with associated parking, hard and soft landscaping and reconfiguration of the car park.
- 7 FUL/351962/23 - Findel Complex - Land East of Greengate, Oldham (Pages 17 - 30)  
Demolition of all existing buildings and structures and the redevelopment of the site comprising the erection of commercial units within Use Class B2, B8 and Class E (g) (iii), associated parking, landscaping and infrastructure including the recladding of the existing party wall.
- 8 FUL/352095/23 - Snipe Inn, 29-31 Henshaw Street, Oldham (Pages 31 - 40)  
Demolition of former Snipe Inn public house and redevelopment into public realm.
- 9 Appeals Update Report (Pages 41 - 44)

**PLANNING COMMITTEE**  
**24/01/2024 at 6.00 pm**

**Present:** Councillors Akhtar, S. Bashforth, Cosgrove, Davis, Fryer, H. Gloster, Harkness, Hince, Hobin, Ibrahim (Vice-Chair), Iqbal, Lancaster, Surjan (Chair) and Woodvine

Also in attendance:

Peter Richards	Head of Planning
Martyn Leigh	Development Management Team Leader
Abiola Labisi	Senior Planning Officer
Wendy Moorhouse	Principal Officer Transport Projects
Alan Evans	Group Solicitor
Durga Paul	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting of the Planning Committee held on the 20<sup>th</sup> December 2023 be approved as a correct record.

6 **FUL/351542/23 - JUNCTION 22 BUSINESS PARK,  
TWEEDALE WAY, CHADDERTON**

APPLICATION NUMBER: FUL/351542/23

APPLICANT: Mr. S. Bentley

PROPOSAL: Erection of a new unit for storage (B8) and offices (E(g)(i)) with associated external works for compound and parking

LOCATION: Land adjacent Junction 22 Business Park, Tweedale Way, Chadderton

It was **MOVED** by Councillor Bashforth and **SECONDED** by Councillor Cosgrove that the application be **APPROVED**.

On being put to the vote 14 VOTES were cast **IN FAVOUR OF** and 0 VOTES were cast **AGAINST** with 0 **ABSTENTIONS**.

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

7

**FUL/350732/23 - YEW TREE COMMUNITY SCHOOL, CHADDERTON**

APPLICATION NUMBER: FUL/350732/23

APPLICANT: Yew Tree Community School

PROPOSAL: Installation of new lighting columns along with LED lighting to light existing 3G football pitch.

LOCATION: Yew Tree Community School, Alcester Street, Chadderton.

It was MOVED by Councillor Harkness and SECONDED by Councillor Cosgrove that the application be APPROVED subject to an amendment to condition that the operating hours of the floodlights are amended from 17:00-21:30 to 15:30-21:30.

On being put to the vote 13 VOTES were cast IN FAVOUR OF APPROVAL and 0 VOTES were cast AGAINST with 0 ABSTENTIONS.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report and the amendment of the operating hours.

**NOTES:**

1. That an Objector and the Applicant attended the meeting and addressed the Committee on this application.

8

**HOU/351882/23 - 1 NORFOLK CRESCENT, FAILSWORTH**

APPLICATION NUMBER: HOU/351882/23

APPLICANT: Mr James Sherlock

PROPOSAL: Erection of a two storey side extension, and single storey front and rear extensions.

LOCATION: 1 Norfolk Crescent, Failsworth, M35 0WG.

It was MOVED by Councillor Akhtar and SECONDED by Councillor Iqbal that the application be APPROVED.

On being put to the vote 9 VOTES were cast IN FAVOUR OF APPROVAL and 4 VOTES were cast AGAINST with 1 ABSTENTIONS.

DECISION: That the application be GRANTED.

NOTES:

1. That an Objector and the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at item 11.

9 **APPEALS UPDATE REPORT**

**RESOLVED** that the appeals update be noted.

10 **BACKGROUND PAPERS**

**RESOLVED** that the background papers document be noted.

11 **LATE LIST**

**RESOLVED** that the Late List be noted.

The meeting started at 6.00pm and ended at 7.54pm

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## APPLICATION REPORT – FUL/351515/23 Planning Committee 21<sup>st</sup> February 2024

**Registration Date:** 22<sup>nd</sup> August.2023  
**Ward:** Saddleworth West & Lees

**Application Reference:** FUL/351515/23  
**Type of Application:** Full Application

**Proposal:** Retention of existing public house and erection of 3 no. three-bedroom dwellings (Use Class C3) utilising existing access off Medlock Way with associated parking, hard and soft landscaping and reconfiguration of the car park.

**Location:** Land Adjacent to The Grapes, 161 Saint John Street, Lees, OL4 3DR

**Case Officer:** Sophie Leech  
**Applicant:** Punch Partnerships Ltd  
**Agent:** Miss Francesca Pepper

### 1. INTRODUCTION

- 1.1 The application is a minor development for the retention of existing public house and erection of 3 no. three-bedroom dwellings (Use Class C3) utilising existing access off Medlock Way with associated parking, hard and soft landscaping, and reconfiguration of the car park.
- 1.2 The application has been referred to Planning Committee for determination as it has been called in by Councillor Al-Hamdani on the grounds of highway impact relating to a proposed school street on Medlock Way.

### 2. RECOMMENDATION

- 2.1 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 following the prior completion of a Section 106 agreement requiring tree replacement contribution of £12,900 for the provision of 43 trees to be replanted off site by the Council.

### 3. SITE DESCRIPTION

- 3.1 The application site comprises an existing car park associated with The Grapes Public House located on St John Street, Lees. The site lies within the Hey Conservation Area and the Grapes Pub is a Grade II listed building.
- 3.2 The site is surrounded by residential development.

#### 4. THE PROPOSAL

- 4.1 The application seeks planning permission for the erection of 3 no. three-bedroom dwellings (Use Class C3) utilising existing access off Medlock Way with associated parking, hard and soft landscaping and reconfiguration of the car park. The public house will remain with 17 parking spaces reduced from the existing 32 spaces.
- 4.2 The proposed development will comprise of 3no 3 bed, two storey units in a small, terraced row. The accommodation schedule is as follows:
- Plot 1 3b4p – 86m2 (GIA) – 50m2 (Private Garden);
  - Plot 2 3b4p – 86m2 (GIA) – 50m2 (Private Garden); and,
  - Plot 3 3b4p – 86m2 (GIA) – 50m2 (Private Garden).

#### 5. PLANNING HISTORY

Not applicable.

#### 6. RELEVANT PLANNING POLICIES

- 6.1 The 'Development Plan' is the Joint Development Plan Document (Local Plan) 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 Choices;
  - Policy 9 - Local Environment;
  - Policy 11 – Housing;
  - Policy 20 – Design; and,
  - Policy 24 – Historic Environment.

#### 7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	No objections, subject to conditions for landfill gas, construction noise, watching brief for land contamination.
Highways	No objections, subject to conditions for parking spaces, construction details and drainage.
Tree Officer	No objections, subject to tree replacements on site and off site via 106 agreement.
Conservation Officer	No objections, following amendments to external materials.



## **8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS**

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a minor development that could impact the character of the Conservation Area by means of neighbour notification letters, display of a site notice, and publication of a press notice.
- 8.2 In response, at the time of publication of this report no responses have been received.

## **ASSESSMENT OF THE PROPOSAL**

### **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 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 require that residential uses are in highly sustainable locations in respect of access to key services and public transport options. In this regard, the site is within a large village and for the purposes of Policy 5 the site is 'very highly accessible'.
- 9.2 The site lies within a sustainable location close to public transport and key services such as schools, retail and leisure. As such, the principle of housing in this location is acceptable.

### **10. IMPACT ON LOCAL CHARACTER (AND CONSERVATION AREA)**

- 10.1 Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20, which 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 the Council will protect, conserve and enhance these heritage assets and their settings which adds to the borough's sense of place and identity.
- 10.2 The pub building itself is grade II listed and the site is located within the Hey Conservation Area.
- 10.3 The site is bordered to the north and the west by post-war residential development, with the rear of the beer garden wrapping around to the south of the site with a cemetery backing onto this. To the east is a more historically prevalent residential terraced development and St John the Baptist Church.
- 10.4 From the historic maps present within the submitted Heritage Statement it is clear that development has historically been located upon the application site. Additionally, it is acknowledged that the existing car park is a negative contributor to the setting of the grade II listed public house and within Hey Conservation Area.
- 10.5 Other than the minor changes proposed to the fenestration (blocking up of one window and creation of a new window at first floor level) there are no notable changes proposed to the exterior of the building which would cause physical impacts on the character of the area.

- 10.6 The significance of the Conservation Area arises from both its aesthetic and illustrative value. The aesthetic value of the Area comes through from the general architecture and wide use of local stone'. Additionally, with regards to the setting of the Grapes, 'the surroundings here further add to this significance with buildings of a similar date and many constructed in a similar stone further enhance both the aesthetic and illustrative value of the listed building.
- 10.7 In regard to external materials, stone and render were originally proposed. Reference had been made to the white painted stone property on the corner of Beckett Street and St John Street setting a precedent for the use of white render. However, the white painted stone property and further partly rendered properties along Beckett Street do not positively contribute to the setting of the grade II listed public house or the conservation area. Therefore, on this basis the external material has been changed to stone which is now acceptable. A condition is attached to the recommendation requiring a sample of the external materials to ensure an appropriate match.
- 10.8 Furthermore, the original plans showed a mix of ground floor windows having a stone lintel and the first floor windows only having a stone sill, rather than all windows having either a lintel or/and sill. The window details have now been amended and the frame is also proposed as timber, both of which are acceptable.
- 10.9 Policy 24 states that development within conservation areas must serve to preserve or enhance the character or appearance of the area. However, given the very limited extent of alterations required to the exterior of the building to accommodate the proposed use, it is not considered there would be any harm caused to the character of the conservation area. In this context it is considered that the development accords with policies 20 and 24 of the Local Plan.

## **11. RESIDENTIAL AMENITY**

- 11.1 Policy 9 states that the Council will seek to protect existing levels of amenity. As such, development proposals should not cause significant harm to neighbouring land uses through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances.
- 11.2 In respect of the amenity of future residents, the 'Technical housing standards – nationally described space standard' (NDSS) provides guidance to local planning authorities on the minimum standards expected to be achieved in new and converted residential developments. The proposed plans submitted along with details of building and room sizes confirm full compliance with the standards.
- 11.3 The application site will adjoin residential properties to the east and north, and the existing public house to the west. To the south is tree cover with further residential properties on Wrigley Street.
- 11.4 The residential amenity of occupants of the new properties would be acceptable in regard to light, outlook and garden sizes. The end gable first floor window to Plot 1 has been removed to ensure there is no amenity impact with regards to adjacent trees. This is now acceptable. Lastly, each property will be provided with a cycle storage area and new landscaping.
- 11.5 Whilst it is acknowledged that some disturbance may be experienced during the public house opening times, existing properties are sited in close proximity to the existing use and it is considered that the future amenity of occupiers would not be significantly

harmed. As such, is considered that the development accords with Policy 9 of the Local Plan.

## **12. HIGHWAY SAFETY**

- 12.1 Policy 5 of the Local Plan requires that developments do not compromise pedestrian or highway safety and Policy 9 of the Local Plan states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users.
- 12.2 The National Planning Policy Framework explains that planning applications should only be prevented or refused on highways grounds if there would be:
- An unacceptable impact on highway safety; or,
  - Where the residual cumulative impacts on the road network would be severe.
- 12.3 The site is in a sustainable location with excellent links to public transport, opportunities for walking and cycling and access to a wide range of amenities. Each property will be provided with 2no off road parking spaces.
- 12.4 The site is in close proximity to two primary schools, St Edwards RC School and Hey with Zion Primary School. Oldham Council is currently working with both schools on developing a 'School Street' scheme. A 'School Street' is a road outside a school with restricted access for motorised traffic at school drop-off and pick-up times (times agreed with schools).
- 12.5 The site is located with access onto Medlock Way which will form part of a future School Street. At present it is understood that the application site car park is used informally as a drop-off and pick-up location for parents/carers to reduce congestion on Medlock Way. This is a private agreement between the schools and the public house owners.
- 12.6 As part of this application the number of car parking spaces on site at the current public house will be reduced from 32 parking spaces to 17 parking spaces. These 17 parking spaces will be retained for users of the public house.
- 12.7 Whilst it is acknowledged there will be a reduction in off road parking for the public house, the Council does not have adopted parking standards to secure a certain level of parking. The Transport Assessment submitted with the application discusses the impact of reduced parking and notes that this would not lead to severe impacts on the local highway network given the sites sustainable location and this is a view shared by the Council's Highways Engineer.
- 12.8 In relation to the School Street initiative, this is an ongoing project with Oldham Council that has secured funding for road closure measures at certain times. The resultant loss of car parking spaces for the current informal drop-off and pick-up arrangements are unfortunate, however it is important to note this is a private arrangement that does not guarantee any form of off road parking for parents. As the site is in private ownership, the car park cannot be specifically retained for the parking of vehicles for elsewhere outside the site.
- 12.9 The Council's Highways Engineer is satisfied that there will be no significant additional traffic generation or demand for parking to the detriment of highway safety in this location with current arrangements and therefore, raises no objections on highway safety grounds.

### 13. TREES & LANDSCAPING

13.1 The site lies within Heys Conservation Area whereby all the trees are afforded protection (by virtue of being sited within a conservation area).

13.2 Saved UDP Policy D1.5 (Protection of Trees on Development Sites) states that 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.

Where trees are to be lost to development, the Council will require, as a minimum, replacement at a ratio of three new native trees for each mature or semi-mature tree lost. Where possible the replacement trees should be accommodated on or immediately adjoining the development site. In exceptional circumstances (e.g. certain small infill sites), where it is agreed that on-site replacement planting is not practicable, arrangements must be made for the planting of replacement trees on a suitable site in the wider locality through a section 106 planning obligation.

13.3 The proposed development would require the removal of 40no. trees which are subject to protection by virtue of their location within a conservation area. In order to consider this acceptable, tree replacements would be required at the minimum 3:1 tree replacement policy.

13.4 Of the 40 trees to be removed, 28 of those trees are classed as conifers. The Council's Tree Officer and Agent discussed the provision of replanting on site and given that the conifers are not like for like quality to the mature trees on site, an agreement was made to replace trees at 3:1 and conifers at 1:1.

#### *Replacement calculation*

40 trees – 28 conifers = 12 trees to be replaced.

12 trees at 3:1 policy = 36 trees

28 conifers at 1:1 = 28 trees

36 + 28 = 64 trees

21 trees to be planted on site

43 trees off site via 106 agreement

13.5 The Applicant's Agent has confirmed that the replanting of 21 trees will occur within the site boundary, and a financial contribution for the replacement of 43 trees is to be sought via a Section 106 Agreement. The Council's Tree Officer has raised no objection to this approach and, as such, the proposed development complies with the overarching aims and objectives of 'saved' UDP Policy D1.5.

## **14. CONCLUSION**

- 14.1 The proposal is considered compliant with Development Management Policies 1, 9, 20 and 24 of the Oldham Local Plan, saved Policy D1.5 and guidance within the revised National Planning Policy Framework. It is therefore recommended that the application be approved, subject to the imposition of the conditions provided below.

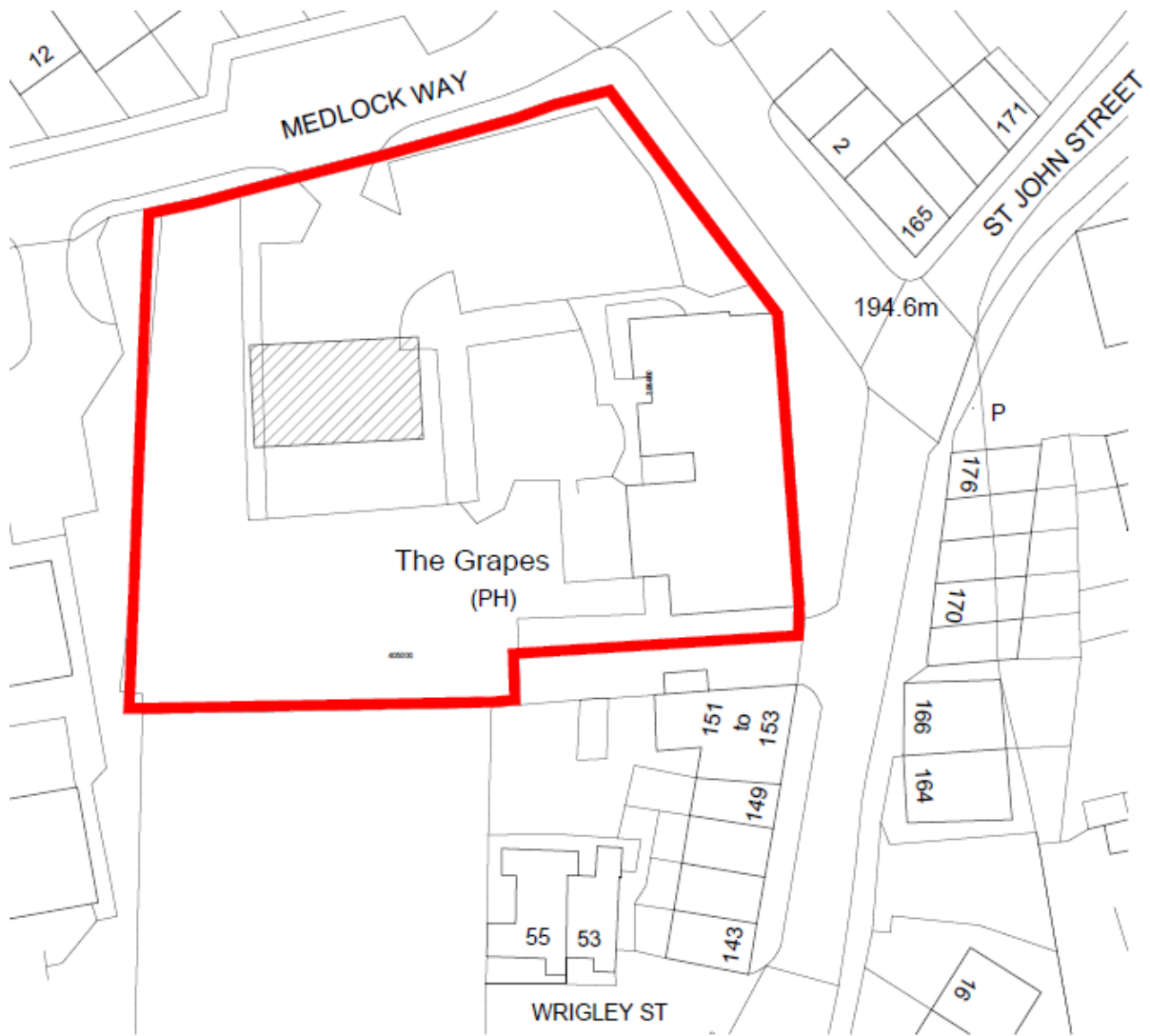
## **15. RECOMMENDED CONDITIONS**

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 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, gutters and windows 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 dwelling shall be occupied until the access to the site and car parking spaces for the dwellings have been provided in accordance with the approved plans 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 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.
5. No development shall commence unless and 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.
6. 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.

7. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas. REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or other openings shall be formed in any side elevation of the property without the prior written approval of the Local Planning Authority. REASON - To protect the amenity of occupiers of nearby property having regard to Policy 9 of the Oldham Local Plan.
9. Prior to the commencement of any part of the development hereby approved, the details of 21 trees to be planted on site shall be submitted to and approved in writing by the Local Planning Authority. All planting shall then 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.

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



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## **PLANNING COMMITTEE – BACKGROUND PAPERS**

### **REPORT OF THE HEAD OF PLANNING**

#### **PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS**

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information defined by that Act.

#### **THE BACKGROUND PAPERS**

**The appropriate application file:** This is an electronic file containing the same reference number as that shown on the Agenda for the application. It may contain the following documents:

- The application forms;
- Certificates relating to site ownership;
- Plans and/or documents detailing the proposed development;
- Technical reports identifying potential impacts and mitigation;
- Design and Access Statements and / or Planning Statements;
- Formal responses from internal and external statutory and non-statutory consultees; and,
- Correspondence and/or documents from received from interested parties.

The application forms (redacted), ownership certificate (redacted), plans showing the proposed development, technical reports, Design and Access Statements, and Planning Statements, where provided are available to view on the Council's website using the [Public Access platform](#).

[www.oldham.gov.uk](http://www.oldham.gov.uk)

Responses from statutory and non-statutory consultees and correspondence/documents from interested parties can be requested by making contact with the Planning Service by telephone or email:

0161 770 4105 / [Planning@oldham.gov.uk](mailto:Planning@oldham.gov.uk)

#### **ADDITIONAL BACKGROUND PAPERS**

1. The adopted Local Plan (the Joint Core Strategy and Development Management Policies Development Plan Document (Core Strategy))
2. 'Saved' policies from the Unitary Development Plan
3. The National Planning Policy Framework (NPPF)
4. Minutes of the meetings of Saddleworth Parish Council Planning Committee
5. Minutes of the meetings of Shaw and Crompton Parish Council Planning Committee

Guidance on how to access these documents is available by making contact with the Planning Service by telephone or email: 0161 770 4105 / [Planning@oldham.gov.uk](mailto:Planning@oldham.gov.uk)

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## APPLICATION REPORT – FUL/351962/23 Planning Committee 21<sup>st</sup> February 2024

**Registration Date:** 20<sup>th</sup> November 2023  
**Ward:** Chadderton South

**Application Reference:** FUL/351962/23  
**Type of Application:** Full

**Proposal:** Demolition of all existing buildings and structures and the redevelopment of the site comprising the erection of commercial units within Use Class B2, B8 and Class E (g) (iii), associated parking, landscaping and infrastructure including the recladding of the existing party wall.

**Location:** Findel Complex – Land east of Greengate, Oldham M24 1UD

**Case Officer:** Graham Dickman  
**Applicant:** The Royal London Mutual Insurance Society Limited  
**Agent:** Mick Brookman

### 1. INTRODUCTION

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as a Major Development.

### 2. RECOMMENDATION:

2.1 It is recommended that the application be approved subject to the conditions set out in this report.

### 3. SITE DESCRIPTION

3.1 The site comprises approximately 5.7 hectares of land occupied by existing industrial buildings which overwhelmingly dominates the site area, with ancillary hardstanding to the remainder.

3.2 It is located off a spur road cul-de-sac accessed via a signal-controlled junction on the east side of Greengate. There are further industrial buildings to the north, the Manchester to Rochdale railway line to the east, and the southbound carriageway of the M60 motorway to the south.

3.3 The nearest residential properties are across the motorway further to the south.

### 4. THE PROPOSAL

4.1 The proposed relates to the erection of two industrial/warehousing units of 11,171m<sup>2</sup>

and 15,268m<sup>2</sup> gross respectively. The units will be served via a single access point leading to a central area within the site to be used for car parking and servicing.

- 4.2 The units will attain a height of approximately 15 metres incorporating ancillary two-storey office accommodation. The buildings will be faced with banded grey steel cladding, with lighter bands used to the upper levels.
- 4.3 The final users are not defined, however, to allow flexibility, the proposal seeks an approval which would allow usage for office, industrial and warehousing uses within Classes E (g) (ii), Class B2 or Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 4.4 Unrestricted operating hours are also required.
- 4.5 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. However, at 0.3 hectares it would not exceed the applicable threshold of 1 hectare, nor is the site located within any impact distance of a 'sensitive area' as defined in the Regulations. Consequently, an Environmental Statement is not required.

## **5. PLANNING HISTORY**

- 5.1 There is no relevant planning history associated with the site.

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan) is the relevant document for this type of proposal within the adopted Development Plan for Oldham. The site is allocated within a Business Employment Area on the Proposals Map associated with the Local Plan.
- 6.2 As such, the following policies are considered relevant to the determination of this application:
  - Policy 1 - Climate Change and Sustainable Development;
  - Policy 5 - Promoting Accessibility and Sustainable Transport;
  - Policy 9 - Local Environment;
  - Policy 13 – Employment Areas;
  - Policy 14 – Supporting Oldham’s Economy;
  - Policy 18 – Energy;
  - Policy 19 – Water and Flooding;
  - Policy 20 – Design;
  - Policy 21 – Protecting Natural Environmental Assets;
  - Policy 25 – Developer contributions; and,
  - Saved UDP Policy D1.5 – Protection of Trees on Development Sites.

## 7. CONSULTATIONS

Highways Officer	No objections subject to conditions for the submission of full details of the proposed amendments to the highway access, vehicle and cycle parking and a Travel Plan.
Environmental Health	Recommend conditions in relation to the need for further ground contamination and landfill gas investigations.
Highways England	No objections. Express the need to ensure that both demolition and construction works which may affect the adjacent motorway are carried out safely and in liaison with National Highways.
United Utilities	Request a detailed sustainable drainage plan prior to determination, or that permission is granted subject to a condition to require such a scheme.
G M Ecology Unit	No objections subject to conditions in relation to biodiversity net gain and bird nesting, along with an informative in relation to bar roosts.
G M Archaeological Unit	No further archaeological investigation is required.
Environment Agency	No objection subject to conditions in relation to submission of a ground remediation strategy and verification report.
Trees Officer	Requests the submission of updated arboricultural reports.
Coal Authority	Recommend conditions to require intrusive site investigations and remediation measures.
Network Rail	Measures should be in place to protect the railway during construction works.
Manchester City Council	No objections
Active Travel England	Recommend that consideration is

	given to ATE's standing advice.
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## **8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS**

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letter, display of site notices, and publication of a press notice.
- 8.2 In response, no representations have been received.

## **ASSESSMENT OF THE PROPOSAL**

### **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The proposal involves the redevelopment of an established employment site within an area allocated for such purposes. It would therefore represent an appropriate form of development under Local Plan Policy 14.

### **10. DESIGN AND APPEARANCE**

- 10.1 The proposed buildings will be of significant scale and have a presence on the street scene, most specifically when viewed from the M60, with secondary views from the adjacent railway line and Greengate.
- 10.2 Having regard to the location and its setting; it is not considered that the projected scale would be inappropriate or result in adverse impact on views towards the site or the amenity of neighbouring occupiers.
- 10.3 The layout incorporates central open areas and ancillary landscaping which will help to break up the built form.

### **11. HIGHWAY ISSUES**

- 11.1 The application is accompanied by a Transport Assessment which examines the existing conditions and the effect that the development is likely to have on the local highway network.
- 11.2 Access to the proposed development will be taken from the existing traffic signal-controlled junction at the access road and Greengate. A highway improvement will be required at the junction to facilitate the movement into and out of the site for motorists, cyclists, and pedestrians.
- 11.3 There is also a section of adopted highway which will either require modification or Stopping Up. At the time of writing, a decision has not been made by the local Highway Authority about whether this short length of highway is required to be adopted. The design of this can be incorporated into the wider design of the junction

and details can be submitted as part of a later Condition Discharge application.

- 11.4 Transport for Greater Manchester have been consulted and requested additional information and clarification. TfGM has now confirmed that it has no objection to the revised information subject to provision of secure cycle parking.
- 11.5 The site is in a sustainable location with links to public transport and opportunities for walking and cycling. The Highways Officer has suggested that conditions are attached to ensure that more sustainable modes of travel are promoted in the form of the provision of cycle storage facilities and the provision of a Travel Plan.
- 11.6 The Council does not have specific parking standards. However, in this instance there would appear to be sufficient provision within the site layout.

## **12. AMENITY ISSUES**

- 12.1 Acoustic and air quality impact assessments have been submitted with the application.
- 12.2 The closest residential properties are located approximately 60 metres to the south on the opposite side of the M60. Existing boundary fencing and a well-established landscape screen separate these properties from the motorway.
- 12.3 Consequently, it is not considered that there will be any adverse amenity impacts resulting from the development.

## **13. GROUND CONDITIONS AND DRAINAGE**

- 13.1 There are 4 historical landfills within 250m of the development site and it is adjacent to several sites categorised as high risk.
- 13.2 The application is accompanied by a Phase 1 assessment of how any land contamination issues, including protection from landfill gas, can be dealt with. The Environment Agency and Environmental Health have requested conditions in relation to the need for intensive ground investigations to be undertaken.
- 13.3 The site is located within a Coal Mining Development High Risk Area, and therefore the Coal Authority has indicated that conditions should similarly be imposed to require intrusive site investigations and the implementation of any necessary remedial measures which may be necessary.
- 13.4 The site is within a Critical Drainage Area and a Flood Risk Assessment and Sustainable Drainage Strategy has been submitted.
- 13.5 United Utilities has indicated that conditions will be required for the submission of a detailed drainage scheme, and for its subsequent management/maintenance. The scheme will need to have regard to the presence of existing drainage infrastructure within the site.

## **14. ECOLOGY AND LANDSCAPING**

- 14.1 There are no known protected ecological or arboricultural features on the site, although the railway corridor contains extensive tree cover and may act as a habitat for wildlife.
- 14.2 Existing trees within the site are proposed for retention, although additional clarification will be needed in relation to the trees on the railway boundary.
- 14.3 An Extended Phase 1 Habitat Survey has been submitted which includes an assessment of whether the buildings on site or adjacent land is used by protected species, including bats.
- 14.4 The survey concludes that any habitats are of limited value, including use by bats.
- 14.5 In accordance with paragraph 174 of the NPPF, the development will be expected to secure Biodiversity Net Gain, with priority to on-site provision.

## **15. ENERGY**

- 15.1 In accordance with Local Planning Policy 18, the development submission should demonstrate a 15% increase on Part L of the Building Regulations 2013.
- 15.2 An Energy Statement has been submitted which makes recommendations for achieving the necessary targets. A condition to demonstrate that appropriate measures have been incorporated will be required.
- 15.3 Within the proposed on-site car parking provision, 67 bays with infrastructure for electric vehicle charging have been incorporated.

## **16. CONCLUSION**

- 16.1 The proposed development involves the replacement of existing outdated industrial buildings with modern structures on an established industrial site with ready access to the strategic highway network.
- 16.2 No objections have been raised in principle in relation to highway, amenity, drainage, ecological or other implications subject to conditions requiring the submission of further details.
- 16.3 Ultimately the development will make a valuable contribution towards the provision of facilities to accommodate additional employment and investment in the borough.

## **17. 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. Prior to the commencement of any development comprising the construction of new buildings or hardstanding areas hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) 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, arrangements for construction traffic routing and phasing, and a Construction Design Plan and Working Method Statement, having particular regard to impacts on the adjacent motorway and railway infrastructure. The approved scheme shall be implemented in full and shall be maintained for the duration of the construction works. REASON – In order to safeguard the amenities of the area and adjoining land uses having regard to Policy 9 of the Oldham Local Plan.
4. No development comprising the construction of new buildings or hardstanding areas hereby approved shall commence until a remediation strategy to deal with the 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) A site investigation scheme, based on the Phase I Geo-Environmental Assessment Report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  - b) The results of the site investigation and the detailed risk assessment referred to in (a) 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.
  - c) A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON – To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution having regard to Policy 9 of the Oldham Local Plan.

5. Prior to each building hereby approved being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. REASON - To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete having regard to Policy 9 of the Oldham Local Plan.
6. Piling or other foundation designs using penetrative methods shall not be carried

out other than in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. REASON - To ensure that the proposed activity does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework Position Statement J of the 'The Environment Agency's approach to groundwater protection' and having regard to Policy 9 of the Oldham Local Plan.

7. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's written report and recommendation have been submitted to and approved 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.
8. No development shall commence (excluding the demolition of existing structures and site clearance) until:
  - a) 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
  - b) 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 to ensure that the site is made safe and stable for the proposed development.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance. REASON - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and to mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

9. 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 mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.
10. Prior to the commencement of development, 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:
  - a) 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;
  - b) 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);

- c) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- d) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and,
- e) 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. 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 having regard to Policy 19 of the Oldham Local Plan.

11. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:
  - a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained, and managed in accordance with the approved plan.

REASON - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.

12. Each building hereby approved shall not be brought into use until the access to the site and car parking spaces associated with that building have been provided in accordance with the approved plan 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.

13. No development comprising the construction of new buildings or hardstanding

areas hereby approved shall commence until the developer has submitted the following full design and construction details of the required improvements to the Greengate access arrangements for the approval in writing of the Local Planning Authority. Such works that form part of the approved scheme shall be complete before any part of the development is brought into use. Details to be submitted are to include:

- a) How the scheme interfaces with the existing highway alignment with all carriageway markings and lane destinations;
- b) How the access interfaces with the existing adopted highway spur including the narrowing of the carriageway;
- c) Full signing and lighting details;
- d) Confirmation of full compliance with current Departmental Standards (DMRB) and Policies; and,
- e) An independent Stage Two Road Safety Audit (taking account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes

REASON – To ensure that the means of access to the development is acceptable in terms of highway safety and the continued efficient operation of the local highway network having regard to Policies 5 and 9 of the Oldham Local Plan.

14. The use of the building hereby approved shall not commence until the secure cycle parking and associated facilities has been implemented in accordance with the approved plan. The facilities 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.
15. Within three months of the occupation of each building, a full travel plan for that building shall be submitted for the written approval of the Local Planning Authority. The approved travel plan shall be implemented within six months of the occupation of the development. REASON - To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.
16. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas. REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
17. All hard and soft landscape works shall be carried out in accordance with the

approved Landscape Masterplan and Planting plans; prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

18. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority. REASON - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.
19. No construction of the buildings hereby approved shall commence until a scheme and timetable for the achievement of Biodiversity Net Gain through the implementation of environmental and ecological improvements on site, including the provision of bat boxes, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and timescale. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and paragraph 174 of the NPPF.
20. No development comprising the construction of a building shall take place until a detailed energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall set out how the development will accord with the Energy Infrastructure Target Framework set out in Oldham Local Plan Policy 18 and shall detail how: (i) a target area has been determined; and, ii) how the development will meet this target. The development shall be carried out in accordance with the approved scheme phasing arrangements and retained as operational thereafter. REASON - To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

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



## **PLANNING COMMITTEE – BACKGROUND PAPERS**

### **REPORT OF THE HEAD OF PLANNING**

#### **PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS**

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information defined by that Act.

#### **THE BACKGROUND PAPERS**

**The appropriate application file:** This is an electronic file containing the same reference number as that shown on the Agenda for the application. It may contain the following documents:

- The application forms;
- Certificates relating to site ownership;
- Plans and/or documents detailing the proposed development;
- Technical reports identifying potential impacts and mitigation;
- Design and Access Statements and / or Planning Statements;
- Formal responses from internal and external statutory and non-statutory consultees; and,
- Correspondence and/or documents from received from interested parties.

The application forms (redacted), ownership certificate (redacted), plans showing the proposed development, technical reports, Design and Access Statements, and Planning Statements, where provided are available to view on the Council's website using the [Public Access platform](#).

[www.oldham.gov.uk](http://www.oldham.gov.uk)

Responses from statutory and non-statutory consultees and correspondence/documents from interested parties can be requested by making contact with the Planning Service by telephone or email:

0161 770 4105 / [Planning@oldham.gov.uk](mailto:Planning@oldham.gov.uk)

#### **ADDITIONAL BACKGROUND PAPERS**

1. The adopted Local Plan (the Joint Core Strategy and Development Management Policies Development Plan Document (Core Strategy)
2. 'Saved' policies from the Unitary Development Plan
3. The National Planning Policy Framework (NPPF)
4. Minutes of the meetings of Saddleworth Parish Council Planning Committee
5. Minutes of the meetings of Shaw and Crompton Parish Council Planning Committee

Guidance on how to access these documents is available by making contact with the Planning Service by telephone or email: 0161 770 4105 / [Planning@oldham.gov.uk](mailto:Planning@oldham.gov.uk)

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## APPLICATION REPORT – FUL/352095/23 Planning Committee 21 February 2024

**Registration Date:** 21st December 2023  
**Ward:** Coldhurst

**Application Reference:** FUL/352095/23  
**Type of Application:** Full

**Proposal:** Demolition of former Snipe Inn public house and redevelopment into public realm

**Location:** Snipe Inn, 29-31 Henshaw Street, Oldham, OL1 1NH

**Case Officer:** Graham Dickman  
**Applicant:** Oldham Council  
**Agent:** Emma Norman

### 1. INTRODUCTION

1.1 This application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as it is a Major application submitted by the Council.

### 2. RECOMMENDATION:

2.1 It is recommended that the application be approved subject to the conditions set out in this report.

### 3. SITE DESCRIPTION

3.1 The application site relates to the vacant Snipe Inn public house which closed in November 2022. It fronts onto Henshaw Street to the west of the town centre. A narrow passage on the south side of the building leads to an open area providing access to Oldham Bus Station beyond, whilst on the north side it adjoins a neighbouring retail property.

3.2 The Henshaw Street frontage contains a further mix of retail uses with the Tommyfield Indoor Market opposite.

### 4. THE PROPOSAL

4.1 The application seeks the demolition of the former public house building, which will subsequently open up links between the pedestrianised town centre and the bus station.

4.2 As a result of the demolition, the gable wall of the adjoining building to the north will be exposed. This will be repaired and rendered with buttress supports in brick.

- 4.3 The redevelopment of the site will also see the introduction of new soft and hard landscaping.
- 4.4 The footprint of the former Snipe Inn will be formed of large format Yorkstone flats with snipe feet interpretation inlaid into the paving in brass.
- 4.5 There will be a new full depth footway formed from Yorkstone setts which will extend from the east to the west of the site, connecting the bus station and Cheapside to Henshaw Street.
- 4.6 Lighting on the site will consist of 5 street lighting columns located to ensure light coverage across the entire site. This light coverage will ensure all pathways and landscaped areas will be illuminated to improve safety.

## **5. PLANNING HISTORY**

FUL/351243/23 - Change of use and associated development to create a new public open space at Rock Street. Approved 22 September 2023

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Joint Core Strategy and Development Management Policies Development Plan Document adopted in 2011 (the Local Plan) is the relevant document for this type of proposal within the adopted Development Plan for Oldham. The site is allocated within the Central Shopping Core of the Town Centre on the Proposals Map associated with the Local Plan.
- 6.2 The following policies are considered relevant to the determination of this application:
  - Policy 1 - Climate Change and Sustainable Development;
  - Policy 5 - Promoting Accessibility and Sustainable Transport;
  - Policy 9 – Local Environment;
  - Policy 15 – Centres;
  - Policy 20 – Design;
  - Policy 21 – Protecting Natural Environmental Assets;
  - Policy 23 – Open Spaces and Sports;
  - Policy 24 - Historic Environment; and,
  - Saved Oldham UDP Policy D1.5 – Protection of Trees on Development Sites.
- 6.3 Part of the site is located within the Oldham Town Centre Conservation Area

## 7. CONSULTATIONS

Highways Officer	No objections
Greater Manchester Ecology Unit	No objections subject to conditions in relation to protection of birds and bats.
Trees Officer	No objections

## 8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters, display of a site notice, and publication of a press notice.
- 8.2 In response, no representations have been received.

## **ASSESSMENT OF THE PROPOSAL**

### 9. PRINCIPLE OF DEVELOPMENT

- 9.1 The proposed development forms an integral part of the Council's 'Creating a Better Place' plan to transform Oldham town centre, unlocking investment and creating new homes and jobs. As part of the strategy, the scheme also aims to improve movement around the town centre, especially for pedestrians and cyclists.
- 9.2 The redevelopment of the application site represents an important element in facilitating these objectives.
- 9.3 At the heart of the wider redevelopment will be a new 2.3 hectare (5.7 acre) park. This will emerge onto Henshaw Street opposite the present application site where improved direct links through to the bus station will be made available.
- 9.4 A visual structural inspection of the building was undertaken in April 2023, and a Structural Inspection Report has been submitted as part of this application.
- 9.5 The report highlights that the building is showing the signs of its age with uneven floors and deflected roof structure. A specific concern is raised regarding a section of the ceiling above bedroom 2 which has partially collapsed. The report states that an inspection of the loft room above revealed a substantial amount of brick rubble and a quantity of stacked bricks which appear to be supported directly off the ceiling in this area. This will be imposing considerable weight to the ceiling and as such the area is currently considered to be unsafe. General cracking and ageing have been identified across other areas of the building.
- 9.6 Whilst the building may be capable of renovation, the costs involved are likely to

significantly reduce its viability.

- 9.7 The demolition of the public house will therefore result in the loss of a community facility that (if the building underwent a costly renovation) could potentially be retained as a viable business. However, this must be weighed alongside the wider community benefits which would be generated from the enhancement of the site and improved accessibility to the town centre.

## 10. DESIGN AND HERITAGE

- 10.1 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that, with respect to conservation areas, special attention should be paid to the desirability of preserving or enhancing the character or appearance of the area.
- 10.2 It is therefore necessary for an assessment of the heritage implications of the development to be undertaken.
- 10.3 The application site is located at the northern edge of the Oldham Town Centre Conservation Area, which was extended to incorporate the area of the application site following the adoption of the Oldham Town Centre Conservation Area Appraisal and Management Plan in August 2019.
- 10.4 This Appraisal identified the Snipe as making a positive contribution, along with the neighbouring buildings to the south. These neighbouring buildings are noted to include carved-and-painted sandstone capitals and corbel brackets depicting different trades. The Snipe itself has an individual scale and design to the neighbouring block and is devoid of such decorative features.
- 10.5 By contrast, the adjoining shops to the north are identified as having either a neutral or detracting impact on the area.
- 10.6 The Appraisal states that *“Future town centre development proposals in Oldham Council regeneration initiatives should consider opportunities to enhance the character of the conservation area and its setting through the provision of solutions to address buildings and sites which are identified as making a negative contribution to the conservation area and to support the reuse of vacant heritage assets”*.
- 10.7 It also advises that *“A public realm strategy should be developed and routes into and across the conservation area made central to future development proposals and regeneration initiatives” and that changes should...improve wayfinding into and around the conservation area, between key transport links and better define the conservation area”*.
- 10.8 NPPF paragraph 201 states that *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”*.
- 10.9 The application is accompanied by a Heritage Assessment report which states that the demolition of the Snipe Inn will result in some minor loss of heritage value given that the building has been part of the streetscape since the mid-19th century.

- 10.10 As a consequence, it is considered that the proposal will result in 'less than substantial harm' to the character of the Conservation Area.
- 10.11 NPPF paragraph 208 states that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*".
- 10.12 Paragraph 210 states further that "*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*".
- 10.13 In this instance, finance from the Future High Streets Fund has been obtained for the development, and therefore, it is anticipated that the redevelopment, following the demolition of the existing building, will be undertaken in the next few months.

## **11. HIGHWAY ISSUES**

- 11.1 The proposals will result in improved access for pedestrians. The existing taxi rank which adjoins the site will be re-located to the north to the area alongside the Tommyfield public house as agreed with the Licensing team.
- 11.2 The Highways Officer is satisfied that consideration has been made for the servicing requirements of existing businesses on Henshaw Street so that there will be little conflict between motorised vehicles and pedestrians.
- 11.3 As a result, it is not considered that there will be any adverse impact on highway safety.

## **12. AMENITY IMPACTS**

- 12.1 There are no residential properties in close proximity to the site and therefore no impact on residential amenity.
- 12.2 At present visitors to the town centre emerging from the bus station have the option of using the passageway which adjoins the southern side of the existing building. However, this is narrow, dark, and during inclement weather can become waterlogged in places. It therefore limits use by all visitors and presents a poor standard of amenity for users.
- 12.3 By contrast, the proposed enhancement of the area will create a safe and attractive approach to and from the town centre.
- 12.4 The proposed paths and dwell spaces provide natural passive surveillance that will also help to improve safety for users.

## **13. ECOLOGY AND LANDSCAPING**

- 13.1 At present the site includes a couple of small trees and associated shrubbery. The redevelopment will see the introduction of increased tree and shrub planting across the whole site, which will be incorporated into the proposed hard landscaping. 5 trees

will be required to be removed to be replaced by 28 from a variety of species.

- 13.2 The Council's Tree Officer has raised no objections to the proposals.
- 13.3 Consequently, there will be benefits to biodiversity as a result of the proposals.
- 13.4 A Preliminary Bat Roost Assessment has been undertaken. The existing building was assessed as having low bat roosting potential, due to the potential roost features likely only able to support a small number of opportunistic bats at any given time. Furthermore, it was determined that the building was unlikely to support a large number of bats on a regular basis, or a roost of high conservation value such as a maternity or hibernation roost, due to the small size and exposed nature of the potential roost features.
- 13.5 Nevertheless, it is recommended that, if the building is to be demolished outside of the bat survey season, i.e. between October and April inclusive, this should be undertaken under a method statement and supervision by a suitably qualified ecologist. Outside this period, nocturnal bat surveys will be required before the works can take place.
- 13.6 GMEU has considered these details and has no objection subject to the imposition of a condition that if demolition is to take place before May 2024, this can be undertaken subject to a Method Statement and supervision by a suitably qualified ecologist.

#### **14. DRAINAGE**

- 14.1 Details of proposed surface water drainage have been submitted with the application. Surface water will drain via existing or proposed gulleys or will infiltrate into the ground within the soft landscaped areas.
- 14.2 The details are therefore considered to be acceptable and will be introduced as part of the works.

#### **15. CONCLUSION**

- 15.1 The proposed redevelopment will result in the removal of an undesignated heritage asset which is in a poor state of repair and has been subject to modifications over time.
- 15.2 The proposal has been identified as delivering numerous public benefits, including:
- The creation of high-quality, safe and well-designed public realm;
  - Creation of a safe, permeable public connection, encouraging the use of sustainable transportation;
  - Enhancement of the character of the local area and wider area, including enhancing the conservation area, through the creation of a high quality designed public realm which includes proposals to reference the location of the former Snipe Inn;
  - Lighting to create a safe and accessible environment all year round;
  - Soft planting and landscaping (including the planting of 28 trees), with environmental, ecological and mental health benefits; and,

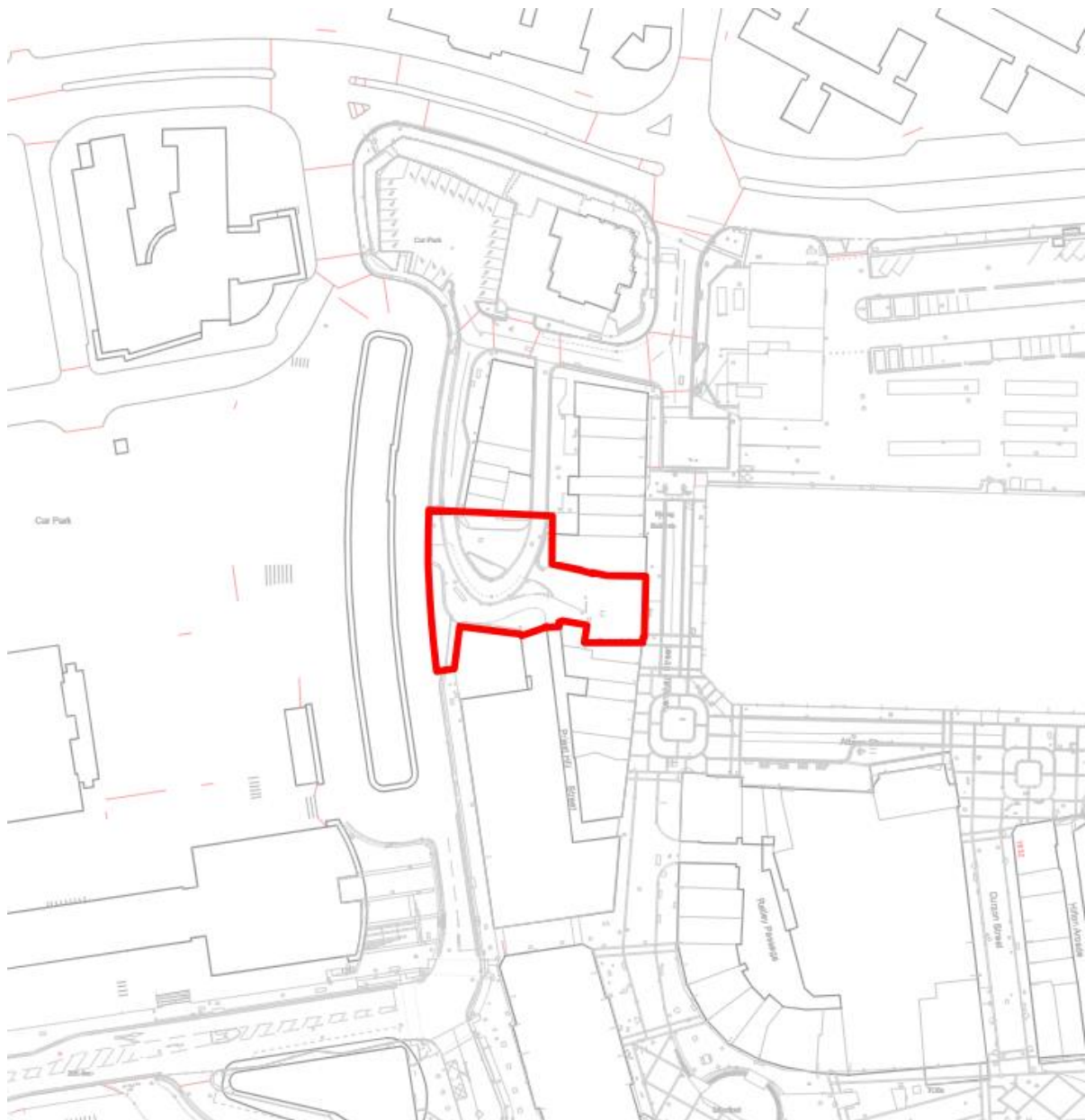
- Provision of two bat boxes on site.

15.3 On this basis, it is considered that significant weight should be attached to the positive benefits of the proposals which would make efficient use of land, formerly used as a public house, into a landscaped public realm for use by members of the public.

## 16. 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 hereby approved shall commence until a Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include arrangements for supervision by a suitably qualified ecologist and include a search for bats prior to works commencing, including lifted rooftiles, damaged soffits and damaged walls/ceilings within the building. Should demolition take place after May 2024, no work shall commence until nocturnal bat surveys have confirmed that no bat roosts are present. REASON – In order to ensure the protection of bats which may be utilising the building having regard to Policy 21 of the Oldham Local Plan.
4. All hard and soft landscape works, including the siting of the proposed bat boxes, shall be carried out in accordance with the approved plans in accordance with a timeframe to be submitted to and approved in writing by the Local Planning Authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.
5. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority. REASON - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

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





## **PLANNING COMMITTEE – BACKGROUND PAPERS**

### **REPORT OF THE HEAD OF PLANNING**

#### **PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS**

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information defined by that Act.

#### **THE BACKGROUND PAPERS**

**The appropriate application file:** This is an electronic file containing the same reference number as that shown on the Agenda for the application. It may contain the following documents:

- The application forms;
- Certificates relating to site ownership;
- Plans and/or documents detailing the proposed development;
- Technical reports identifying potential impacts and mitigation;
- Design and Access Statements and / or Planning Statements;
- Formal responses from internal and external statutory and non-statutory consultees; and,
- Correspondence and/or documents from received from interested parties.

The application forms (redacted), ownership certificate (redacted), plans showing the proposed development, technical reports, Design and Access Statements, and Planning Statements, where provided are available to view on the Council's website using the [Public Access platform](#).

[www.oldham.gov.uk](http://www.oldham.gov.uk)

Responses from statutory and non-statutory consultees and correspondence/documents from interested parties can be requested by making contact with the Planning Service by telephone or email:

0161 770 4105 / [Planning@oldham.gov.uk](mailto:Planning@oldham.gov.uk)

#### **ADDITIONAL BACKGROUND PAPERS**

1. The adopted Local Plan (the Joint Core Strategy and Development Management Policies Development Plan Document (Core Strategy)
2. 'Saved' policies from the Unitary Development Plan
3. The National Planning Policy Framework (NPPF)
4. Minutes of the meetings of Saddleworth Parish Council Planning Committee
5. Minutes of the meetings of Shaw and Crompton Parish Council Planning Committee

Guidance on how to access these documents is available by making contact with the Planning Service by telephone or email: 0161 770 4105 / [Planning@oldham.gov.uk](mailto:Planning@oldham.gov.uk)

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# Planning Appeals Update

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## Planning Committee Report of Head of Planning

**DATE OF COMMITTEE**  
**21 February 2024**

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 24 January 2024. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between 6 January 2024 and 2 February 2024 which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
MMA/350017/22	149A Manchester Road Greenfield OL3 7HJ	Ongoing	08/08/2023	Variation of Condition 2 (approved plans) and 11 (obscured glazing) relating to approved application MMA/345170/20
HOU/348050/21	42 Wakefield Drive, Chadderton	Ongoing	26/09/2023	Single storey rear extension with roof terrace
FUL/349483/22	Land Off Steadway, Greenfield	<b>Dismissed, 25/01/2024</b>	11/09/2023	Erection of 4 no. dwellings and associated works (Revised application to FUL/349331/22)
HOU/351471/23	The Barn Ladcastle Road Uppermill	<b>Allowed, 31/01/2024</b>	01/11/2023	Erection of 3 no. garages, stable and tack room.
FUL/349740/22	Roebuck Inn Brighton Road Strinesdale	Ongoing	02/11/2023	Change of use of land for extension to garden area, play equipment, lighting and boundary fence (retrospective)
TEL/350195/22	Croft Street Street Works Croft Street Oldham	Ongoing	07/11/2023	Proposed 5G telecoms installation: H3G 18m street pole and additional equipment cabinets.

FUL/351076/23	Sunfield Stables Diglea Diggle	Ongoing	23/11/2023	Siting of 5 Glamping Pods in agricultural field, formation of access track and new septic tank.
HOU/351119/23	2 Redcar Close Oldham	<b>Dismissed, 26/01/2024</b>	24/11/2023	Single storey side and front extension, amended application relating to HOU/348586/22.
OUT/350032/22	Westwood Medical Centre Winterbottom St Oldham	Ongoing	24/11/2023	Outline application for 16 storey apartment building for 120 flats with associated on-site parking and private gated site access, following demolition of existing building. Approval of Access, Layout, and Scale are sought. All other matters reserved.
HOU/351189/23	48 Cheviot Avenue Oldham	<b>Allowed, 26/01/2024</b>	27/11/2023	Retention of a single storey front extension.
ADV/350956/23	Gable 423 Park Road Oldham	<b>Dismissed, 31/01/2024</b>	30/11/2023	Replacement of existing poster advertisement with digital display
FUL/350285/22	7 Parkgate Chadderton Oldham	Ongoing	11/12/2023	Erection of a metal mesh canopy to front of building with a metal shutter to be locked at night, including metal pillars to hold the entire structure.
FUL/349936/22	94 Lane Head Road Oldham OL4 5RT	NEW	26/01/2024	Application for redevelopment of garage for the provision of one dwelling
HOU/351207/23	Blunder Hall Stables Dirty Lane	NEW	24/01/2024	Revision of application HOU/350754/23 for a

	Strinesdale Oldham			detached garage
HOU/351284/23	17 Spencer Street Chadderton Oldham	NEW	16/01/2024	Single storey side extension
HOU/351315/23	9 Bainbridge Road Oldham	NEW	31/01/2024	Repositioning of boundary fence
HOU/351871/23	6 Rochdale Road Denshaw Oldham	NEW	17/01/2024	Erection of a detached garage.

**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)

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