

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

Date Wednesday 2 July 2025

Time 6.00 pm

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires 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 Alex Bougatef or Constitutional Services at least 24 hours in advance of the meeting.

2. CONTACT OFFICER for this agenda is Constitutional Services 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, 27 June 2025.

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#### MEMBERSHIP OF THE PLANNING COMMITTEE

Councillors Adams, Akhtar, Z Ali, Cosgrove, Davis (Vice-Chair), Harkness, Hince (Chair), Hobin, Hurley, A Hussain, S. Hussain, Iqbal, Islam, Murphy, Nasheen 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 5 - 8)  
  
The Minutes of the meeting of the Planning Committee held on 4<sup>th</sup> June 2025 are attached for Members' approval.
- 6 OUT/354338/25 - Former Civic Centre & Queen Elizabeth Hall, West Street, Oldham (Pages 9 - 32)  
  
Hybrid planning application seeking: - 1. Permission for demolition of existing buildings. 2. Full planning permission for residential development (Block A) (Use Class C3) with associated access, servicing, parking, public realm and landscaping. 3. Outline planning permission for development of a mix of uses, comprising residential units (Use Class C3); ancillary commercial, business and service uses (Use Classes E and F1) with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.
- 7 OUT/354323/25 - Former Magistrates Court, King Street, Oldham (Pages 33 - 54)  
  
Outline planning application comprising residential development (Use Class C3); with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.

- 8           OUT/354324/25 - Former Leisure Centre, Rock Street, Oldham (Pages 55 - 76)
- Outline planning application comprising residential development (Use Class C3) alongside ancillary non-residential floorspace (Use Class E); with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.
- 9           FUL/354326/25 - Land At Prince's Gate, Prince Street, Oldham (Pages 77 - 100)
- Full planning application for residential development (Use Class C3) alongside ancillary non-residential floorspace (Use Classes E and F1), with associated access, servicing, parking, public realm and landscaping improvements.
- 10          OUT/354325/25 - Manchester Chambers, West Street, Oldham (Pages 101 - 108)
- Outline planning application comprising the partial demolition of existing buildings, and extension to provide new floorspace (Use Class E and F1) with associated public realm and associated works. All matters reserved for future determination save for primary access.
- 11          FUL/354322/25 - Civic Centre, West Street, Oldham (Pages 109 - 116)
- Change of use of Civic Centre Tower from office (Use Class E(c)) to hotel (Use Class C1)

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**PLANNING COMMITTEE**  
**04/06/2025 at 6.00 pm**



**Present:** Councillor Hince (Chair)  
Councillors Adams, Akhtar, Z Ali, Cosgrove, Harkness, Hurley,  
A Hussain, S. Hussain, Iqbal, Lancaster (Substitute), Murphy  
and Nasheen

Also in Attendance:

Graham Dickman	Major Projects Development Lead
Alan Evans	Group Solicitor
Abiola Labisi	Senior Planning Officer
Martyn Leigh	Development Management Team Leader
Kaidy McCann	Constitutional Services
Wendy Moorhouse	Principal Transport Officer
Peter Richards	Assistant Director Planning, Transport and Housing Delivery
Matthew Taylor	Senior Planning Officer

**1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Hobin  
and Woodvine.

**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 held on 23<sup>rd</sup> April  
2025 be approved as a correct record.

**6 FUL/353032/24 - CROMPTON AND ROYTON GOLF CLUB,  
HIGH BARN STREET, ROYTON**

Councillors S Hussain and Murphy joined the meeting during  
discussion of this item and therefore took no part in the vote or  
discussion thereon.

APPLICATION NUMBER: FUL/353032/24

APPLICANT: Mr Kevin Pearson

PROPOSAL: 1. The re-profiling of the existing driving range  
and adjacent golf course by the importation of dry, inert fill

material. 2. Improvements to an existing access track by resurfacing. 3. The creation of a new driving range facility with covered shelter. 4. Creation of a new course hole. 5. Improvements to the existing course and alterations to three existing holes within the course, including level changes, putting greens, new water features and landscaping.

LOCATION: Crompton And Royton Golf Club, High Barn Street, Royton, Oldham, OL2 6RW

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

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

DECISION: That the application be GRANTED subject to the conditions as outlined in the report and contained in the Late List.

**NOTES:**

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 12.

7

**VAR/353080/24 - THE VESTACARE STADIUM,  
WHITEBANK ROAD, OLDHAM**

APPLICATION NUMBER: VAR/353080/24

APPLICANT: Mr Charlie O'Brien

PROPOSAL: Vary Conditions 13 (Hours of Operation of floodlights), 14 (Hours of use) and 15 (Community Use Scheme) of PA/339093/16 for hours of operation until 11pm 4 nights per year, in the summer months.

LOCATION: The Vestacare Stadium, Whitebank Road, Oldham

It was MOVED by Councillor Lancaster and SECONDED by Councillor Akhtar that the application be REFUSED (against Officer recommendations).

On being put to the vote 11 VOTES were cast IN FAVOUR OF REFUSAL and 2 VOTES were cast AGAINST with 1 ABSTENTIONS.

DECISION: That the application be REFUSED.

**NOTES:**

1. That an Objector, the Applicant and a Ward Councillor 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 12.

8

**FUL/353426/24 - FORMER INDUSTRIAL PREMISES AT  
PRETORIA ROAD, OLDHAM**

APPLICATION NUMBER: FUL/353426/24

APPLICANT: Eco Village Industries Ltd

PROPOSAL: Erection of 30 residential units, including flats and maisonettes spread over 3 housing blocks around a communal garden, communal room/café, and two semi-detached houses, new vehicle access, parking, servicing and landscape works following demolition of industrial units and removal of existing vehicle access

LOCATION: Former industrial premises at Pretoria Road, Oldham OL8 4NH

It was MOVED by Councillor Iqbal and SECONDED by Councillor S Hussain that the application be REFUSED (against Officer recommendations).

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF REFUSAL.

DECISION: That the application be REFUSED for the reasons set out in the report.

**NOTES:**

That the Ward Councillor attended the meeting and addressed the Committee on this application.

9

**FUL/353585/24 - RILEY'S SNOOKER CLUB, KING STREET,  
OLDHAM**

APPLICATION NUMBER: FUL/353585/24

APPLICANT: Mohammed Ahmad Aldallal

PROPOSAL: Demolition of former Snooker Club and erection of a six, nine and eleven storey residential development with ground floor car parking and commercial space.

LOCATION: Riley's Snooker Club, King Street, Oldham, OL8 1EU

It was MOVED by Councillor Akhtar and SECONDED by Councillor S Hussain that the application be APPROVED

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

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

**NOTES:**

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

10

**FUL/354024/25 - LAND AT PROFILES POINT, DRURY LANE, CHADDERTON**

APPLICATION NUMBER: FUL/354024/25

APPLICANT: The P. P. Group of Companies Limited

PROPOSAL: Erection of 2 no. industrial buildings.

LOCATION: Land At Profiles Point, Drury Lane, Chadderton

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

On being put to the vote, it was UNANIMOUSLY cast IN FAVOUR OF APPROVAL.

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

11

**APPEALS UPDATE REPORT**

**RESOLVED** that the Appeals Update be noted.

12

**LATE LIST**

**RESOLVED** that the information as contained in the late list be noted.

The meeting started at 6.00 pm and ended at 8.33 pm



## **APPLICATION REPORT – OUT/354338/25 Planning Committee 2<sup>nd</sup> July 2025**

Registration Date: 9<sup>th</sup> April 2025  
Ward: Coldhurst

Application Reference: OUT/354338/25  
Type of Application: Hybrid – Full/Outline

Proposal: Hybrid planning application seeking: - 1. Permission for demolition of existing buildings. 2. Full planning permission for residential development (Block A) (Use Class C3) with associated access, servicing, parking, public realm and landscaping. 3. Outline planning permission for development of a mix of uses, comprising residential units (Use Class C3); ancillary commercial, business and service uses (Use Classes E and F1) with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.

Location: Former Civic Centre and Queen Elizabeth Hall, West Street, Oldham, OL1 1UT

Case Officer: Graham Dickman  
Applicant: Muse Places Limited  
Agent: Hannah Blunstone

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application involving the Council as landowner.

### **2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

### **3. SITE DESCRIPTION**

- 3.1 The application relates to a site of 2.19 hectares located towards the western edge of Oldham town centre. It presently comprises a L-shaped block used as municipal offices alongside the western (Rochdale Road) and southern (West Street) site boundaries and the Queen Elizabeth Hall located centrally within the site.
- 3.2 The remainder of the site largely comprises car parking areas. The site levels rise consistently in a west to east direction.
- 3.3 To the north of the site across New Radcliffe Street is an apartment block and the Oldham Integrated Care Centre. Across Rochdale Road to the west is Oldham College.
- 3.4 To the south across West Street is a vacant site previous occupied by the Magistrates'

Court. This is also proposed for residential redevelopment under a separate application (OUT/354323/25).

- 3.5 To the east at an elevated level is Oldham Bus Station.
- 3.6 Adjoining the south-east corner of the site is the Civic Tower, which it is intended to retain. It is separately proposed for conversion to a hotel (FUL/354322/25).

#### **4. THE PROPOSAL**

- 4.1 All existing buildings within the application site are to be demolished.
- 4.2 The proposal involves a comprehensive redevelopment of the site for primarily residential purposes with a mix of ancillary commercial, business, and service uses within parts of the ground floors of multi-storey buildings.
- 4.3 The application takes a Hybrid (part-full, part outline) form.
- 4.4 The full part of the application relates to the north-west corner of the site fronting onto Rochdale Road and New Radcliffe Street. This will comprise a six storey, U-shaped residential block comprising 93 dwellings with a mix of 35 x one-bedroom apartments, 52 x two-bedroom apartments, and 6 x three-bedroom apartments.
- 4.5 A service access from New Radcliffe Street, along with four disabled persons' car parking spaces will be provided. Within the building there will be provision for 93 cycle spaces.
- 4.6 The outline part of the application, for which all matters except the primary access arrangement are reserved for subsequent approval, comprises further residential development of up to 745 dwellings in five buildings ranging in height between 11 and 16 storeys. Ancillary commercial, business and service uses (Use Classes E and F1) will also be provided.
- 4.7 The envisaged residential mix would be for 316 x one-bedroom apartments, 371 x two-bedroom apartments, and 58 x three-bedroom apartments.

#### Environmental Impact Assessment

- 4.8 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.9 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations. However, it would exceed the applicable threshold of 5 hectares or 150 dwellings.
- 4.10 In this instance, the applicant considered that an Environmental Statement was required and a request for a 'Scoping Opinion' was submitted (EIAP/354094/25).
- 4.11 An Environmental Statement, taking into consideration the matters identified in that 'Scoping Opinion', accompanies the application.

## **5. PLANNING HISTORY**

- 5.1 The existing buildings were erected in phases during the 1970s. Various applications for subsequent changes within the site have been approved. None are relevant to the present application.
- 5.2 This Planning Committee agenda however includes 5 further applications related to the regeneration of the town centre.

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 The site is designated within the Town Centre on the plan associated with the Local Plan.
- 6.4 As such, the following policies are considered relevant to the determination of this application:

### Places for Everyone

Policy JP-S1: Sustainable Development  
Policy JP-S2: Carbon and Energy  
Policy JP-S4: Flood Risk and the Water Environment  
Policy JP-S5: Clean Air  
Policy JP-J2: Employment Sites and Premises  
Policy JP-H1: Scale, Distribution and Phasing of New Housing Development  
Policy JP-H2: Affordability of New Housing  
Policy JP-H3: Type, Size and Design of New Housing  
Policy JP-H4: Density of New Housing  
Policy JP-G7: Trees and Woodland

Policy JP-P1: Sustainable Places  
Policy JP-P2: Heritage  
Policy JP-P4: New Retail and Leisure Uses in Town Centres

Policy JP-C1: An Integrated Network  
Policy JP-C2: Digital Connectivity  
Policy JP-C3: Public Transport  
Policy JP-C5: Streets for All  
Policy JP-C6: Walking and Cycling  
Policy JP-C8: Transport Requirements of New Development

### Core Strategy

Policy 1: Climate Change and Sustainable Development  
Policy 2: Communities  
Policy 9: Local Environment

Policy 14: Supporting Oldham's Economy  
 Policy 15: Centres  
 Policy 23: Open Spaces and Sports.  
 Policy 25: Developer Contributions

## 7. CONSULTATIONS

Highways Officer	No objections subject to conditions in relation to access, cycling provision, a travel plan, and a Construction Management Plan.
Environmental Health	No objections. Recommend conditions in relation to further ground investigations and acoustic protection.
TfGM	Comments have been provided on the siting of pedestrian and vehicular access points and footway resurfacing, and for a contribution towards a CCTV to monitor traffic flows at the St Mary's Way/ Rochdale Road junction.
United Utilities	Recommend that conditions are imposed to require submission of a sustainable drainage scheme which fully considers the use of infiltration for surface water.
Drainage	Concur with the view of United Utilities that the drainage scheme should full consider infiltration of surface water.
Natural England	No objections
G M Ecology Unit	The development should secure a minimum 10% biodiversity gain.
Trees Officer	No objections subject to replacement tree planting on a 2 for 1 basis.
Mining Remediation Authority	No objections subject to a scheme of intrusive site investigations
GM Archaeological Advisory Service	No further assessment is required
G M Police	No objections
Active Travel England	No objections subject to improvements in active travel infrastructure around the site.

## 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 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 Oldham Town Centre Development Framework (OTCDF) sets out a vision for delivering a transformative change to the town centre by creating a new town centre residential market to complement the plans taking shape across the town centre as part of the Council's 'Creating a Better Place' programme.
- 9.2 To bring the change to fruition the Council has entered into a 15 year partnership with Muse (the applicant). The present application is one of four to bring forward an aspiration for providing up to 2000 new mixed-tenure homes across the town centre, including forming a new neighbourhood in the north of the town centre.
- 9.3 For this application, whilst providing the opportunity to make a substantial contribution towards regeneration and meeting the aspiration to provide new homes, consideration needs to be given to the loss of the existing employment facility provided by the local authority complex.

#### **Loss of employment space**

- 9.4 The site largely comprises offices and ancillary accommodation occupied by the local authority. However, since 2024, services have been largely relocated to the Spindles with a large portion of the site now standing vacant. Local Plan Policy 14 indicates that such loss will be acceptable where it can be demonstrated that it is no longer appropriate or viable to continue the existing use.
- 9.5 This can be demonstrated either through an appropriate marketing exercise or viability assessment, or where *"the development of the site for alternative uses would benefit the regeneration areas identified by the Council as being in need of investment or would benefit the community of an area"*.
- 9.6 Following a comprehensive design process, informed by technical assessments and market considerations, it has been determined that the complete redevelopment of the site for residential purposes would result in the greatest regeneration benefits as part of the wider objectives of securing a transformative change to the town centre.
- 9.7 In this context, it is determined that the loss of the facility on this site can be justified when weighed alongside the regeneration benefits of the scheme. Furthermore, the previous employment has not been lost given the Council's relocation to the Spindles and the opening shortly of a new Civic Centre in the Old Library on Union Street, bringing a listed building back into productive use.

#### **Housing Supply**

- 9.8 Places for Everyone (PfE) was adopted on 21 March 2024. JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 9.9 NPPF Paragraph 78 sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five

years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

- 9.10 As such, given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.
- 9.11 It is also noted that final completions have now been confirmed for 2024/25 as 578 homes delivered (this exceeds the PfE requirement of 404 homes (for 2024/25) by 43%).
- 9.12 Nevertheless, this site is a crucial part of that five-year supply and of the Council's housing supply overall to 2039 under PfE. Therefore, along with the associated applications, this proposal creates the opportunity to generate a substantial contribution to ensuring a supply of appropriate new housing sites on sites identified as previously developed land in line with PfE objectives.

#### Affordable Housing

- 9.13 An Affordable Housing Statement has been submitted with the application. The Statement indicates that a policy-compliant affordable housing scheme would cost equivalent to approximately £11M (policy-compliant being 7.5% of the total development sales value in accordance with Local Plan Policy 10). However, this scheme is not a typical development scheme on a typical development site. It is a regeneration scheme seeking to bring a brownfield site back into use as part of a public-private partnership, from which the council's main priority is not to seek to generate a profit or even a land receipt.
- 9.14 As such, it is not plausible to provide (and fund) affordable housing on the sites in the usual way a developer would for a typical market housing-led scheme, which is what Local Plan Policy 10 is aimed at. Instead, the partnership will look to lever in private investment alongside government grant funding to deliver a mix of affordable, build-to-rent and market homes.
- 9.15 In this regard, in this case, it is not appropriate to require an affordable housing contribution in the usual way through a planning application (a Section 106 agreement) as it would not be viable for these regeneration developments to be delivered in the same way as a typical market housing-led scheme. In fact, to do so would actually limit which government grants the partnership could access. Instead, the council as landowner and partner will be able to ensure that the developments undertaken by the partnership will deliver affordable housing, and at a level that would seek to exceed what would be provided by Local Plan Policy 10.

#### Public Open Space

- 9.16 Local Plan Policy 23 sets out the Council's approach to Open Space, Sport, and Recreation Provision. In terms of residential development, all developments should contribute towards the provision of new or enhanced open space where there is not already sufficient provision in the locality, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.
- 9.17 The Council's Open Space Study has identified present deficiencies in the quantity and

quality of open space within the local area.

- 9.18 However, in this instance the development forms part of wider proposals for the regeneration of the town centre as set out in the Town Centre Development Framework, including the provision of the linear park. As part of that scheme improved links from the application site are being facilitated with the creation of Snipe Gardens helping to provide an attractive link between the application site and the linear park.
- 9.19 In addition, the proposed layout encompasses areas of communal open space which will provide readily accessible amenity space for future residents. In order to ensure such areas will be maintained a condition is recommended to ensure appropriate future management and maintenance arrangements are in place.
- 9.20 In these circumstances, approval will be subject to a condition to secure the payment of financial contributions towards the provision of off-site open/green space, taking into consideration the existing provision.

#### Education

- 9.21 The introduction of a significant number of new residents into the town centre has the potential to generate increased demand for school places.
- 9.22 The present application includes full details for Block A which is anticipated to be brought forward in a first phase of development.
- 9.23 An assessment of the impact on school places has been undertaken and this has concluded that having regard to the type of accommodation proposed and existing availability of school places, no contribution from this first phase of the development will be required.
- 9.24 With regard to later (outline) phases of the development, as these will be implemented over a longer timeframe, an updated assessment will be required, taking into account the availability of school places at that time.

### **10. DESIGN AND LAYOUT**

- 10.1 A Townscape and Visual Impact Assessment has been submitted with the application as part of the Environmental Statement. This assesses the impact of the development on sensitive visual receptors both within the vicinity of the site and from the wider townscape perspective.
- 10.2 As the application has been submitted in Hybrid form, only the full details of the design and layout of Block A are available.
- 10.3 Block A will be prominently sited at the Rochdale Road and New Radcliffe Street junction in the north-west corner of the site. The building will comprise a total of 6 storeys. The front elevation will be raised above street level on Rochdale Road separated by landscaped retaining structures. These levels (which reflect the existing Civic Centre building) are required to accommodate the rising land levels from front to rear of the site along New Radcliffe Street.
- 10.4 The building will be faced in brickwork with a horizontal form. Detailing within the brickwork will be incorporated to create visual interest.

- 10.5 The 'Appearance', 'Layout'; and 'Scale' of the remainder of the proposed buildings are subject to later Reserved Matters approval. Parameter Plans have been submitted providing an indication of the envisaged plot layout and scale of buildings within those plots rising to between 11 and 16 storeys.
- 10.6 This approach takes into account the rising topography and includes a general increase in building heights towards the bus station where heights of the blocks would reflect the Civic Tower.
- 10.7 The site layout is also designed to create an integrated neighbourhood, including landscaped linkages to facilitate movement across the site.
- 10.8 The proposals have been developed using the principles of 'Secured by Design' and these have been addressed in the accompanying Crime Impact Statement. GM Police is satisfied that the development conforms with those principles.

## **11. AMENITY ISSUES**

- 11.1 As required by Places for Everyone Policy JP-H3, all new dwellings must comply with the nationally described space standards; and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations (unless specific site conditions make this impracticable).
- 11.2 In this instance, the applicant has confirmed that the whole development will be constructed to achieve those standards.
- 11.3 Opportunities to enjoy open space will be integral to the development site and provided in the vicinity within the linear park.
- 11.4 Daylighting, sunlight, and overshadowing assessments have been carried out and accompany the submission. Consideration of the findings of the report has been used to inform the design of the scheme and confirms that the outcome would be acceptable within the town centre context.
- 11.5 A Noise Impact Assessment and a Ventilation and Extraction Statement have also been submitted.
- 11.6 The Environmental Health Officer has raised no objections, subject to implementation of various recommended conditions to protect the amenity of future residents. These include ensuring any noise or extraction associated with the ground floor commercial units is appropriately controlled.

## **12. HIGHWAYS ISSUES**

- 12.1 NPPF paragraph 116 states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 12.2 The site benefits from high accessibility to sustainable transport options, including the adjacent bus station, nearby Metrolink tram stops and improving walking and cycling infrastructure. In addition, there is a range of amenities and retail facilities within easy walking distance.



- 12.3 The Council does not presently utilise specific car parking standards.
- 12.4 It is intended that the development will be as vehicle-free as possible. No residential parking is proposed to be provided on the site, except for a reasonable level of dedicated disabled persons' parking spaces for residents of the new homes. Disabled persons' spaces will be provided for up to a maximum of 5% of apartments.
- 12.5 Such limited provision of resident parking is reasonable given the town centre location and excellent public transport connectivity, meaning that no resident would need to own a car to access all essential and day-to-day services or to access employment or education, and residents who choose to live in the new developments would not be expected to own a car.
- 12.6 On-street parking around each of the sites is already tightly controlled to prevent fly-parking in the town centre. Nevertheless, a review of on-street parking controls around each of the sites has been undertaken. The Transport Statement submitted in support of the application shows that the nearby road network has full parking restrictions such as double yellow lines or 24 hour clearways, and some areas with single yellow lines or permit parking.
- 12.7 These restrictions will also apply to future residents and therefore they will not be permitted to park on-street around the developments. Future residents will not be granted parking permits within any of the controlled parking permit areas in the town centre. Should any issues arise with on-street parking around the town centre, this will be monitored. The Council has the option to introduce restrictions to address it.
- 12.8 The rationale for this approach is to create developments focussed on sustainable communities and moving away from car dependency by adopting a 'low-car' vision. This is in line with the policy objectives around sustainable travel set out in the adopted development plan. This approach is justified by the highly accessible town centre location of the developments, where local facilities are available within walking or cycling distance. Additionally, the availability of frequent bus and tram services means that public transport can be used for longer journeys.
- 12.9 Low parking provision encourages sustainable travel behaviour for future residents from the moment they move in, by not providing for private vehicle use and promoting sustainable travel via Travel Information Packs which would be provided to new residents at each of the sites.
- 12.10 Promotion of active and sustainable travel reduces dependency on cars which supports healthier lifestyles, reduces air and noise pollution and is more environmentally sustainable.
- 12.11 In this context, the request by TfGM for a contribution towards CCTV monitoring of the St Mary's Way/ Rochdale Road junction would not be justified given the low level of additional traffic demand which is envisaged.
- 12.12 With specific regard to the detailed proposals for Block A, on-site parking will be limited to four spaces available for disabled persons' parking. Cycle storage at a 1 cycle per apartment level, 50% in secure cycle storage rooms and with 50% of apartments incorporating a zone for cycles to be hung, will also be available.
- 12.13 Elsewhere within the development, whilst details of the main vehicle access points

have been submitted for approval, 'Access' in relation to detailed vehicle movements and circulation within the site is a Reserved Matter for the outline part of the application. However, the indicative details confirm that no vehicular through routes will be included.

#### Loss of existing car parking

- 12.14 The development will involve the removal of existing pay and display public car parking at the site. The Council has previously undertaken a review of how frequently the car parks in the Town Centre are used and found many were underutilised and able to absorb the overflow from the closure of some of the existing surface car parks.
- 12.15 Nonetheless, it is recognised that removing the public car parks on this site and other sites will lead to an imbalance in parking provision across the town centre.
- 12.16 Therefore, the Council is exploring the possibility of creating multi-storey car parks on other sites in the town centre, and in a way that ensures drivers coming from all directions can access parking easily without having to drive into the heart of the town centre. They will also provide additional parking for those with blue badges and so allow easier access to key destinations in the town centre for those with mobility restrictions. This will help address the loss of the public car parking on this application site

### **13. BIODIVERSITY AND TREES**

- 13.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 13.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.
- 13.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement.
- 13.4 The application is accompanied by a Biodiversity Net Gain Metric and Assessment. This confirms that the development will be able to achieve an on-site gain in excess of the minimum 10% requirement.
- 13.5 Any grant of planning permission will be subject to a condition to require a 30-year Habitat Management and Maintenance Plan to be approved. In addition, following the grant of a planning permission, it will be necessary for the applicant to submit a statutory Biodiversity Gain Plan for approval which will ensure the required measures are implemented.
- 13.6 The Trees Officer notes that most on-site trees will be removed to facilitate the redevelopment. Due to the scale and layout of the redevelopment and the site levels, it is recognised that it would be difficult to retain many of the specimens, and that many of the ash trees are suffering from Ash Dieback disease.
- 13.7 For that reason, the loss is accepted subject to replacement planting on a 2 for 1 basis in accordance with the adopted standard.

## 14. HERITAGE

- 14.1 The application is accompanied by a Heritage Statement which provides a detailed assessment of the significance of the on-site buildings and the relationship to off-site designated heritage assets.
- 14.2 It is noted that the site does not contain any Listed Buildings, and that Historic England has recently rejected a request for the Civic Centre and Queen Elizabeth Hall to be added to the national List having taken into consideration its lack of special interest in a national context.
- 14.3 The site is however located within the wider setting of the Oldham Town Centre Conservation Area and a number of listed buildings (none of which are located within 200m of the site).
- 14.4 Section 66(1) of the Planning (Listed Building 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.
- 14.5 Section 72 of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 14.6 NPPF Paragraph 208 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”*.
- 14.7 NPPF Paragraph 212 states that in considering the impact of a proposed development, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 14.8 Having regard to the detailed matters considered in the Heritage Assessment, it is concluded that the development will have ‘less than substantial’ harm to off-site heritage assets, including the Town Centre Conservation Area.
- 14.9 NPPF paragraph 215 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”*.
- 14.10 Furthermore, the Civic Suite and Queen Elizabeth Hall could be considered as Potential Non-designated Heritage Assets to which (given their proposed demolition) would amount to ‘substantial harm’.
- 14.11 NPPF paragraph 216 states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*.

- 14.12 Taking all these factors into consideration, the loss must be weighed in the context of the significant regeneration benefits to the town centre, and therefore, approval would accord with the statutory duties and national and local planning policies.
- 14.13 The application is supported by an archaeological desk-based assessment. GM Archaeological Advisory Service agrees with the conclusions that the site has low potential for archaeological remains and therefore no further consideration of archaeological matters is required.

## **15. DRAINAGE**

- 15.1 The site is located within Flood Zone 1 at the lowest risk of flooding.
- 15.2 A Flood Risk Assessment and Drainage Strategy has been submitted with the application.
- 15.3 United Utilities and the Council's Drainage Engineer have raised issues in relation to the assessment and arrangements for the disposal of surface water, specifically regarding the potential to infiltrate surface water rather than direct to the public sewer system.
- 15.4 In response, the applicant has indicated that infiltration has not been discounted outright, but that infiltration as the sole or primary means of surface water discharge is not deemed feasible based on present information. Testing is presently limited due to the current use as a surface car park.
- 15.5 Therefore, conditions have been recommended to require full details of the proposed method of foul and surface water drainage from the development which will allow a final scheme to be agreed once further testing has been undertaken.

## **16. GROUND CONDITIONS**

- 16.1 A Phase 1 Desk Study and Preliminary Risk Assessment. report has been submitted with the application.
- 16.2 The Environmental Health Officer has accepted the findings which recommends that further intrusive site investigations should be carried out along with any necessary scheme of remediation.
- 16.3 The Mining Remediation Authority have noted that the site falls within a Development High Risk Area and that the Coal Mining Risk Assessment report recommends the undertaking of intrusive site investigations.
- 16.4 Planning conditions are recommended accordingly.

## **17. ENERGY**

- 17.1 The applicant is required to demonstrate that the buildings are consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless this is not practicable or financially viable.

- 17.2 An Energy/ Sustainability and a Sustainability Statement has been submitted with the application. It is outlined how a 'fabric first' approach to minimise energy use intensity has been used with passive measures adopted across the buildings. The development as a whole therefore achieves a 75% improvement over the Building Regulation's Target Emission Rate.
- 17.3 Consequently, it is considered that the development would ensure compliance with the policy objectives.

## **18. CONCLUSION**

- 18.1 This application, alongside with the other development proposals being considered on this Planning Committee agenda, will make a substantial contribution to the regeneration of Oldham town centre as part of wider objectives set out in the Oldham Town Centre Development Framework and Creating a Better Place vision.
- 18.2 This follows on from the previously approved schemes for revitalisation of the Spindles Shopping Centre, new market hall and food court, replacement Council offices, a new linear park, and the enhancement of heritage buildings across the town.
- 18.3 The development will deliver a new residential neighbourhood which can act as a catalyst for further regeneration.
- 18.4 The proposed approach to the promotion of a car-free environment reflects the objectives of PfE Policy JP-C1. This encourages a pattern of development that minimises the need to travel by unsustainable modes and which increases the proportion of trips that can be made by walking, cycling, and public transport.
- 18.5 In townscape terms, the site occupies a prominent location on the western approaches to the town centre. It will introduce a vibrant and visually appealing development designed to maximise the opportunities provided by the site levels.
- 18.6 Overall, the development would represent a positive opportunity for the regeneration of the town centre.

## **19. RECOMMENDED CONDITIONS**

### **CONDITIONS THAT APPLY TO THE FULL (BLOCK A) ELEMENT OF THE PERMISSION**

#### **1. COMMENCEMENT**

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. ACCESS/PARKING**

No residential unit within the development shall be occupied until the access to the site and car parking and servicing space for that development has been provided in accordance with the approved plan ref:18502-PLA-XX-XX-D-L-000001 Rev P03.

REASON – In the interests of the amenity of the occupiers of the development, having regard to Policies 5 and 9 of the Oldham Local Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

### 3. CYCLES

The use of the building hereby approved shall not commence until the secure cycle parking provision as indicated on the approved plan ref: 18502-HBA-ZZ-GF-D-A-080101 Rev P03 has been made available. The facilities shall be retained at all times thereafter.

REASON - In order to promote sustainable means of travel having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan.

### 4. MATERIALS

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

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

### 5. LANDSCAPING

All hard and soft landscape works shall be carried out in accordance with the approved plan Ref: 18502-PLA-XX-XX-D-L-000001 P03 and with a programme to be agreed in writing with the Local Planning Authority prior to the first occupation of any dwelling hereby approved. 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 Policy JP-G7 of the Places for Everyone Joint Development Plan

### 6. BIODIVERSITY

The use of the building hereby approved shall not commence until a scheme and timetable for the achievement of Biodiversity Net Gain on site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a written 30-year Habitat Management and Monitoring Plan (HMMP) for biodiversity within the site.

REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9 and 21 of the Oldham Local Plan, paragraph 174 of the NPPF, and Policy JP-G8 of the Places for Everyone Joint Development Plan.

## **CONDITIONS THAT APPLY TO THE OUTLINE ELEMENT OF THE PERMISSION**

### 7. RESERVED MATTERS

Applications for approval of the reserved matters of 1) Access 2) Appearance 3) Landscape 4) Layout and 5) Scale shall be made to the Local Planning Authority before the expiration of

15 years from the date of this permission. The commencement of development of each plot (as defined on approved plan 18500-HBA-CC-ZZ-D-A-080021 P04) must be no later than the expiration of 3 years from the final approval of the reserved matters relating to that development plot.

REASON - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

#### 8. APPROVED DOCUMENTS

All applications for Reserved Matters shall be in accordance with the approved Parameter Plans 18500-HBA-CC-GF-D-A-080026 P04, 18500-HBA-CC-GF-D-A-080027 P04 and 18500-HBA-CC-GF-D-A-080028 P04.

REASON - In order to ensure that the developed scheme accords with the parameters used to assess the impact this proposal will have on its surroundings, including the neighbouring buildings, having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.

#### 9. MAXIMUM PARAMETERS FOR OUTLINE PLOTS

The development hereby approved shall not exceed the following maximum parameters:

Up to 745 residential units (Use Class C3)

Up to 388 sqm of commercial floorspace (Use Class E and/or F1) GEA floorspace

REASON - In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings, local retail centres and the local highway network having regard to Policies JP-P1 and JP-C8 of the Places for Everyone Joint Development Plan.

#### 10. LEVELS

Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by the following information: A full site survey for that part of the site showing: (i) the datum used to calibrate the site levels (ii) levels along all site boundaries (iii) levels across the site at regular intervals (iv) floor levels of adjoining buildings, and full details of the proposed ground and finished floor levels of all buildings and proposed levels for external areas, including any retaining structures. The development shall be implemented only in full accordance with the approved details.

REASON - To ensure that the details of the development are satisfactory having regard to Policies 9 and 20 of the Oldham Local Plan.

#### 11. AMPLIFIED SOUND

Any amplified music and/or speech sound from any commercial unit at the development shall result in a sound level associated with the commercial unit of no greater than Noise Rating (NR) NR25 Leq (5 minutes) between 07.00 and 23.00 hours, NR20 Leq (5 minutes) and 40 dB LAFMax between 23.00 and 07.00 hours as measured or predicted in any structurally adjoining habitable areas of residential properties located above or adjacent to the commercial unit.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

#### 12. FUMES

No commercial unit hereby approved shall be brought into use unless and until a detailed scheme for treating fumes and odours from any required kitchen odour/heat extraction system before their emission to the atmosphere so as to render them innocuous has been submitted to and approved in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

### 13. ACCESS AND PARKING

No residential unit within any development plot as indicated on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04, shall be occupied until the access to the site and car parking space for that development plot has been provided in accordance with the approved layout plan.

REASON – In the interests of the amenity of the occupiers of the development, having regard to Policies 5 and 9 of the Oldham Local Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

### 14. DEVELOPER CONTRIBUTIONS

No phase or sub-phase of development plot as defined on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04 (other than enabling works) shall commence unless and until all relevant legal estates and interests in the land comprised in that phase or sub-phase of development are subject to and bound by terms set out in an enforceable section 106 agreement to secure the payment of financial contributions towards the provision of off-site open/green space and education.

REASON - As the Local Planning Authority would not have granted planning permission in the absence of a signed Section 106 obligation, and at the time of this permission being issued the applicant was not able to bind all relevant interests in the site to the terms of the planning obligations it contains. This condition restricts development on land until such time that relevant parts of the land are bound by section 106 planning obligations in the form of an enforceable deed.

## **CONDITIONS THAT APPLY TO BOTH FULL AND OUTLINE ELEMENTS OF THE PERMISSION**

### 15. APPROVED PLANS

The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice unless the variation from approved plans is required by any other condition of this permission.

REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

### 16. CONTAMINATION

No development, other than demolition and site clearance, within any development plot (as defined on approved plan 18500-HBA-CC-ZZ-D-A-080021 P04) shall commence unless and until a site investigation and assessment into landfill gas risk and ground contamination for that development plot 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 - In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

#### 17. COAL MINING

No development, other than demolition and site clearance, within any development plot (as defined on approved plan 18500-HBA-CC-ZZ-D-A-080021 P04) shall commence until;

a) a further scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, having regard to the Coal Mining Risk Assessment Report (Seventh Issue, dated 26 March 2025) prepared by Civic Earth Limited 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 in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

c) Prior to the occupation of the development, or it being taken into beneficial use, 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 the Local Planning Authority for approval in writing. 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 – In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

#### 18. BIODIVERSITY

Any application for the approval of reserved matters in respect of the landscaping and/or layout of the development shall be accompanied by an updated Biodiversity Net Gain Metric and Biodiversity Net Gain Statement to demonstrate how the development will secure a 10% uplift relative to baseline conditions. Any on-site biodiversity will be subject to a 30 year Habitat Management and Maintenance Plan.

REASON – To secure biodiversity improvement at the site in accordance with the requirements of Schedule 7A of the Town and County Planning Act 1990 (as inserted by the Environment Act 2021).

#### 19. GLAZING SPEC

All residential windows for the whole development should meet the minimum glazing performance as detailed within the Noise and Vibration Impact Assessment 18500-MXF-XX-XX-T-O-10000 Issue P05 dated 28 March 2025 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the development having regard to Policy 9 of the Oldham Local Plan.

#### 20. TESTING OF WINDOWS

Prior to occupation of any residential unit, a noise report must be submitted to and approved in writing by the Local Planning Authority to confirm noise testing of the whole window units has been completed and not just the glazed component to achieve the internal ambient noise levels for habitable spaces given in BS 8233.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 21. VENTILATION

Prior to the occupation of any residential unit, the Mechanical Ventilation and Heat Recovery system shall be installed in accordance with a Noise and Ventilation Strategy which has been submitted to and approved in writing by the Local Planning Authority

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 22. EXTRACTION

Prior to the occupation of any residential unit, an external plant scheme, which has been submitted to and approved in writing by the Local Planning Authority, detailing how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration, shall be completed entirely. Thereafter the works forming the approved scheme and shall at all times remain in place.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

## 23. NOISE LIMIT

Any plant or machinery used on the site shall not exceed the following noise rating levels (which includes any acoustic character associated with the mechanical services plant) at the most noise sensitive premises when measured in accordance with BS 4142:2014+A1:2019:

- Daytime (07:00 to 23:00): < 50 dBA L<sub>Ar,Tr</sub>
- Night-time (23:00 to 07:00): < 43 dBA L<sub>Ar,Tr</sub>.

Emergency plant noise level limits at the nearest noise sensitive receptor should not be higher than 10 dBA above the representative daytime background noise level.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

## 24 DRAINAGE

Prior to the commencement of above ground works within any development plot as indicated on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04, details of a sustainable surface water drainage

scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice

Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies 9 and 19 of the Oldham Local Plan.

## 25. DRAINAGE MANAGEMENT

Prior to occupation of any development plot as indicated on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04, 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 Policies 9 and 19 of the Oldham Local Plan.

## 26. CEMP

Prior to the commencement of any development plot as indicated on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04, 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
- where construction site processes are likely to give rise to significant levels of vibration, details of appropriate monitoring should be provided. A method of vibration measurement should be agreed prior to commencement of site works.

- arrangements for construction vehicle access (including scheduling of deliveries, loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and construction methods to be used; including the use of cranes if intended
- wheel cleaning equipment to ensure that before leaving the site all vehicles, which have travelled over a non-tarmac surface, use the wheel cleaning equipment provided,
- details of measures to safeguard access to retained activities and uses within the wider development site.

REASON – To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

## 27. TRAVEL PLAN

Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation within any development plot (as defined on approved plan 18500-HBA-CC-ZZ-D-A-080021 P04, a travel plan shall be submitted to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of such written approval.

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

## 28. PART L

Prior to the residential occupation of any development plot as defined on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04, a statement shall be submitted to and approved in writing by the Local Planning Authority detailing how that building has been constructed to be consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable. The development shall be implemented in accordance with the approved details.

REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.

## 29. NDSS Part M4(2)

Each dwelling hereby approved shall comply with the Nationally Described Space Standards and the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical.

REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.

## 30. CRIME

The development hereby approved shall be built in line with the recommendations in the Crime Impact Statement reference 2025/0066/CIS/02 Version A 19th March 2025.

REASON – In order to ensure the creation of a safe environment having regard to Policy 9 of the Oldham Local Plan.

## 31. BIRDS

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.

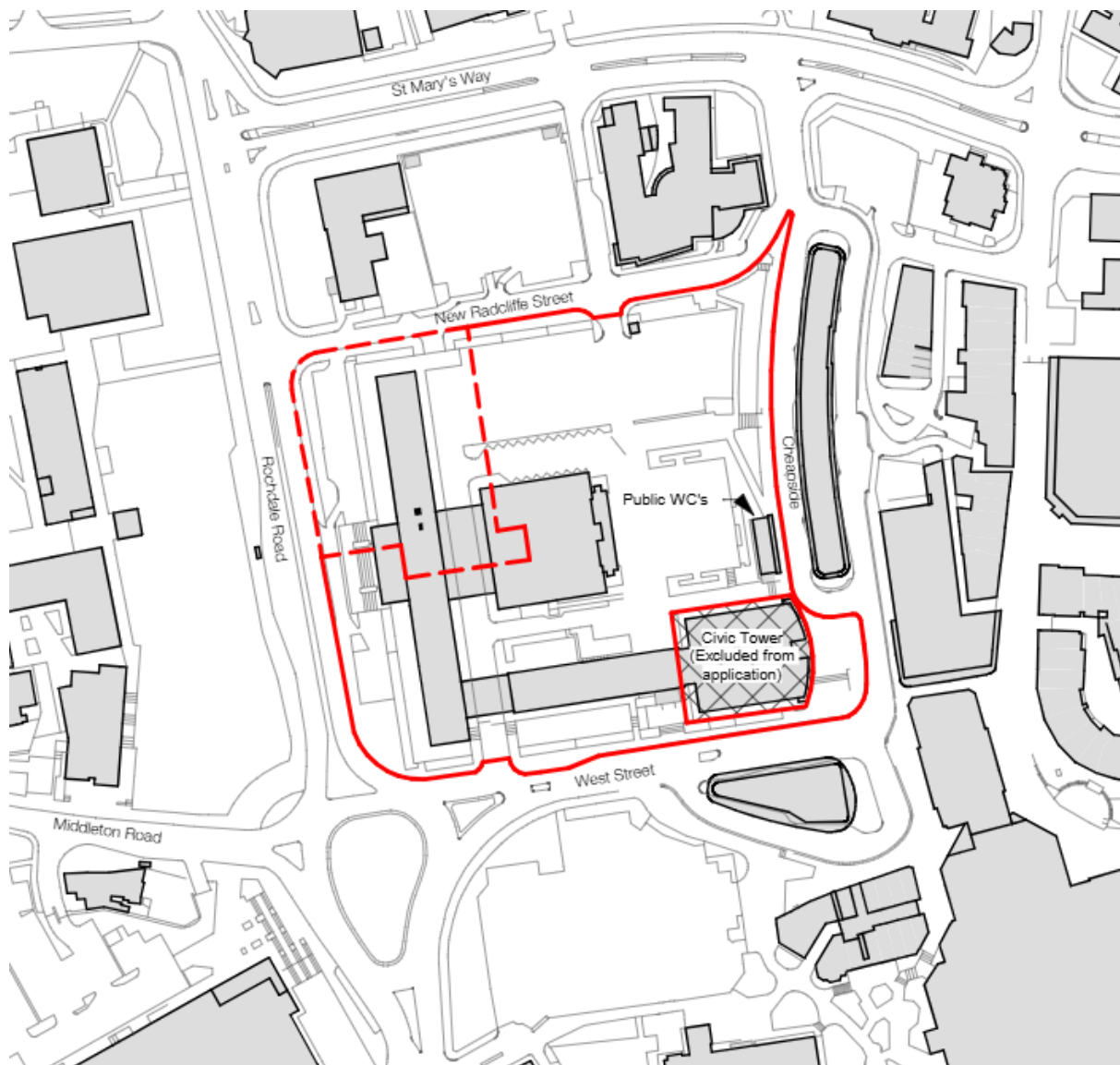
REASON - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

### 32. PUBLIC REALM MANAGEMENT

Prior to the first occupation of any development plot as defined on plan ref: 18500-HBA-CC-ZZ-D-A-080021 P04, a scheme for the future management and maintenance of all external communal areas of the site, including pedestrian access, vehicle access, parking and servicing, recreational open space and landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full and retained thereafter unless otherwise agree in writing by the Local Planning Authority.

REASON – To ensure the site is maintained in a condition which protects the amenity f future residents and the area in general having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan and Policy 9 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 – OUT/354323/25 Planning Committee 2<sup>nd</sup> July 2025**

Registration Date: 9<sup>th</sup> April 2025  
Ward: Coldhurst

Application Reference: OUT/354323/25  
Type of Application: Outline

Proposal: Outline planning application comprising residential development (Use Class C3); with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.

Location: Former Magistrates' Court, King Street, Oldham

Case Officer: Graham Dickman  
Applicant: Muse Places Limited  
Agent: Hannah Blunstone

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application involving the Council as landowner.

### **2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

### **3. SITE DESCRIPTION**

- 3.1 The site is located on the western fringe of the town centre at the junction of West Street and King Street. The Civic Centre is located to the north with Oldham Bus Station to the north-east.
- 3.2 Oldham Leisure Centre is situated to the west across a landscaped roundabout. To the south, where vehicular access to the site is available, is Oldham Police Station and King Street Buildings. Manchester Chambers is to the east.
- 3.3 The site levels fall away in an east to west direction. The site was cleared of buildings following the demolition of the former Oldham Magistrates' Court in 2019.
- 3.4 An area of established tree cover is located on the west and north-western boundaries with further tree cover to the fringes of the site.

### **4. THE PROPOSAL**

- 4.1 The proposal seeks approval for the redevelopment of the site for residential purposes comprising up to 219 homes. The application is submitted in outline form with all detailed matters (access, appearance, landscaping, layout, and scale) reserved for subsequent approval.
- 4.2 However, the submitted Design and Access Statement, Design Guide, and accompanying plans provide clarification of how is envisaged that a successful development could be achieved.
- 4.3 These are discussed in more detail in the Layout and Design section below.

#### Environmental Impact Assessment

- 4.4 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.5 An EIA Screening Request was submitted prior to the application (EIAP/354097/25).
- 4.6 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. Although the site area is below 5 hectares, the development would exceed the applicable threshold of 150 dwellings.
- 4.7 The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.8 The proposed development involves the erection of residential dwellings on a site which is located within Flood Zone 1, development will not impinge on any national or local sites of ecological significance, and no significant highway impacts are anticipated.
- 4.9 No environmental impacts are likely to be significant, however, appropriate specialist reports to assess any anticipated environmental impacts have been identified, and these accompany the application.
- 4.10 Consequently, an Environmental Statement is not required.

## **5. PLANNING HISTORY**

DM/343949/19 - Materials and height alterations to fence surrounding demolition site.  
Approved 22 November 2019

DM/342600/18 - Prior notification of the demolition of Oldham Magistrates Court building. Approved 18 December 2018

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development

Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).

- 6.3 The site is designated within the Town Centre on the plan associated with the Local Plan.
- 6.4 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-S1: Sustainable Development  
Policy JP-S2: Carbon and Energy  
Policy JP-S4: Flood Risk and the Water Environment

Policy JP-H1: Scale, Distribution and Phasing of New Housing Development  
Policy JP-H2 - Affordability of New Housing  
Policy JP-H3 - Type, Size and Design of New Housing  
Policy JP-H4 - Density of New Housing

Policy JP-G7: Trees and Woodland  
Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Policy JP-P1 Sustainable Places  
Policy JP-P2: Heritage  
Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 9: Local Environment  
Policy 15: Centres  
Policy 23: Open Spaces and Sports.

## 7. CONSULTATIONS

Highways Officer	No objections subject to conditions in relation to access, cycling provision, a travel plan, and a Construction Management Plan.
Environmental Health	Recommend conditions in relation to ground investigations and acoustic protection.
TfGM	Recommend consideration is given to the impact on traffic flows, tram capacity, and review of Traffic Regulations Orders as well as clarity on how the development interacts with the bus station.
United Utilities	Recommend that conditions are imposed to require submission of a sustainable drainage scheme which fully considers the use of infiltration for surface water.
Drainage	Concur with the view of United Utilities that the drainage scheme should full consider infiltration of surface water.

G M Ecology Unit	The applicant will be required to demonstrate that the development can achieve a gain in biodiversity of at least 10%.
Trees Officer	No objections subject to replacement tree planting at a 2 for 1 ratio and submission of an Arboricultural Method Statement and full planting specification.
Mining Remediation Authority	No objections subject to a scheme of intrusive site investigations
GM Archaeological Advisory Service	No objections subject to a scheme of intrusive archaeological investigations.
Active Travel England	The development should have regard to ATE's standing advice.
G M Police	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 as a major development by 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 Oldham Town Centre Development Framework (OTCDF) sets out a vision for delivering a transformative change to the town centre by creating a new town centre residential market to complement the plans taking shape across the town centre as part of the Council's 'Creating a Better Place' programme.
- 9.2 To bring the change to fruition the Council has entered into a 15-year partnership with Muse (the applicant). The present application is one of four to bring forward an aspiration for providing up to 2000 new mixed-tenure homes across the town centre.

#### **Housing Supply**

- 9.3 Places for Everyone (PfE) was adopted on 21 March 2024. JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 9.4 NPPF Paragraph 78 sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

- 9.5 As such, given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.
- 9.6 It is also noted that final completions have now been confirmed for 2024/25 as 578 homes delivered (this exceeds the PfE requirement of 404 homes (for 2024/25) by 43%).
- 9.7 Nevertheless, this site is a crucial part of that five-year supply and of the Council's housing supply overall to 2039 under PfE. Therefore, along with the associated applications, this proposal creates the opportunity to generate a substantial contribution to ensuring a supply of appropriate new housing sites on sites identified as previously developed land in line with PfE objectives.

#### Affordable Housing

- 9.8 An Affordable Housing Statement has been submitted with the application. The Statement indicates that a policy-compliant affordable housing scheme would cost equivalent to approximately £2.9M (policy-compliant being 7.5% of the total development sales value in accordance with Local Plan Policy 10). However, this scheme is not a typical development scheme on a typical development site. It is a regeneration scheme seeking to bring a brownfield site back into use as part of a public-private partnership, from which the council's main priority is not to seek to generate a profit or even a land receipt.
- 9.9 As such, it is not plausible to provide (and fund) affordable housing on the sites in the usual way a developer would for a typical market housing-led scheme, which is what Local Plan Policy 10 is aimed at. Instead, the partnership will look to lever in private investment alongside government grant funding to deliver a mix of affordable, build-to-rent and market homes.
- 9.10 In this regard, in this case, it is not appropriate to require an affordable housing contribution in the usual way through a planning application (a Section 106 agreement) as it would not be viable for these regeneration developments to be delivered in the same way as a typical market housing-led scheme. In fact, to do so would actually limit which government grants the partnership could access. Instead, the council as landowner and partner will be able to ensure that the developments undertaken by the partnership will deliver affordable housing, and at a level that would seek to exceed what would be provided by Local Plan Policy 10.

#### Public Open Space

- 9.11 Local Plan Policy 23 sets out the Council's approach to Open Space, Sport, and Recreation Provision. In terms of residential development, all developments should contribute towards the provision of new or enhanced open space where there is not already sufficient provision in the locality, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.
- 9.12 In this instance, the Council's Open Space Study has identified present deficiencies in the quantity and quality of open space within the local area.
- 9.13 However, in this instance the development forms part of wider proposals for the

regeneration of the town centre as set out in the Town Centre Development Framework, including the provision of the linear park. As part of that scheme improved links from the application site are being facilitated.

- 9.14 In addition, the proposed layout encompasses areas of communal open space which will provide readily accessible amenity space for future residents. In order to ensure such areas will be maintained a condition is recommended to ensure appropriate future management and maintenance arrangements are in place.
- 9.15 In these circumstances, approval will be subject to a condition to secure the payment of financial contributions towards the provision of off-site open/green space, taking into consideration the existing provision.

#### Education

- 9.16 The introduction of a significant number of new residents into the town centre has the potential to generate increased demand for school places.
- 9.17 Having regard to the potential timeframe for implementation, an updated assessment will be required which will take into account the availability of places at that time.
- 9.18 A planning condition has been recommended in order to secure a financial contribution where it can be justified following the updated assessment.

### **10. DESIGN AND LAYOUT**

- 10.1 Although submitted in outline with all detailed matters subject to subsequent Reserved Matters approval, the submitted Design and Access Statement, Design Guide, and accompanying plans provide clarification of how is envisaged that a successful development could be achieved on the site, in particular with regard to its surroundings.
- 10.2 The approach is informed by a Townscape and Visual Impact Assessment. The submission sets out parameters for areas of the site to accommodate the residential uses and for servicing and landscaping.
- 10.3 It is envisaged that the accommodation could be provided in two blocks occupying the north-west and south-east areas of the site with a central plaza area. The blocks are envisaged to rise to 8 and 11 storeys respectively and provide 219 dwellings in a mix of one. Two. And three-bed units.
- 10.4 Vehicular access to the parking and servicing area will be provided from the existing access point in the south-west corner.
- 10.5 The site represents an important gateway to the town centre from the west and in its present condition fails to contribute positively to the townscape. The proposed layout would introduce a building which would frame the entrance to the bus station alongside the proposed residential buildings to be developed within the Civic Centre site.
- 10.6 Having regard to the submission, it is considered that this represents a clear indication of how it would be possible to create a development which would be a positive feature within the townscape and respond positively to its surroundings in line with the objectives of PfE Policy JP-P1 and Local Plan Policy 9.

## **11. AMENITY ISSUES**

- 11.1 The application is accompanied by a Noise Impact Assessment and by a Daylight, Sunlight and Overshadowing Assessment which considers the likely standard of amenity for future residents.
- 11.2 The details have been assessed by the Environmental Health Officer who has recommended the impost of various conditions relating to noise mitigation and ensuring the dwellings are satisfactorily ventilated.
- 11.3 As part of any Reserved Matters application, it will be necessary for the applicant to demonstrate that the proposed residential units satisfy the Nationally Described Space Standards and comply with the accessibility and adaptability standards of the Building Regulations as required by PfE Policy JP-H3.

## **12. HIGHWAYS ISSUES**

- 12.1 NPPF paragraph 116 states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 12.2 The application site occupies a highly sustainable location adjacent to Oldham bus station and nearby King Street tram stop. Pedestrian access is readily available into the town centre where shopping, employment, and other amenities are available.
- 12.3 There will be 100% provision for cycle spaces through secure internal stores in each block and in-apartment cycle store options. Visitor cycle parking will be available within the public realm.
- 12.4 The Council does not presently utilise specific car parking standards.
- 12.5 It is intended that the development will be as vehicle-free as possible. No residential parking is proposed to be provided on the site, with the exception of a reasonable level of dedicated disabled parking spaces for residents of the new homes. Disabled persons’ spaces will be provided for up to a maximum of 5% of apartments. Such limited provision of resident parking is reasonable given the town centre location and excellent public transport connectivity, meaning that no resident would need to own a car to access all essential and day-to-day services or to access employment or education, and residents who choose to live in the new developments would not be expected to own a car.
- 12.6 On-street parking around each of the sites is already tightly controlled to prevent fly-parking in the town centre. Nevertheless, a review of on-street parking controls around each of the sites has been undertaken. The Transport Statement submitted in support of the application shows that the nearby road network has full parking restrictions such as double yellow lines or 24 hour clearways, and some areas with single yellow lines or permit parking.

- 12.7 These restrictions will also apply to future residents and therefore they will not be permitted to park on-street around the developments. Future residents will not be granted parking permits within any of the controlled parking permit areas in the town centre. Should any issues arise with on-street parking around the town centre, this will be monitored. The Council has the option to introduce restrictions to address it.
- 12.8 The rationale for this approach is to create developments focussed on sustainable communities and moving away from car dependency by adopting a 'low-car' vision. This is in line with the policy objectives around sustainable travel set out in the adopted development plan. This approach is justified by the highly accessible town centre location of the developments, where local facilities are in walking or cycling distance. Additionally, the availability of frequent bus and tram services means that public transport can be used for longer journeys.
- 12.9 Low parking provision encourages sustainable travel behaviour for future residents from the moment they move in, by not providing for private vehicle use and promoting sustainable travel via Travel Information Packs which would be provided to new residents at each of the sites.
- 12.10 Promotion of active and sustainable travel reduces dependency on cars which supports healthier lifestyles, reduces air and noise pollution and is more environmentally sustainable.

### **13. BIODIVERSITY AND TREES**

- 13.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 13.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.
- 13.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement.
- 13.4 The application is accompanied by a Biodiversity Metric and Biodiversity Assessment. This concludes that there will be a net loss of biodiversity units. Therefore, it will be necessary to explore options for off-site contributions, with preference for utilising alternative sites within the town centre. It is recommended that such details accompany any subsequent Reserved Matters application, and a condition is recommended accordingly.
- 13.5 In addition, following the grant of a planning permission, it will be necessary for the applicant to submit a statutory Biodiversity Gain Plan for approval which will ensure the required measures are implemented.

### **14. HERITAGE**

- 14.1 The application is accompanied by a Heritage Impact Assessment which provides a detailed assessment of the impact of the proposed development on designated and



non-designated heritage assets.

- 14.2 Two statutorily listed buildings have been identified in the vicinity of the site with potential impact from the proposed development, the Grade II\* listed Independent Methodist Chapel on George Street and the Grade II listed Church of St Patrick on John Street.
- 14.3 Section 66(1) of the Planning (Listed Building 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.
- 14.4 In this instance, the spatial and visual relationship between the application site would ensure that 'less than substantial harm' would be caused to the setting of the heritage assets.
- 14.5 Section 72 of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 14.6 The Oldham Town Centre Conservation Area boundary is located approximately 90 metres to the east of the site and given the scale of the proposed buildings, some intervisibility may result. However, given the presence of more modern buildings which intervene, any harm would similarly be less substantial.
- 14.7 A number of non-designated heritage assets, including Manchester Chambers, have been assessed.
- 14.8 NPPF Paragraph 208 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".
- 14.9 Paragraph 212 states that in considering the impact of a proposed development, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 14.10 Having regard to the detailed matters considered in the Heritage Assessment, it is concluded that the development will have 'less than substantial' harm to off-site heritage assets, including the Town Centre Conservation Area.
- 14.11 Paragraph 215 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".
- 14.12 Taking all these factors into consideration, the loss must be weighed in the context of the significant regeneration benefits to the town centre, and therefore, approval would accord with the statutory duties and national and local planning policies.
- 14.13 The application is supported by an archaeological desk-based assessment. GM Archaeological Advisory Service agrees with the conclusions that the site should be subject to a scheme of intrusive archaeological investigation focussed on the footprint

of Chapel Mill and the former burial ground in the western part of the application site.

14.14 A planning condition is recommended accordingly.

## **15. DRAINAGE**

15.1 The site is located within Flood Zone 1 at the lowest risk of flooding.

15.2 A Flood Risk Assessment and Drainage Strategy has been submitted with the application.

15.3 United Utilities and the Council's Drainage Engineer have raised issues in relation to the assessment and arrangements for the disposal of surface water, specifically regarding the potential to infiltrate surface water rather than direct to the public sewer system.

15.4 In response, the applicant has indicated that infiltration has not been discounted outright, but that infiltration as the sole or primary means of surface water discharge is not deemed feasible based on present information. Testing is presently limited due to the current use as a surface car park.

15.5 Conditions have been recommended to require full details of the proposed method of foul and surface water drainage from the development which will allow a final scheme to be agreed once further testing has been undertaken.

## **16. GROUND CONDITIONS**

16.1 A Phase 1 Desk Study and Preliminary Risk Assessment. report has been submitted with the application.

16.2 The Environmental Health Officer has accepted the findings which recommends that further intrusive site investigations, including in relation to mine gas, should be carried out along with any necessary scheme of remediation.

16.3 The Coal Authority has noted that the site falls within a Development High Risk Area. The application is accompanied by a Coal Mining Risk Assessment which has been informed by both historical records and the findings of intrusive site investigations.

16.4 The Coal Authority notes that the undertaking of intrusive site investigations is recommended.

16.5 Appropriate planning conditions are recommended accordingly.

## **17. ENERGY**

17.1 The applicant is required to demonstrate that the buildings are consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless this is not practicable or financially viable.

17.2 An Energy Statement has been submitted with the application. It outlines how a 'fabric first' approach, high efficiency services, and on-site renewable energy generation, will

be adapted across the Development.

- 17.3 Consequently, it is considered that the development will be capable of compliance with the policy objectives.

## **18. CONCLUSION**

- 18.1 This application, alongside with the other development proposals being considered on this Planning Committee agenda, will make a substantial contribution to the regeneration of Oldham town centre as part of wider objectives set out in the Oldham Town Centre Development Framework and Creating a Better Place vision.
- 18.2 This follows on from the previously approved schemes for revitalisation of the Spindles Shopping Centre, new market hall and food court, replacement Council offices, a new linear park, and the enhancement of heritage buildings across the town.
- 18.3 The development will deliver a new residential neighbourhood which can act as a catalyst for further regeneration.
- 18.4 The proposed approach to the promotion of a car-free environment reflects the objectives of PfE Policy JP-C1. This encourages a pattern of development that minimises the need to travel by unsustainable modes and which increases the proportion of trips that can be made by walking, cycling, and public transport.
- 18.5 In townscape terms, the site occupies a prominent location on the western approaches to the town centre. It will introduce a vibrant and visually appealing development designed to maximise the opportunities provided by the site levels.
- 18.6 Overall, the development would represent a positive opportunity for the regeneration of the town centre.

## **19. RECOMMENDED CONDITIONS**

### **1. RESERVED MATTERS**

Applications for approval of the reserved matters of 1) Access 2) Appearance 3) Landscape 4) Layout and 5) Scale shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission. The commencement of development of each plot (as defined on approved plan 18500-HBA-MC-ZZ-D-A-080014 P06) must be no later than the expiration of 3 years from the final approval of the reserved matters relating to that development plot.

REASON - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

### **2. APPROVED PLANS**

The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice unless variation from approved plans is required by any other condition of this permission.

REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

### 3. LEVELS

Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by the following information: A full site survey for that part of the site showing: (i) the datum used to calibrate the site levels (ii) levels along all site boundaries (iii) levels across the site at regular intervals (iv) floor levels of adjoining buildings, and full details of the proposed ground and finished floor levels of all buildings and proposed levels for external areas, including any retaining structures. The development shall be implemented only in full accordance with the approved details.

REASON - To ensure that the details of the development are satisfactory having regard to Local Plan Policy 9 and Policy JP-P1 of the Places for Everyone Joint Development Plan.

### 4. ACCESS AND PARKING

No residential unit within any development plot shall be occupied until the access to the site and car parking space for that development has been provided in accordance with the approved layout plan.

REASON – In the interests of the amenity of the occupiers of the development, having regard to Policies 5 and 9 of the Oldham Local Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

### 5. CONTAMINATION

No development, other than demolition and site clearance, 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 - In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

### 6. COAL MINING

No development shall commence until;

a) a scheme of intrusive site 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 in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

c) Prior to the occupation of the development, or it being taken into beneficial use, 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 the Local Planning Authority for approval in writing. 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 – In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

## 7. BIODIVERSITY

Any application for the approval of reserved matters in respect of the landscaping and/or layout of the development shall be accompanied by an updated Biodiversity Net Gain Metric and Biodiversity Net Gain Statement to demonstrate how the development will secure a 10% uplift relative to baseline conditions. Any on-site biodiversity will be subject to a 30 year Habitat Management and Maintenance Plan.

REASON – To secure biodiversity improvement at the site in accordance with the requirements of Schedule 7A of the Town and County Planning Act 1990 (as inserted by the Environment Act 2021).

## 8. GLAZING SPEC

All residential windows for the whole development should meet the minimum glazing performance as detailed within the Noise Impact Assessment 18500-MXF-MC-XX-T-O-10000 Issue P03 dated 28 March 2025 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the development having regard to Policy 9 of the Oldham Local Plan.

## 9. TESTING OF WINDOWS

Prior to occupation of any residential unit, a noise report must be submitted to and approved in writing by the Local Planning Authority to confirm noise testing of the whole window units has been completed and not just the glazed component to achieve the internal ambient noise levels for habitable spaces given in BS 8233.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 10. VENTILATION

A Mechanical Ventilation and Heat Recovery system shall be installed in accordance with a Noise and Ventilation Strategy which shall be submitted and approved in writing by the Local Planning Authority prior to installation. The system shall be retained thereafter in accordance with the approved scheme.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 11. EXTRACTION

Prior to the occupation of any residential unit, an approved external plant scheme shall be completed entirely and thereafter the works forming the approved scheme shall at all times remain in place. The scheme shall detail how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration.

The scheme shall detail how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration. The works forming the approved scheme shall be completed entirely in accordance with the approved scheme and thereafter the works forming the approved scheme shall at all times remain in place.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

## 12. NOISE LIMIT

Any plant or machinery used on the site shall not exceed the following noise rating levels (which includes any acoustic character associated with the mechanical services plant) at the most noise sensitive premises when measured in accordance with BS 4142:2014+A1:2019:

- Daytime (07:00 to 23:00): < 50 dBA L<sub>Ar,Tr</sub>
- Night-time (23:00 to 07:00): < 47 dBA L<sub>Ar,Tr</sub>.

Emergency plant noise level limits at the nearest noise sensitive receptor should not be higher than 10 dBA above the representative daytime background noise level.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

## 13. DRAINAGE

Prior to the commencement of above ground works within any development plot details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies 9 and 19 of the Oldham Local Plan.

## 14. DRAINAGE MANAGEMENT

Prior to occupation of any development plot as indicated on plan ref: 18500-HBA-MC-ZZ-D-A-080014 P06, 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 Policies 9 and 19 of the Oldham Local Plan.

#### 15. CEMP

Prior to the commencement of any development plot as indicated on plan ref: 18500-HBA-MC-ZZ-D-A-080014 P06, 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
- where construction site processes are likely to give rise to significant levels of vibration, details of appropriate monitoring should be provided. A method of vibration measurement should be agreed prior to commencement of site works.
- arrangements for construction vehicle access (including routing and hours of construction vehicle movement), loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and construction methods to be used; including the use of cranes if intended
- wheel cleaning equipment to ensure that before leaving the site all vehicles, which have travelled over a non-tarmac surface, use the wheel cleaning equipment provided,

REASON – To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

#### 16 TRAVEL PLAN

Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation, a travel plan shall be submitted to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of such written approval.

REASON – To ensure the development accords with sustainable transport policies having

regard to Policy 5 of the Oldham Local Plan.

## 17. PART L

Prior to the residential occupation of any development plot a statement shall be submitted to and approved in writing by the Local planning Authority detailing how that building has been constructed to be consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable. The development shall be implemented in accordance with the approved details.

REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.

## 18. NDSS Part M4(2)

Each dwelling hereby approved shall comply with the Nationally Described Space Standards and the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical.

REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.

## 19. CRIME

The development hereby approved shall be built in line with the recommendations in the Crime Impact Statement reference 2025/0066/CIS/01 Version A 19th March 2025.

REASON – In order to ensure the creation of a safe environment having regard to Policy 9 of the Oldham Local Plan.

## 20. BIRDS

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.

## 21. ARCHAEOLOGY

No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design which has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

- (a) A phased programme and methodology of investigation and recording to include:
  - an archaeological evaluation;
  - pending the results of the above, open-area excavation.
- (b) A programme for post-investigation assessment to include:



- production of a final report on the investigations and their significance.
- (c) Deposition of the final report with the Greater Manchester Historic Environment Record.
- (d) Dissemination of the results of the site investigations commensurate with their significance,
- (e) Provision for archive deposition of the report, finds and records of the site investigation.
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Project Design.

REASON - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible having regard to Policy 24 of the Oldham Local Plan.

## 22. TREES

Any application for the approval of reserved matters in respect of the landscaping and/or layout shall be accompanied by a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement.

REASON – In order to secure the protection of existing trees having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

## 23. PARAMETER PLANS

All applications for Reserved Matters shall be in accordance with the following approved Parameter Plans: 18500-HBA-MC-ZZ-D-A-080014 P06, 18500-HBA-MC-ZZ-D-A-080015 P04, 18500-HBA-MC-ZZ-D-A-080016 P04, and 18500-HBA-MC-ZZ-D-A-080017 P04.

REASON - In order to ensure that the developed scheme accords with the parameters used to assess the impact this proposal will have on its surroundings, including the neighbouring buildings, having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.

## 24. MAXIMUM PARAMETERS

The development hereby approved shall not exceed the following maximum parameter

Up to 219 residential units (use class C3)

REASON - In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings, and the local highway network having regard to Policies JP-P1 and JP-C8 of the Places for Everyone Joint Development Plan.

## 25. DEVELOPER CONTRIBUTIONS

No phase or sub-phase of development (other than enabling works) shall commence unless and until all relevant legal estates and interests in the land comprised in that phase or sub-phase of development are subject to and bound by terms set out in an enforceable section 106 agreement to secure the payment of financial contributions towards the provision of off-site open/green space and education.

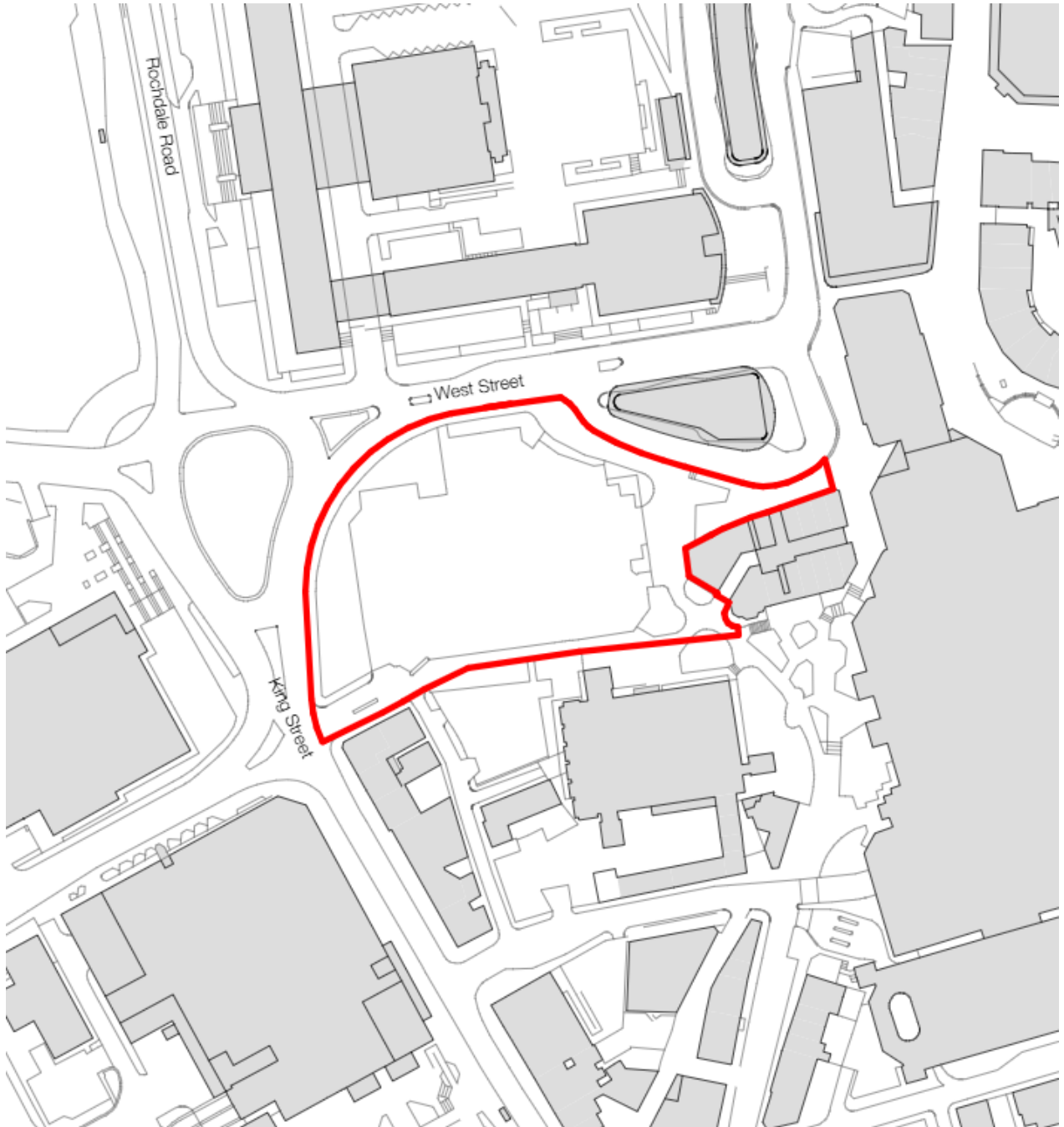
REASON - As the Local Planning Authority would not have granted planning permission in the absence of a signed Section 106 obligation, and at the time of this permission being issued the applicant was not able to bind all relevant interests in the site to the terms of the planning obligations it contains. This condition restricts development on land until such time that relevant parts of the land are bound by section 106 planning obligations in the form of an enforceable deed.

## 26. PUBLIC REALM MANAGEMENT

Prior to the first occupation of any development plot as defined on plan ref: 18500-HBA-MC-ZZ-D-A-080014 P06, a scheme for the future management and maintenance of all external communal areas of the site, including pedestrian access, vehicle access, parking and servicing, recreational open space and landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full and retained thereafter unless otherwise agree in writing by the Local Planning Authority.

REASON – To ensure the site is maintained in a condition which protects the amenity of future residents and the area in general having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local 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 – OUT/354324/25 Planning Committee 2<sup>nd</sup> July 2025**

Registration Date: 9<sup>th</sup> April 2025  
Ward: Coldhurst

Application Reference: OUT/354324/25  
Type of Application: Outline

Proposal: Outline planning application comprising residential development (Use Class C3) alongside ancillary non-residential floorspace (Use Class E); with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.

Location: Former Leisure Centre, Rock Street, Oldham

Case Officer: Graham Dickman  
Applicant: Muse Places Limited  
Agent: Hannah Blunstone

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application involving the Council as landowner.

### **2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

### **3. SITE DESCRIPTION**

- 3.1 The application relates to a site in the north-eastern edge of Oldham town centre bounded by St Mary's Way to the north and east, Rock Street to the south, and Lord Street to the east.
- 3.2 Residential properties face the site from the north and Tommyfield Market lies to the west.
- 3.3 To the south the area adjacent to Rock Street has been partly regenerated as part of the creation of the linear park, whilst further to the south is the Grade II\* Oldham Parish Church.
- 3.4 The site was previously occupied by Oldham Leisure Centre, and latterly by car parking and landscaping.
- 3.5 The site, which has a sloped profile roughly from south-east up to the north-west, has

subsequently been cleared and remediation and re-profiling works have taken place in order to facilitate future development.

#### **4. THE PROPOSAL**

4.1 The proposal seeks approval for the redevelopment of the site for residential purposes comprising up to 231 homes with up to 70 sqm of ground floor ancillary commercial uses. The application is submitted in outline form with all detailed matters (access, appearance, landscaping, layout, and scale) reserved for subsequent approval.

4.2 However, the submitted Design and Access Statement, Design Guide, and accompanying plans provide clarification of how is envisaged that a successful development could be achieved.

4.3 These are discussed in more detail in the Layout and Design section below.

##### Environmental Impact Assessment

4.4 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4.5 An EIA Screening Request was submitted prior to the application (EIAP/354096/25).

4.6 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. Although the site area is below 5 hectares, the development would exceed the applicable threshold of 150 dwellings.

4.7 The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations.

4.8 The proposed development involves the erection of residential dwellings on a site which is located within Flood Zone 1, development will not impinge on any national or local sites of ecological significance, and no significant highway impacts are anticipated.

4.9 No environmental impacts are likely to be significant, however, appropriate specialist reports to assess any anticipated environmental impacts have been identified, and these accompany the application.

4.10 Consequently, an Environmental Statement is not required.

#### **5. PLANNING HISTORY**

NMA/354383/25 - Non-material amendment to Condition 2 (approved plans) for revisions to site levels relating to application FUL/353082/24. Approved 13 May 2025

FUL/353082/24 - Full planning permission for site enabling works, including reprofiling site levels and site clearance, to facilitate future development. Approved 19 September 2024

#### **6. RELEVANT PLANNING POLICIES**

6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became



part of the statutory development plan on 21 March 2024.

- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 The site is designated within the Town Centre on the plan associated with the Local Plan.
- 6.4 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-S1: Sustainable Development

Policy JP-S2: Carbon and Energy

Policy JP-S4: Flood Risk and the Water Environment

Policy JP-H1: Scale, Distribution and Phasing of New Housing Development

Policy JP-H2 - Affordability of New Housing

Policy JP-H3 - Type, Size and Design of New Housing

Policy JP-H4 - Density of New Housing

Policy JP-G7: Trees and Woodland

Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Policy JP-P1 Sustainable Places

Policy JP-P2: Heritage

Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 9: Local Environment

Policy 15: Centres

Policy 23: Open Spaces and Sports.

## 7. CONSULTATIONS

Highways Officer	No objections subject to conditions in relation to access, cycling provision, a travel plan, and a Construction Management Plan.
Environmental Health	Recommend various conditions in relation to ground contamination and for noise and ventilation to protect residents' amenity.
TfGM	Recommend consideration is given to the impact on traffic flows, tram capacity, and review of Traffic Regulations Orders
United Utilities	Recommend that conditions are imposed to require submission of a sustainable drainage scheme which fully

	considers the use of infiltration for surface water.
Drainage	Concur with the view of United Utilities that the drainage scheme should full consider infiltration of surface water.
G M Ecology Unit	The applicant will be required to demonstrate that the development can achieve a gain in biodiversity of at least 10%.
Trees Officer	Recommended that the scheme is amended to ensure high quality trees are retained.
Mining Remediation Authority	No objections subject to a scheme of intrusive site investigations.
GM Archaeological Advisory Service	No objections subject to a scheme of intrusive archaeological investigations
Active Travel England	The development should have regard to ATE's standing advice.
G M Police	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 as a major development 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 Oldham Town Centre Development Framework (OTCDF) sets out a vision for delivering a transformative change to the town centre by creating a new town centre residential market to complement the plans taking shape across the town centre as part of the Council's 'Creating a Better Place' programme.
- 9.2 To bring the change to fruition the Council has entered into a 15-year partnership with Muse (the applicant). The present application is one of four to bring forward an aspiration for providing up to 2000 new mixed-tenure homes across the town centre.

#### **Housing Supply**

- 9.3 Places for Everyone (PfE) was adopted on 21 March 2024. JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 9.4 NPPF Paragraph 78 sets out that local planning authorities should identify and update

annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

- 9.5 As such, given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.
- 9.6 It is also noted that final completions have now been confirmed for 2024/25 as 578 homes delivered (this exceeds the PfE requirement of 404 homes (for 2024/25) by 43%).
- 9.7 Nevertheless, this site is a crucial part of that five-year supply and of the Council's housing supply overall to 2039 under PfE. Therefore, along with the associated applications, this proposal creates the opportunity to generate a substantial contribution to ensuring a supply of appropriate new housing sites on sites identified as previously developed land in line with PfE objectives.

#### Affordable Housing

- 9.8 An Affordable Housing Statement has been submitted with the application. The Statement indicates that a policy-compliant affordable housing scheme would cost equivalent to approximately £3.4M (policy-compliant being 7.5% of the total development sales value in accordance with Local Plan Policy 10). However, this scheme is not a typical development scheme on a typical development site. It is a regeneration scheme seeking to bring a brownfield site back into use as part of a public-private partnership, from which the council's main priority is not to seek to generate a profit or even a land receipt.
- 9.9 As such, it is not plausible to provide (and fund) affordable housing on the sites in the usual way a developer would for a typical market housing-led scheme, which is what Local Plan Policy 10 is aimed at. Instead, the partnership will look to lever in private investment alongside government grant funding to deliver a mix of affordable, build-to-rent and market homes.
- 9.10 In this regard, in this case, it is not appropriate to require an affordable housing contribution in the usual way through a planning application (a Section 106 agreement) as it would not be viable for these regeneration developments to be delivered in the same way as a typical market housing-led scheme. In fact, to do so would actually limit which government grants the partnership could access. Instead, the council as landowner and partner will be able to ensure that the developments undertaken by the partnership will deliver affordable housing, and at a level that would seek to exceed what would be provided by Local Plan Policy 10.

#### Public Open Space

- 9.11 Local Plan Policy 23 sets out the Council's approach to Open Space, Sport, and Recreation Provision. In terms of residential development, all developments should contribute towards the provision of new or enhanced open space where there is not already sufficient provision in the locality, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.

- 9.12 In this instance, the Council's Open Space Study has identified deficiencies in the quantity and quality of open space within the local area.
- 9.13 However, in this instance the development forms part of wider proposals for the regeneration of the town centre as set out in the Town Centre Development Framework, including the provision of the linear park. As part of that scheme improved links from the application site are being facilitated with the creation of Snipe Gardens helping to provide an attractive link between the application site and the linear park.
- 9.14 In addition, the proposed layout encompasses areas of communal open space which will provide readily accessible amenity space for future residents. In order to ensure such areas will be maintained a condition is recommended to ensure appropriate future management and maintenance arrangements are in place.
- 9.15 In these circumstances, approval will be subject to a condition to secure the payment of financial contributions towards the provision of off-site open/green space, taking into consideration the existing provision.

#### Education

- 9.16 The introduction of a significant number of new residents into the town centre has the potential to generate increased demand for school places.
- 9.17 Having regard to the potential timeframe for implementation, an updated assessment will be required to take into account the availability of places at that time.
- 9.18 A planning condition has been recommended in order to secure a financial contribution where this can be justified following the updated assessment.

### **10. DESIGN AND LAYOUT**

- 10.1 Although submitted in outline with all detailed matters subject to subsequent Reserved Matters approval, the submitted Design and Access Statement, Design Guide, and accompanying plans provide clarification of how is envisaged that a successful development could be achieved on the site, in particular with regard to its surroundings.
- 10.2 The approach is informed by a Townscape and Visual Impact Assessment. The submission sets out parameters for areas of the site to accommodate the residential and commercial uses and for servicing and landscaping.
- 10.3 It is envisaged that the accommodation could be provided in two elongated blocks extending in parallel roughly east to west framing the north side of the linear park, creating a soft threshold between public and private spaces by the use of a landscaped gabion terrace incorporating a permeable rain garden, as well as providing views and surveillance across the open space.
- 10.4 The northerly block would extend up to 9 storeys accommodating approximately 112 dwellings in a mix of one, two, and three bed units. The southerly block would accommodate 119 dwellings with a similar mix of unit sizes.
- 10.5 The western corner of the southern block will be designed to accommodate the commercial uses at ground floor with a plaza providing an active frontage leading into the site and linking with the linear park.

- 10.6 Servicing areas will be located between the two buildings with access from Lord Street, providing security to these areas and screening them from wider views which would detract from the appearance of the site.
- 10.7 Having regard to the submission, it is considered that this represents a clear indication of how it would be possible to create a development which would be a positive feature within the townscape and respond positively to its surroundings in line with the objectives of PfE Policy JP-P1 and Local Plan Policy 9.

## **11. AMENITY ISSUES**

- 11.1 In respect of impact on neighbouring residents, the closest residential properties are located a minimum of 35 metres to the north of the site across St Mary's Way. The position of the proposed northernmost block reflects that of the former Leisure Centre.
- 11.2 Whilst the new building would exceed the height of its predecessor, having regard to the degree of separation and the lower finished floor level of the new block relative to St Mary's Way, it is not considered that the development would result in a significant loss of daylight and sunlight to the neighbouring dwellings.
- 11.3 The application is accompanied by a Noise Impact Assessment and by a Daylight, Sunlight and Overshadowing Assessment which considers the likely standard of amenity for future residents.
- 11.4 The details have been assessed by the Environmental Health Officer who has recommended the impost of various conditions relating to noise mitigation and ensuring the dwellings are satisfactorily ventilated.
- 11.5 As part of any Reserved Matters application, it will be necessary for the applicant to demonstrate that the proposed residential units satisfy the Nationally Described Space Standards and comply with the accessibility and adaptability standards of the Building Regulations as required by PfE Policy JP-H3.

## **12. HIGHWAYS ISSUES**

- 12.1 NPPF paragraph 116 states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 12.2 The application site occupies a highly sustainable location adjacent to Oldham town centre. Pedestrian access is readily available into the town centre where shopping, employment, and other amenities are available.
- 12.3 There will be 100% provision for cycle spaces through secure internal stores in each block and in-apartment cycle store options. Visitor cycle parking will be available within the public realm.
- 12.4 The Council does not presently utilise specific car parking standards.
- 12.5 It is intended that the development will be as vehicle-free as possible. No residential

parking is proposed to be provided on the site, with the exception of a reasonable level of dedicated disabled parking spaces for residents of the new homes. Disabled persons' spaces will be provided for up to a maximum of 5% of apartments. Such limited provision of resident parking is reasonable given the town centre location and excellent public transport connectivity, meaning that no resident would need to own a car to access all essential and day-to-day services or to access employment or education, and residents who choose to live in the new developments would not be expected to own a car.

- 12.6 On-street parking around each of the sites is already tightly controlled to prevent fly-parking in the town centre. Nevertheless, a review of on-street parking controls around each of the sites has been undertaken. The Transport Statement submitted in support of the application shows that the nearby road network has full parking restrictions such as double yellow lines or 24 hour clearways, and some areas with single yellow lines or permit parking.
- 12.7 These restrictions will also apply to future residents and therefore they will not be permitted to park on-street around the developments. Future residents will not be granted parking permits within any of the controlled parking permit areas in the town centre. Should any issues arise with on-street parking around the town centre, this will be monitored. The Council has the option to introduce restrictions to address it.
- 12.8 The rationale for this approach is to create developments focussed on sustainable communities and moving away from car dependency by adopting a 'low-car' vision. This is in line with the policy objectives around sustainable travel set out in the adopted development plan. This approach is justified by the highly accessible town centre location of the developments, where local facilities are in walking or cycling distance. Additionally, the availability of frequent bus and tram services means that public transport can be used for longer journeys.
- 12.9 Low parking provision encourages sustainable travel behaviour for future residents from the moment they move in, by not providing for private vehicle use and promoting sustainable travel via Travel Information Packs which would be provided to new residents at each of the sites. Promotion of active and sustainable travel reduces dependency on cars which supports healthier lifestyles, reduces air and noise pollution and is more environmentally sustainable.

#### Loss of existing car parking

- 12.10 The development will involve the permanent loss of the previous pay and display public car parking at the site. The Council has previously undertaken a review of how frequently the car parks in the Town Centre are used and found many were underutilised and able to absorb the overflow from the closure of some of the existing surface car parks.
- 12.11 Nonetheless, it is recognised that removing the public car parks on this site (and others in the partnership) will lead to an imbalance in parking provision across the town centre and so the Council is exploring the possibility of creating multi-storey car parks on other sites in the town centre, and in a way that ensures drivers coming from all directions can access parking easily without having to drive into the heart of the town centre. They will also provide additional parking for those with blue badges and so allow easier access to key destinations in the town centre for those with mobility restrictions. This will help address the loss of the public car parking on this application site.

### **13. BIODIVERSITY AND TREES**

- 13.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 13.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.
- 13.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement.
- 13.4 The application is accompanied by a Biodiversity Metric and Biodiversity Assessment. This concludes that there will be a net loss of biodiversity units. Therefore, it will be necessary to explore options for off-site contributions, which preference for utilising alternative sites within the town centre. It is recommended that such details accompany any subsequent Reserved Matters application, and a condition is recommended accordingly.
- 13.5 The Tree Officer has expressed concerns with the loss of healthy tree which forms an important part of a group. At present the submitted layout is indicative only, and therefore, it is recommended that the retention of high-quality trees is fully explored and any loss justified as part of the Reserved Matters submission. An appropriate condition has been recommended accordingly.

### **14. HERITAGE**

- 14.1 The site located approximately 70 metres to the north of the Grade II\* listed Church of St Mary and St Peter (Oldham Parish Church) and its grounds which lie within the Oldham Town Centre Conservation Area. A further group of listed buildings are located on Church Lane to the south-west. It is therefore important to consider the impact of the development on these heritage features.
- 14.2 In particular, section 66(1) of the Planning (Listed Building 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.
- 14.3 NPPF Paragraph 208 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.
- 14.4 A Heritage Assessment has been submitted with the application which provides a comprehensive review of heritage assets both in the immediate vicinity of the application site and in wider vistas.
- 14.5 NPPF Paragraph 212 states that in considering the impact of a proposed development, great weight should be given to the asset's conservation (and the more important the

asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 14.6 The application site is separated from the listed church and Conservation Area by the proposed linear park, the eastern section of which has already been implemented. This open area provides a substantial buffer creating an attractive environment enhancing the setting of the heritage assets and representing a significant public benefit.
- 14.7 The proposed buildings will not therefore visually or physically impinge on any appreciation of the heritage features, in particular the prominent north elevation of the church. Indeed, this will also represent an enhancement comparative to the recent situation, both when the leisure centre building was in place, or in the subsequent car park usage.
- 14.8 The Heritage Statement comments that in views from the south, the new building would rise above the ridge line of the nave of the church causing harm to its setting. However, the degree of exceedance would be limited, whilst views from the south are largely restricted by the existing townscape form.
- 14.9 An assessment of the relationship with other heritage assets shows that any impacts would not be significant.
- 14.10 In this context, it is considered that any harm to the listed building (and conservation Area) will be 'less than substantial'.
- 14.11 NPPF Paragraph 215 requires that in such circumstances, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 14.12 As noted above, the wider redevelopment proposals, to which the present application contributes, would directly enhance the immediate setting of the listed building. In addition, the development would result in significant public benefit through revitalisation of the surrounding area and the creation of needed residential opportunities.
- 14.13 The application is also supported by an archaeological desk-based assessment. GM Archaeological Advisory Service agrees with the conclusions that the site should be subject to archaeological monitoring and recording during the development groundworks. This 'watching brief' should be focused on the north-western part of the application site, across the area occupied in the later 19th century by a Unitarian chapel, with the intention of identifying any human remains that are encountered so that an appropriate strategy for their recovery can be implemented.
- 14.14 A planning condition is recommended accordingly.

## **15. DRAINAGE**

- 15.1 The site is located within Flood Zone 1 at the lowest risk of flooding.
- 15.2 A Flood Risk Assessment and Drainage Strategy has been submitted with the application.
- 15.3 United Utilities and the Council's Drainage Engineer have raised issues in relation to



the assessment and arrangements for the disposal of surface water, specifically regarding the potential to infiltrate surface water rather than direct to the public sewer system.

- 15.4 In response, the applicant has indicated that infiltration has not been discounted outright, but that infiltration as the sole or primary means of surface water discharge is not deemed feasible based on present information. Testing is presently limited due to the current use as a surface car park.
- 15.5 Conditions have been recommended to require full details of the proposed method of foul and surface water drainage from the development which will allow a final scheme to be agreed once further testing has been undertaken.

## **16. GROUND CONDITIONS**

- 16.1 The site has been subject to a recent approval for site enabling works and a Technical Note referencing the accepted remediation requirements and indicating that an interim verification report will be produced on completion of the enabling works.
- 16.2 The Environmental Health Officer has accepted the findings subject to the submission of the enabling works verification which should show that the site is suitable for re-use.
- 16.3 The Mining Remediation Authority have noted that the site falls within a Development High Risk Area and that the Coal Mining Risk Assessment report recommends the undertaking of intrusive site investigations.
- 16.4 Appropriate planning conditions are recommended accordingly.

## **17. ENERGY**

- 17.1 The applicant is required to demonstrate that the buildings are consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless this is not practicable or financially viable.
- 17.2 An Energy Statement has been submitted with the application. It outlines how a 'fabric first' approach, high efficiency services, and on-site renewable energy generation, will be adapted across the Development.
- 17.3 Consequently, it is considered that the development will be capable of compliance with the policy objectives.

## **18. CONCLUSION**

- 18.1 This application, alongside with the other development proposals being considered on this Planning Committee agenda, will make a substantial contribution to the regeneration of Oldham town centre as part of wider objectives set out in the Oldham Town Centre Development Framework and Creating a Better Place vision.
- 18.2 This follows on from the previously approved schemes for revitalisation of the Spindles Shopping Centre, new market hall and food court, replacement Council offices, a new linear park, and the enhancement of heritage buildings across the town.

- 18.3 The development will deliver a new residential neighbourhood which can act as a catalyst for further regeneration.
- 18.4 The proposed approach to the promotion of a car-free environment reflects the objectives of PfE Policy JP-C1. This encourages a pattern of development that minimises the need to travel by unsustainable modes and which increases the proportion of trips that can be made by walking, cycling, and public transport.
- 18.5 In townscape terms, the site occupies a prominent location on the western approaches to the town centre. It will introduce a vibrant and visually appealing development designed to maximise the opportunities provided by the site levels.
- 18.6 Overall, the development would represent a positive opportunity for the regeneration of the town centre.

## **19. RECOMMENDED CONDITIONS**

### **1. RESERVED MATTERS**

Applications for approval of the reserved matters of 1) Access 2) Appearance 3) Landscape 4) Layout and 5) Scale shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission. The commencement of development of each plot (as defined on approved plan 18500-HBA-LC-ZZ-D-A-080011 P04) must be no later than the expiration of 3 years from the final approval of the reserved matters relating to that development plot.

REASON - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

### **2. APPROVED PLANS**

The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice unless variation from approved plans is required by any other condition of this permission.

REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

### **3. LEVELS**

Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by the following information: A full site survey for that part of the site showing: (i) the datum used to calibrate the site levels (ii) levels along all site boundaries (iii) levels across the site at regular intervals (iv) floor levels of adjoining buildings, and full details of the proposed ground and finished floor levels of all buildings and proposed levels for external areas, including any retaining structures. The development shall be implemented only in full accordance with the approved details.

REASON - To ensure that the details of the development are satisfactory having regard to Policies 9 of the Oldham Local Plan and Policy JP-P1 of the Places for Everyone Joint Development Plan.

### **4. ACCESS AND PARKING**

No residential unit within any development plot shall be occupied until the access to the site and car parking space for that development has been provided in accordance with the approved layout plan.

REASON – In the interests of the amenity of the occupiers of the development, having regard to Policies 5 and 9 of the Oldham Local Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

## 5. CONTAMINATION

Remediation of the site shall be undertaken in accordance with the remediation strategy set out in the Civic Earth (2024) report Former Leisure Centre, Oldham, Remediation Method Statement, 19 June 2024. Reference 51040-CE-01-XX-R-G-1006. Revision P02, subject to the submission of detailed design of the gas protection measures before they are installed.

The written approval from the Local Planning Authority will be required on receipt of a satisfactory completion report in order to fully discharge the condition.

REASON – In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

## 6. COAL MINING

No development shall commence until;

a) a scheme of intrusive site 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 in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

c) Prior to the occupation of the development, or it being taken into beneficial use, 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 the Local Planning Authority for approval in writing. 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 – In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

## 7. BIODIVERSITY

Any application for the approval of reserved matters in respect of the landscaping and/or layout of the development shall be accompanied by an updated Biodiversity Net Gain Metric and Biodiversity Net Gain Statement to demonstrate how the development will secure a 10% uplift relative to baseline conditions. Any on-site biodiversity will be subject to a 30 year Habitat Management and Maintenance Plan.

REASON – To secure biodiversity improvement at the site in accordance with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021).

## 8. GLAZING SPEC

All residential windows for the whole development should meet the minimum glazing performance as detailed within the Noise and Vibration Impact Assessment 18500-MXF-LC-XX-T-O-10000 Issue P04 dated 28 March 2025 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the development having regard to Policy 9 of the Oldham Local Plan.

## 9. TESTING OF WINDOWS

Prior to occupation of any residential unit, a noise report must be submitted to and approved in writing by the Local Planning Authority to confirm noise testing of the whole window units has been completed and not just the glazed component to achieve the internal ambient noise levels for habitable spaces given in BS 8233.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 10. VENTILATION

A Mechanical Ventilation and Heat Recovery system shall be installed in accordance with a Noise and Ventilation Strategy which shall be submitted and approved in writing by the Local Planning Authority prior to installation. The system shall be retained thereafter in accordance with the approved scheme.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 11. EXTRACTION

Prior to the occupation of any residential unit, an approved external plant scheme shall be completed entirely and thereafter the works forming the approved scheme shall at all times remain in place. The scheme shall detail how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

## 12. NOISE LIMIT

Any plant or machinery used on the site shall not exceed the following noise rating levels (which includes any acoustic character associated with the mechanical services plant) at the most noise sensitive premises when measured in accordance with BS 4142:2014+A1:2019:

- Daytime (07:00 to 23:00): < 50 dBA (1 hour)
- Night-time (23:00 to 07:00): < 44 dBA (15 mins)

Emergency plant noise level limits at the nearest noise sensitive receptor should not be higher than 10 dBA above the representative daytime background noise level.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

## 13. AMPLIFIED SOUND

Any amplified music and/or speech sound from any commercial unit at the development shall result in a sound level associated with the commercial unit of no greater than Noise Rating (NR) NR25 Leq (5 minutes) between 07.00 and 23.00 hours, NR20 Leq (5 minutes) and 40 dB LAFMax between 23.00 and 07.00 hours as measured or predicted in any structurally adjoining habitable areas of residential properties located above or adjacent to the commercial unit.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

#### 14. FUMES

No commercial unit hereby approved shall be brought into use unless and until a detailed scheme for treating fumes and odours from any required kitchen odour/heat extraction system before their emission to the atmosphere so as to render them innocuous has been submitted to and approved in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

#### 15. DRAINAGE

Prior to the commencement of above ground works within any development plot details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies 9 and 19 of the Oldham Local Plan.

#### 16. DRAINAGE MANAGEMENT

Prior to occupation of any development plot as indicated on plan ref: 18500-HBA-LC-ZZ-D-A-080011 P04, 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 Policies 9 and 19 of the Oldham Local Plan.

#### 17. CEMP

Prior to the commencement of any development plot as indicated on plan ref: 18500-HBA-LC-ZZ-D-A-080011 P04, 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
- where construction site processes are likely to give rise to significant levels of vibration, details of appropriate monitoring should be provided. A method of vibration measurement should be agreed prior to commencement of site works.
- arrangements for construction vehicle access (including routing and hours of construction vehicle movement), loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and construction methods to be used; including the use of cranes if intended
- wheel cleaning equipment to ensure that before leaving the site all vehicles, which have travelled over a non-tarmac surface, use the wheel cleaning equipment provided,
- hours of working in relation to site clearance and construction activities

REASON – To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

#### 18. TRAVEL PLAN

Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation, a travel plan shall be submitted to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of such written approval.

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

#### 19. PART L

Prior to the residential occupation of any development plot a statement shall be submitted to and approved in writing by the Local planning Authority detailing how that building has been constructed to be consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable. The development shall be implemented in accordance with the approved details.

REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.

#### 20. NDSS Part M4(2)

Each dwelling hereby approved shall comply with the Nationally Described Space Standards and the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical.

REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.

#### 21. CRIME

The development hereby approved shall be built in line with the recommendations in the Crime Impact Statement reference 2025/0066/CIS/06 Version A 19th March 2025.

REASON – In order to ensure the creation of a safe environment having regard to Policy 9 of the Oldham Local Plan.

#### 22. BIRDS

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.

#### 23. ARCHAEOLOGY

No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design which has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

- (a) A phased programme and methodology of investigation and recording to include:
  - an archaeological evaluation;
  - pending the results of the above, open-area excavation.
- (b) A programme for post-investigation assessment to include:

- production of a final report on the investigations and their significance.
- (c) Deposition of the final report with the Greater Manchester Historic Environment Record.
- (d) Dissemination of the results of the site investigations commensurate with their significance,
- (e) Provision for archive deposition of the report, finds and records of the site investigation.
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Project Design.

REASON - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible having regard to Policy 24 of the Oldham Local Plan.

## 24. TREES

Any application for the approval of reserved matters in respect of the landscaping and/or layout shall be accompanied by a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The submission shall fully assess the value and condition of existing trees, ensure any potential impacts are clearly identified and mitigated, and that any alternatives to removal are fully explored and justified as necessary.

REASON – In order to secure the protection of existing trees and the tramway embankment having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

REASON – In order to secure the protection of existing trees having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

## 25. PARAMETER PLANS

All applications for Reserved Matters shall be in accordance with the following approved Parameter Plans: 18500-HBA-LC-ZZ-D-A-080012 P04, 18500-HBA-LC-ZZ-D-A-080013 P04, 18500-HBA-LC-ZZ-D-A-080014 P04, 18500-HBA-LC-ZZ-D-A-080015 P04, and 18500-HBA-LC-ZZ-D-A-080016 P04.

REASON - In order to ensure that the developed scheme accords with the parameters used to assess the impact this proposal will have on its surroundings, including the neighbouring buildings, having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.

## 26. MAXIMUM PARAMETERS

The development hereby approved shall not exceed the following maximum

Up to 231 residential units (use class C3)

Up to 70 sqm commercial floorspace (use class E and/or F1) GEA floorspace.

REASON - In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings, and the local highway network having regard to Policies JP-P1 and JP-C8 of the Places for Everyone Joint Development Plan.



## 27. DEVELOPER CONTRIBUTIONS

No phase or sub-phase of development (other than enabling works, the details of which have previously been agreed in writing by the Local Planning Authority) shall commence unless and until all relevant legal estates and interests in the land comprised in that phase or sub-phase of development are subject to and bound by terms set out in an enforceable section 106 agreement to secure the payment of financial contributions towards the provision of off-site open/green space and education.

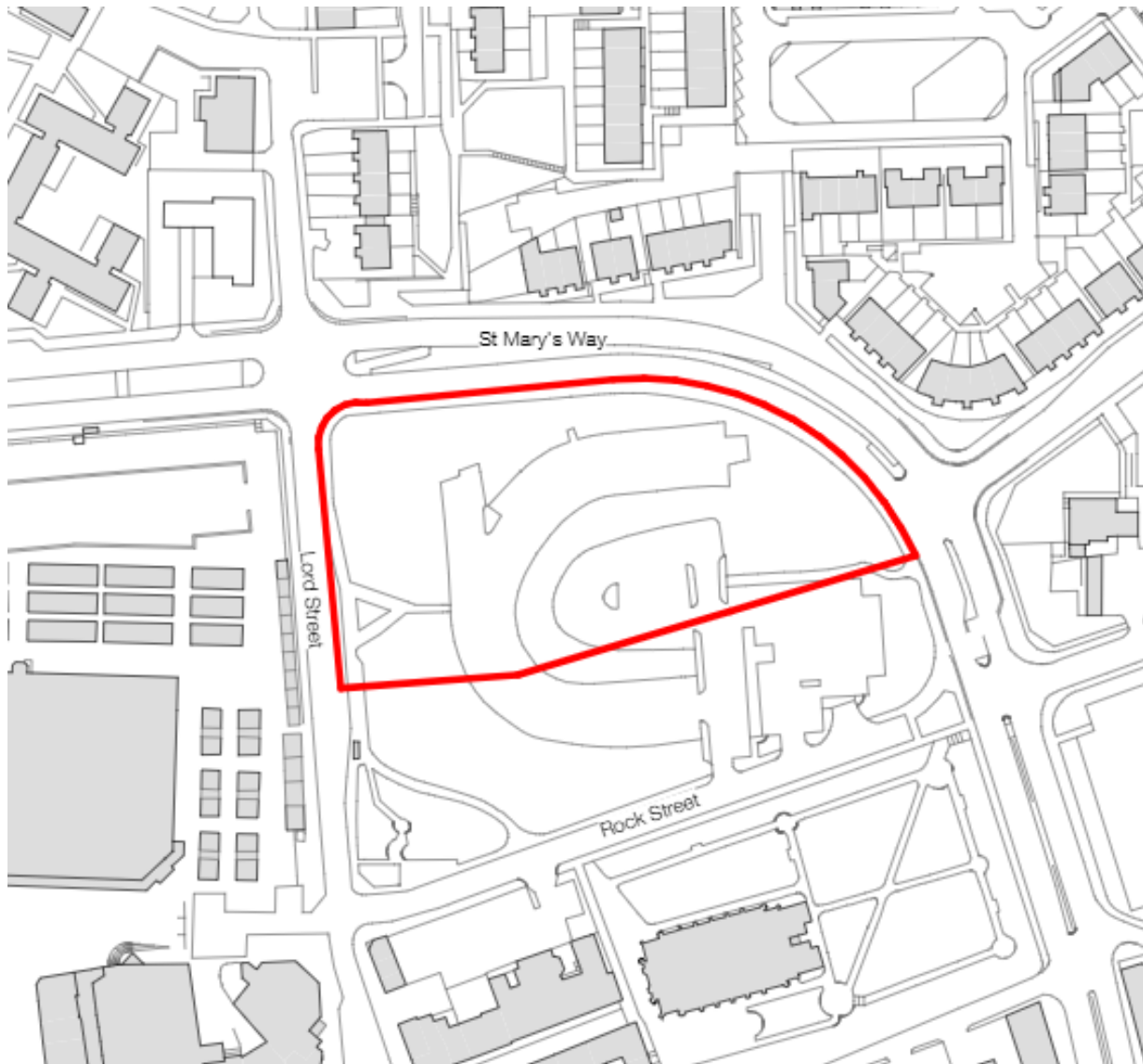
REASON - As the Local Planning Authority would not have granted planning permission in the absence of a signed Section 106 obligation, and at the time of this permission being issued the applicant was not able to bind all relevant interests in the site to the terms of the planning obligations it contains. This condition restricts development on land until such time that relevant parts of the land are bound by section 106 planning obligations in the form of an enforceable deed.

## 28. PUBLIC REALM MANAGEMENT

Prior to the first occupation of any development plot as defined on plan ref: 18500-HBA-LC-ZZ-D-A-080011 P04, a scheme for the future management and maintenance of all external communal areas of the site, including pedestrian access, vehicle access, parking and servicing, recreational open space and landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full and retained thereafter unless otherwise agree in writing by the Local Planning Authority.

REASON – To ensure the site is maintained in a condition which protects the amenity of future residents and the area in general having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan and Policy 9 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/354326/25 Planning Committee 2<sup>nd</sup> July 2025**

Registration Date: 9<sup>th</sup> April 2025  
Ward: Coldhurst

Application Reference: FUL/354326/25  
Type of Application: Full

Proposal: Full planning application for residential development (Use Class C3) alongside ancillary non-residential floorspace (Use Classes E and F1), with associated access, servicing, parking, public realm and landscaping improvements.

Location: Land at Prince's Gate, Prince Street, Oldham, OL1 3TL

Case Officer: Graham Dickman  
Applicant: Muse Places Limited  
Agent: Hannah Blunstone

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application involving the Council as landowner.

### **2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

### **3. SITE DESCRIPTION**

- 3.1 The application relates to a triangular site of approximately 0.9 hectares located at the eastern edge of Oldham town centre.
- 3.2 The site occupies a prominent position with the A62 Oldham Way skirting the southern boundary. The northern boundary adjoins the Oldham Mumps tram stop across which is a park & ride facility, and two landmark buildings, 17-21 Mumps and the Grade II listed Former NatWest Bank.
- 3.3 The western boundary adjoins Prince Street which provides access to and from the town centre.
- 3.4 The use of the site presently comprises a surfaced car park with ancillary areas of landscaping having been occupied before 2010 by a retail warehouse.

### **4. THE PROPOSAL**

- 4.1 The proposal involves a detailed application for a residential development creating 331 new properties with ancillary commercial floorspace at ground floor level.
- 4.2 The accommodation will be provided within three multi-storey blocks.
- 4.3 Two blocks (A and B), rising to 16 and 12 storeys respectively, will be located towards the eastern side of the site. The ground floors of the main blocks will accommodate service areas to the building, including cycle stores, refuse storage, lifts and stairways, and plant rooms.
- 4.4 In addition, a commercial unit will be created in the north-west corner of Block B fronting onto an open space adjacent to Mumps tram stop. This would provide an opportunity, for instance, for a retail, café, creche, health service, or educational use to be established.
- 4.5 The upper floors of the buildings will provide 256 dwellings, with a mix of 129 one-bed, 102 two-bed and 25 three-bed units.
- 4.6 These blocks will be connected via a single storey link structure with entrances to both northern and southern elevations. This will provide an entrance area, communal social space for residents, co-working space, a fitness area, and bookable rooms.
- 4.7 The blocks will primarily be faced in red brick with additional detailing and use of pre-cast materials in the bands to blocks A and B to provide visual interest.
- 4.8 The third block will be formed in a L-shape and rise to 6 storeys. It will be located at the south-western side of the site.
- 4.9 This building will provide 75 dwellings with a mix of 30 one-bed, 39 two-bed and 6 three-bed units, including five units located on the ground floor.
- 4.10 The proposals have been designed to be as car-free as possible with car parking only providing 18 accessible car parking spaces. Service access will be provided, together with taxi pick-up and drop-off facilities.

#### Environmental Impact Assessment

- 4.11 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.12 An EIA Screening Request was submitted prior to the application (EIAP/354095/25).
- 4.13 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. Although the site area is below 5 hectares, the development would exceed the applicable threshold of 150 dwellings.
- 4.14 The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.15 The proposed development involves the erection of residential dwellings on a site which is located within Flood Zone 1, development will not impinge on any national or local sites of ecological significance, and no significant highway impacts are anticipated.

- 4.16 The site could however be subject to potential noise or air quality impacts, although these are not anticipated to be significant having regard to the criteria set out in the EIA Regulations and Planning Practice Guidance.
- 4.17 Consequently, an Environmental Statement is not required. Nevertheless, appropriate specialist reports to assess any anticipated environmental impacts have therefore been required, and these accompany the application.

## **5. PLANNING HISTORY**

PA/336961/15 - A hybrid planning application comprising the proposed demolition of 1-15 and 23 Mumps, Roscoe Mill and RSPCA building and erection of a new mixed-use development incorporating:

a) in full: 11,261 sq.m (GIA) and up to five units to be occupied for retail, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways (Classes

A1/A2/A3/A4/A5), 1,741 sq.m (GIA) Class A1 foodstore, 54 apartments (Class C3) and new car parking;

b) full and listed building consent: conversion and extension of vacant bank building to flexible commercial space to be occupied for retail, offices, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways (Classes A1/B1/A2/A3/A4/A5 and 46 apartments (Class C3);

c) in outline (with all matters reserved): floorspace to be used for retail, offices, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways (Classes A1/B1/A2/A3/A4/A5) and 80 bed hotel (Class C1) or 36 apartments (Class C3) (maximum of four storeys total height); and

d) associated landscaping, servicing and highway improvement works

Approved 13 October 2016

PA/059474/11 - Metrolink Phase 3A alignment, 3B alignment, stop, park & ride, and associated highway works. Approved 5 May 2011

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 The site is designated within Oldham Town Centre on the plan associated with the Local Plan.

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

Places for Everyone

Policy JP-S1: Sustainable Development  
Policy JP-S2: Carbon and Energy  
Policy JP-S3: Heat and Energy Networks  
Policy JP-S4: Flood Risk and the Water Environment  
Policy JP-S5: Clean Air  
Policy JP-S6: Resource Efficiency

Policy JP-H1: Scale, Distribution and Phasing of New Housing Development  
Policy JP-H2: Affordability of New Housing  
Policy JP-H3: Type, Size and Design of New Housing  
Policy JP-H4: Density of New Housing

Policy JP-G7: Trees and Woodland  
Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Policy JP-P1 Sustainable Places  
Policy JP-P2: Heritage  
Policy JP-P4: New Retail and Leisure Uses in Town Centres  
Policy JP-P5: Education, Skills and Knowledge  
Policy JP-P6: Health  
Policy JP-P7: Sport and Recreation

Policy JP-C1: An Integrated Network  
Policy JP-C2: Digital Connectivity  
Policy JP-C3: Public Transport  
Policy JP-C5: Streets for All  
Policy JP-C6: Walking and Cycling  
Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 1: Climate Change and Sustainable Development  
Policy 2: Communities  
Policy 9: Local Environment  
Policy 15: Centres  
Policy 23: Open Spaces and Sports.  
Policy 25: Developer Contributions

**7. CONSULTATIONS**

Highways Officer	No objections subject to conditions in relation to access, cycling provision, a travel plan, and a Construction Management Plan.
Environmental Health	Recommend conditions in relation to ground investigations and acoustic protection.



TfGM	Recommend various conditions in connection with protection of Metrolink infrastructure.
United Utilities	Recommend that conditions be imposed to require submission of a sustainable drainage scheme which fully considers the use of infiltration for surface water.
Drainage	Concur with the view of United Utilities that the drainage scheme should full consider infiltration of surface water.
G M Ecology Unit	No objections as the site should secure a minimum 10% biodiversity gain.
Mining Remediation Authority	No objections
GM Police Authority	Recommended that the development is built to Secured by Design standards.
GM Archaeological Advisory Service	No objections subject to a scheme of intrusive archaeological investigations.
Active Travel England	No objections subject to improvements in active travel infrastructure around the site.
Health & Safety Executive	The HSE is satisfied with the fire safety content as it affects land use planning considerations.

## 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 which involves a departure from the Development Plan and would affect the setting of a listed building by display of site notices and publication of a press notice.
- 8.2 In response one representations has been received objecting to the application on grounds of lack of infrastructure to serve the development, increased crime, and lack of demand.

## **ASSESSMENT OF THE PROPOSAL**

### 9. PRINCIPLE OF DEVELOPMENT

- 9.1 The Oldham Town Centre Development Framework (OTCDF) sets out a vision for delivering a transformative change to the town centre by creating a new town centre residential market to complement the plans taking shape across the town centre as part of the Council's 'Creating a Better Place' programme.
- 9.2 To bring the change to fruition the Council has entered into a 15-year partnership with Muse (the applicant). The present application is one of four to bring forward an

aspiration for providing up to 2000 new mixed-tenure homes across the town centre.

#### Housing Supply

- 9.3 Places for Everyone (PfE) was adopted on 21 March 2024. JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 9.4 NPPF Paragraph 78 sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 9.5 As such, given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.
- 9.6 It is also noted that final completions have now been confirmed for 2024/25 as 578 homes delivered (this exceeds the PfE requirement of 404 homes (for 2024/25) by 43%).
- 9.7 Nevertheless, this site is a crucial part of that five-year supply and of the Council's housing supply overall to 2039 under PfE. Therefore, along with the associated applications, this proposal creates the opportunity to generate a substantial contribution to ensuring a supply of appropriate new housing sites on sites identified as previously developed land in line with PfE objectives.

#### Affordable Housing

- 9.8 An Affordable Housing Statement has been submitted with the application. The Statement indicates that a policy-compliant affordable housing scheme would cost equivalent to approximately £4.2M (policy-compliant being 7.5% of the total development sales value in accordance with Local Plan Policy 10). However, this scheme is not a typical development scheme on a typical development site. It is a regeneration scheme seeking to bring a brownfield site back into use as part of a public-private partnership, from which the council's main priority is not to seek to generate a profit or even a land receipt.
- 9.9 As such, it is not plausible to provide (and fund) affordable housing on the sites in the usual way a developer would for a typical market housing-led scheme, which is what Local Plan Policy 10 is aimed at. Instead, the partnership will look to lever in private investment alongside government grant funding to deliver a mix of affordable, build-to-rent and market homes.
- 9.10 In this regard, in this case, it is not appropriate to require an affordable housing contribution in the usual way through a planning application (a Section 106 agreement) as it would not be viable for these regeneration developments to be delivered in the same way as a typical market housing-led scheme. In fact, to do so would actually limit which government grants the partnership could access. Instead, the council as landowner and partner will be able to ensure that the developments undertaken by the partnership will deliver affordable housing, and at a level that would seek to exceed what would be provided by Local Plan Policy 10.

### Public Open Space

- 9.11 Local Plan Policy 23 sets out the Council's approach to Open Space, Sport, and Recreation Provision. In terms of residential development, all developments should contribute towards the provision of new or enhanced open space where there is not already sufficient provision in the locality, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.
- 9.12 The Council's Open Space Study has identified present deficiencies in the quantity and quality of open space within the local area.
- 9.13 However, in this instance the development forms part of wider proposals for the regeneration of the town centre as set out in the Town Centre Development Framework, including the provision of the linear park.
- 9.14 In addition, the proposed layout encompasses significant areas of communal open space which will provide readily accessible amenity space for future residents. In order to ensure such areas will be maintained a condition is recommended to ensure appropriate future management and maintenance arrangements are in place.
- 9.15 In these circumstances, a financial contribution towards the provision of additional off-site open/green space will not be required.

### Education

- 9.16 The introduction of a significant number of new residents into the town centre has the potential to generate increased demand for school places.
- 9.17 An assessment of the impact on school places has been undertaken. This has concluded that at present, having regard to the anticipated early implementation of the development, the specific mix of accommodation proposed, and the availability of school places, no contribution can be required.

## **10. DESIGN AND LAYOUT**

- 10.1 The site occupies a prominent location on the edge of the town centre. The scale and design of the proposed development is intended to create a gateway into the town centre when approaching from the east.
- 10.2 All blocks have been designed to reflect the same architectural styling and materiality, with minor differences between the blocks to provide some points of interest.
- 10.3 To blocks A and B, enlarged living room windows will be provided, which visually match the bedroom windows, and are combined with recessed brick panels of a different brick type. Block C will be constructed using a single external material.
- 10.4 In addition, it is proposed that the ground floor of block A will incorporate artwork from a local artist.
- 10.5 Landscaping and creation of public realm will feature throughout the development with a network of accessible green spaces. A 'Civic Plaza' will be provided adjacent to the tram stop which will include seating opportunities. This arrangement is illustrated on

the submitted landscape masterplan.

- 10.6 The applicant liaised with GM Police prior to submission of the proposal, and a number of recommendations have been incorporated, including defined boundaries to ground floor apartments and intruder alarms, illumination of street level building elevations, and secure entry arrangements.
- 10.7 Overall, the proposed design and layout will make a positive contribution to the townscape.

## **11. AMENITY ISSUES**

- 11.1 As required by Places for Everyone Policy JP-H3, all new dwellings must comply with the nationally described space standards; and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations (unless specific site conditions make this impracticable). In this instance, the applicant has confirmed that the whole development will be constructed to achieve those standards.
- 11.2 Opportunities to enjoy open space will be available throughout the development site.
- 11.3 Daylighting, sunlight, and overshadowing assessments have been carried out and accompany the submission. Consideration of the findings of the report has been used to inform the design of the scheme and confirms that the outcome would be acceptable within the town centre context.
- 11.4 A Noise Impact Assessment and a Ventilation and Extraction Statement have been submitted.
- 11.5 Due to its location adjacent to the A62 Oldham Way, an Air Quality Management Area encompasses the southern, eastern and north-eastern site boundaries. An Air Quality Assessment has been submitted.
- 11.6 The Environmental Health Officer has raised no objections, subject to implementation of various recommended conditions to protect the amenity of future residents.

## **12. HIGHWAYS ISSUES**

- 12.1 NPPF paragraph 116 states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 12.2 The application site occupies a highly sustainable location immediately adjacent to Oldham Mumps tram stop and adjacent bus stops. Pedestrian access is readily available into the town centre where shopping, employment, and other amenities are available.
- 12.3 As noted above, the proposals have been designed to be as car-free as possible with car parking only providing 18 accessible car parking spaces. Service access will be provided, together with taxi pick-up and drop-off facilities.

- 12.4 There will be 100% provision for cycle spaces through secure internal stores in each block and in-apartment cycle store options. Visitor cycle parking will be available within the public realm.
- 12.5 The Council does not presently utilise specific car parking standards.
- 12.6 It is intended that the development will be as vehicle-free as possible. No residential parking is proposed to be provided on the site, with the exception of a reasonable level of dedicated disabled parking spaces for residents of the new homes. Disabled persons' spaces will be provided for up to a maximum of 5% of apartments.
- 12.7 Such limited provision of resident parking is reasonable given the town centre location and excellent public transport connectivity, meaning that no resident would need to own a car to access all essential and day-to-day services or to access employment or education, and residents who choose to live in the new developments would not be expected to own a car.
- 12.8 On-street parking around each of the sites is already tightly controlled to prevent fly-parking in the town centre. Nevertheless, a review of on-street parking controls around each of the sites has been undertaken. The Transport Statement submitted in support of the application shows that the nearby road network has full parking restrictions such as double yellow lines or 24 hour clearways, and some areas with single yellow lines or permit parking.
- 12.9 These restrictions will also apply to future residents and therefore they will not be permitted to park on-street around the developments. Future residents will not be granted parking permits within any of the controlled parking permit areas in the town centre. Should any issues arise with on-street parking around the town centre, this will be monitored. The Council has the option to introduce restrictions to address it.
- 12.10 The rationale for this approach is to create developments focussed on sustainable communities and moving away from car dependency by adopting a 'low-car' vision. This is in line with the policy objectives around sustainable travel set out in the adopted development plan. This approach is justified by the highly accessible town centre location of the developments, where local facilities are in walking or cycling distance. Additionally, the availability of frequent bus and tram services means that public transport can be used for longer journeys.
- 12.11 Low parking provision encourages sustainable travel behaviour for future residents from the moment they move in, by not providing for private vehicle use and promoting sustainable travel via Travel Information Packs which would be provided to new residents at each of the sites.
- 12.12 Promotion of active and sustainable travel reduces dependency on cars which supports healthier lifestyles, reduces air and noise pollution and is more environmentally sustainable.

#### Loss of existing car parking

- 12.13 The development will involve the removal of existing pay and display public car parking at the site. The Council has previously undertaken a review of how frequently the car

parks in the Town Centre are used and found many were underutilised and able to absorb the overflow from the closure of some of the existing surface car parks.

- 12.14 Nonetheless, it is recognised that removing the public car parks on this site and other sites will lead to an imbalance in parking provision across the town centre.
- 12.15 Therefore, the Council is exploring the possibility of creating multi-storey car parks on other sites in the town centre, and in a way that ensures drivers coming from all directions can access parking easily without having to drive into the heart of the town centre. They will also provide additional parking for those with blue badges and so allow easier access to key destinations in the town centre for those with mobility restrictions. This will help address the loss of the public car parking on this application site

### **13. BIODIVERSITY AND TREES**

- 13.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 13.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.
- 13.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement.
- 13.4 The site presently has limited ecological interest being largely defined by hardstanding areas.
- 13.5 GM Ecology Unit is satisfied that a 10% biodiversity net gain can readily be achieved on site.
- 13.6 Furthermore, within significant areas of the site, the development will include the creation of newly landscaped open spaces with new tree and shrub planting throughout.
- 13.7 Any grant of planning permission will be subject to a condition to require a 30-year Habitat Management and Maintenance Plan to be approved. In addition, following the grant of a planning permission, it will be necessary for the applicant to submit a statutory Biodiversity Gain Plan for approval which will ensure the required measures are implemented.
- 13.8 A clear benefit in terms of ecology and biodiversity can therefore be demonstrated.

### **14. HERITAGE**

- 14.1 The site located in proximity to the Grade II listed Former NatWest Bank and to a number of non-designated heritage buildings. It is therefore important to consider the impact of the development on these this heritage structures.
- 14.2 In particular, section 66(1) of the Planning (Listed Building 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.

- 14.3 NPPF Paragraph 208 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.
- 14.4 A Heritage Assessment has been submitted with the application which provides a comprehensive review of heritage assets both in the immediate vicinity of the application site and in wider vistas.
- 14.5 NPPF Paragraph 212 states that in considering the impact of a proposed development, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 14.6 Due to previous demolitions and redevelopment of the Princes Gate site and its vicinity, the heritage buildings do not form part of a coherent whole which would allow their significance to be appreciated. Historically Mumps would have formed an entry point to Oldham town centre which is not presently discernible.
- 14.7 The tallest proposed building, Block A, will be located in the north-east corner of the site facing the front elevation of the listed building. Although of significantly greater height, it will help frame the town centre approach views from the east.
- 14.8 Furthermore, the degree of separation (resulting from the presence of Mumps and the tram stop) will ensure that the listed building is not physically or visually dominated and views of its setting will be largely retained. The creation of a 'civic plaza' to the north side of the proposed buildings will facilitate further opportunities for the heritage buildings across Mumps to be appreciated.
- 14.9 In this context, it is considered that any harm to the listed building will be 'less than substantial'
- 14.10 NPPF Paragraph 215 requires that in such circumstances, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 14.11 As noted above, the redevelopment proposals would directly enhance the setting of the building, replacing its apparent visual isolation with a welcoming setting. In addition, the development would result in significant public benefit through revitalisation of the surrounding area and the creation of needed residential opportunities.
- 14.12 Similar benefits would accrue to the non-designated heritage buildings across Mumps and to the west towards Union Street.
- 14.13 Consequently, it can be satisfactorily demonstrated that no significant harm would accrue to heritage features having regard to the clear benefits from the redevelopment of the site.

- 14.14 The application is supported by an archaeological desk-based assessment. GM Archaeological Advisory Service agrees with the conclusions that the site should be subject to a scheme of intrusive archaeological investigation focussed on the former Mumps Mill site. A planning condition is recommended accordingly.

## **15. DRAINAGE**

- 15.1 The site is located within Flood Zone 1 at the lowest risk of flooding.
- 15.2 A Flood Risk Assessment and Drainage Strategy has been submitted with the application.
- 15.3 United Utilities and the Council's Drainage Engineer have raised issues in relation to the assessment and arrangements for the disposal of surface water, specifically regarding the potential to infiltrate surface water rather than direct to the public sewer system.
- 15.4 In response, the applicant has indicated that infiltration has not been discounted outright, but that infiltration as the sole or primary means of surface water discharge is not deemed feasible based on present information. Testing is presently limited due to the current use as a surface car park.
- 15.5 Conditions have been recommended to require full details of the proposed method of foul and surface water drainage from the development which will allow a final scheme to be agreed once further testing has been undertaken.
- 15.6 In addition, United Utilities has requested confirmation that the development will not impact on the large diameter water main within the site and a condition to require such confirmation is also recommended.

## **16. GROUND CONDITIONS**

- 16.1 A Phase 1 Desk Study and Preliminary Risk Assessment. report has been submitted with the application.
- 16.2 The Environmental Health Officer has accepted the findings which recommends that further intrusive site investigations, including in relation to mine gas, should be carried out along with any necessary scheme of remediation.
- 16.3 An appropriate planning conditions is recommended accordingly.
- 16.4 The Mining Remediation Authority has noted that the site falls within a Development High Risk Area. The application is accompanied by a Coal Mining Risk Assessment which has been informed by both historical records and the findings of intrusive site investigations.
- 16.5 The Mining Remediation Authority has therefore confirmed that there are no objections to the proposals.

## **17. ENERGY**

- 17.1 The applicant is required to demonstrate that the buildings are consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for



Everyone Policy JP-S2, unless this is not practicable or financially viable.

- 17.2 An Energy/ Sustainability and a Sustainability Statement has been submitted with the application. It is outlined how a 'fabric first' approach to minimise energy use intensity has been used with passive measures adopted across the buildings. The development as a whole therefore achieves a 75% improvement over the Building Regulation's Target Emission Rate.
- 17.3 Consequently, it is considered that the development would ensure compliance with the policy objectives.

## **18. CONCLUSION**

- 18.1 This application, alongside with the other development proposals being considered on this Planning Committee agenda, will make a substantial contribution to the regeneration of Oldham town centre as part of wider objectives set out in the Oldham Town Centre Development Framework and Creating a Better Place vision.
- 18.2 This follows on from the previously approved schemes for revitalisation of the Spindles Shopping Centre, new market hall and food court, replacement Council offices, a new linear park, and the enhancement of heritage buildings across the town.
- 18.3 The development will deliver a new residential neighbourhood which can act as a catalyst for further regeneration.
- 18.4 The proposed approach to the promotion of a car-free environment reflects the objectives of PfE Policy JP-C1. This encourages a pattern of development that minimises the need to travel by unsustainable modes and which increases the proportion of trips that can be made by walking, cycling, and public transport.
- 18.5 In townscape terms, the site occupies a prominent location on the eastern approaches to the town centre. It will introduce a vibrant and visually appealing development designed to maximise the opportunities provided by the site levels.
- 18.6 Overall, the development would represent a positive opportunity for the regeneration of the town centre.

## **19. RECOMMENDED CONDITIONS**

### **1. COMMENCEMENT**

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. APPROVED PLANS**

The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice unless the variation from approved plans is required by any other condition of this permission.

REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

### 3. ACCESS/PARKING

No residential unit within the development shall be occupied until the access to the site and car parking and servicing space for that part of the development has been provided in accordance with the approved layout plan ref:18501-HBA-ZZ-ZZ-D-A-080010 Rev P04.

REASON – In the interests of the amenity of the occupiers of the development, having regard to Policies 5 and 9 of the Oldham Local Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

### 4. CYCLES

The use of each building hereby approved shall not commence until the arrangements for the provision of secure cycle parking as indicated on the approved plans ref: 18501-HBA-ZZ-GF-D-A-080100 Rev P02 and 18501-HBA-1C-GF-D-A-083100 Rev P02 have been made available. The facilities shall be retained at all times thereafter.

REASON - In order to promote sustainable means of travel having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan.

### 5. TRAVEL PLAN

Prior to the first occupation of any building hereby approved, an interim green travel plan for that building shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation within any building, a travel plan shall be submitted to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of such written approval.

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

### 6. MATERIALS

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

REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.

### 7. LANDSCAPING

All hard and soft landscape works shall be carried out in accordance with the approved plans Ref: 18501-PLA-XX-XX-DR-L-000001 P14, 18501-PLA-XX-XX-DR-L-100000 P02, and 18501-PLA-XX-XX-DR-L-200000 P02, and with a programme to be agreed in writing with the Local Planning Authority prior to the first occupation of any dwelling hereby approved. 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 Policy JP-G7 of the Places for Everyone Joint Development Plan

## 8. BIODIVERSITY

The use of the building hereby approved shall not commence until a scheme and timetable for the achievement of Biodiversity Net Gain on site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a written 30-year Habitat Management and Monitoring Plan (HMMP) for biodiversity within the site.

REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9 and 21 of the Oldham Local Plan, paragraph 174 of the NPPF, and Policy JP-G8 of the Places for Everyone Joint Development Plan.

## 9. AMPLIFIED SOUND

Any amplified music and/or speech sound from any commercial unit at the development shall result in a sound level associated with the commercial unit of no greater than Noise Rating (NR) NR25 Leq (5 minutes) between 07.00 and 23.00 hours, NR20 Leq (5 minutes) and 40 dB LAFMax between 23.00 and 07.00 hours as measured or predicted in any structurally adjoining habitable areas of residential properties located above or adjacent to the commercial unit.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 10. FUMES

No commercial unit hereby approved shall be brought into use unless and until a detailed scheme for treating fumes and odours from any required kitchen odour/heat extraction system before their emission to the atmosphere so as to render them innocuous has been submitted to and approved in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

## 11. GLAZING SPEC

All residential windows for the whole development should meet the minimum glazing performance as detailed within the Noise and Vibration Impact Assessment 18501-MXF-XX-XX-T-O-10000 Issue P04 dated 26 March 2025 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the development from sources of noise, including the Metrolink tram line, having regard to Policy 9 of the Oldham Local Plan.

## 12. TESTING OF WINDOWS

Prior to occupation of any residential unit, a noise report must be submitted to and approved

in writing by the Local Planning Authority to confirm noise testing of the whole window units has been completed and not just the glazed component to achieve the internal ambient noise levels for habitable spaces given in BS 8233.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

### 13. VENTILATION

Prior to the occupation of any residential unit, the Mechanical Ventilation and Heat Recovery system shall be installed in accordance with a Noise and Ventilation Strategy which has been submitted to and approved in writing by the Local Planning Authority

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

### 14. EXTRACTION

Prior to the occupation of any residential unit, an external plant scheme, which has been submitted to and approved in writing by the Local Planning Authority, detailing how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration, shall be completed entirely. Thereafter the works forming the approved scheme and shall at all times remain in place.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

### 15. NOISE LIMIT

Any plant or machinery used on the site shall not exceed the following noise rating levels (which includes any acoustic character associated with the mechanical services plant) at the most noise sensitive premises when measured in accordance with BS 4142:2014+A1:2019:

- Daytime (07:00 to 23:00): < 56 dBA L<sub>Ar,Tr</sub>
- Night-time (23:00 to 07:00): < 47 dBA L<sub>Ar,Tr</sub>.

Emergency plant noise level limits at the nearest noise sensitive receptor should not be higher than 10 dBA above the representative daytime background noise level.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

### 16. CONTAMINATION

No development, other than enabling works (the details of which have previously been agreed in writing by the Local Planning Authority), 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 - In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

### 17. DRAINAGE

Prior to the commencement of above ground works within any development plot as indicated on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 P04, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies 9 and 19 of the Oldham Local Plan.

## 18. DRAINAGE MANAGEMENT

Prior to occupation of any development plot as indicated on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 P04, 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 Policies 9 and 19 of the Oldham Local Plan.

## 19. SEWER PROTECTION

No above ground construction shall commence until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate the protection of existing retained sewers which cross the site.

REASON - To ensure the protection of drainage infrastructure having regard to Policies 9 and 19 of the Oldham Local Plan.

## 20. CEMP

Prior to the commencement of any development plot as indicated on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 P04, 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
- where construction site processes are likely to give rise to significant levels of vibration, details of appropriate monitoring should be provided. A method of vibration measurement should be agreed prior to commencement of site works.
- arrangements for construction vehicle access (including routing and hours of construction vehicle movement), loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and construction methods to be used; including the use of cranes if intended
- wheel cleaning equipment to ensure that before leaving the site all vehicles, which have travelled over a non-tarmac surface, use the wheel cleaning equipment provided,
- hours of working in relation to site clearance and construction activities

REASON – To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

## 21. METROLINK 1

In addition to the general requirements of Condition 20, no development shall take place until a Metrolink specific Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Local planning Authority, and if deemed necessary, an Asset Protection Agreement has been entered into. The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and Exclusion Zones and shall be adhered to throughout the construction period. The CMP shall, as a minimum, provide for: -

- a. the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- e. the erection and dismantling of scaffolding or similar, please note the installation and dismantling may require an electrical isolation of the Metrolink overhead wires;
- f. the erection and maintenance of security hoarding, location to be agreed with Metrolink due to proximity of operational tramway and infrastructure;
- g. measures to control the emission of dust and dirt during construction; and
- h. no urban realm works (including soft landscaping) and drainage shall take place until it has been demonstrated that it will not adversely impact the safe operation of the tramway.

REASON - To ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system having regard to Policy 9 of the Oldham Local Plan.

## 22. METROLINK 2

No excavation works shall be carried out within the Metrolink exclusion zones as defined in Working Safely Near Metrolink or any piling works carried out within the zone of influence until a full monitoring regime of Metrolink assets with agreed trigger levels has been submitted to and approved in writing by the Local Planning Authority.

REASON - To ensure that the development does not adversely affect Metrolink systems or track alignment and therefore the operation of Metrolink having regard to Policy 9 of the Oldham Local Plan.

## 23. PART L

Prior to the residential occupation of any building hereby approved, a statement shall be submitted to and approved in writing by the Local planning Authority detailing how that building has been constructed to be consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable. The development shall be implemented in accordance with the approved details.

REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.

## 24. NDSS Part M4(2)

Each dwelling hereby approved shall comply with the Nationally Described Space Standards and the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical.

REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.

## 25. CRIME

The development hereby approved shall be built in line with the recommendations in the Crime Impact Statement reference 2025/0066/CIS/01 Version A 19th March 2025.

REASON – In order to ensure the creation of a safe environment having regard to Policy 9 of the Oldham Local Plan.

## 26. BIRDS

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.

## 27. ARCHAEOLOGY

No development works, other than enabling works (the details of which have previously been agreed in writing by the Local Planning Authority), shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of

archaeological works in accordance with a Project Design which has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
  - an archaeological evaluation;
  - pending the results of the above, open-area excavation.
2. A programme for post-investigation assessment to include:
  - production of a final report on the investigations and their significance.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the site investigations commensurate with their significance.
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Project Design.

REASON - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible having regard to Policy 24 of the Oldham Local Plan.

## 28. PUBLIC REALM MANAGEMENT

Prior to the first occupation of any development plot as defined on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 P04, a scheme for the future management and maintenance of all external communal areas of the site, including pedestrian access, vehicle access, parking and servicing, recreational open space and landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full and retained thereafter unless otherwise agree in writing by the Local Planning Authority.

REASON – To ensure the site is maintained in a condition which protects the amenity of future residents and the area in general having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.



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



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## **APPLICATION REPORT – OUT/354325/25 Planning Committee 2<sup>nd</sup> July 2025**

Registration Date: 9<sup>th</sup> April 2025  
Ward: Coldhurst

Application Reference: OUT/354325/25  
Type of Application: Outline

Proposal: Outline planning application comprising the partial demolition of existing buildings, and extension to provide new floorspace (Use Class E and F1) with associated public realm and associated works. All matters reserved for future determination save for primary access.

Location: Manchester Chambers, West Street, Oldham, OL1 1LF

Case Officer: Graham Dickman  
Applicant: Muse Places Limited  
Agent: Hannah Blunstone

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to an application involving the Council as landowner in connection with major schemes for the regeneration of the town centre.

### **2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

### **3. SITE DESCRIPTION**

- 3.1 The application site includes an ornate, three-storey brick building fronting onto Cheapside and Oldham Bus Station. To its rear a covered arcade links to a predominantly two-storey 1990s addition which opens out onto George Square. These buildings include small commercial units at ground floor, albeit only three of which are presently occupied, with office accommodation above.
- 3.2 Attached to the side of the main building is a two-storey, mock-Tudor fronted building with an adjoining single-storey section. This building was formerly used as a public house (Three Crowns) and more recently as a food bank.
- 3.3 The entrance to the Spindles Shopping Centre is located adjacent to the eastern elevation of the building.

#### **4. THE PROPOSAL**

- 4.1 The proposal involves the following:
- 4.2 Firstly, the demolition of both the two-storey addition and the linking arcade structure at the rear of Manchester Chambers, along with the former public house.
- 4.3 Secondly, an outline application for the erection of replacement floorspace of up to 1,550 sqm (GIA) for use as either 'Commercial, Business and Service' and/or 'Learning and non-residential institutions' (Use Class E and/or Class F1 respectively).
- 4.4 The submitted Parameter Plans show that the replacement floor space would largely occupy the footprint of the existing structures, with the exception of the single storey section adjoining the former public house. Up to four storeys could be constructed on the site of the public house, with two storeys on the section to the rear of Manchester Chambers.
- 4.5 Thirdly, the incorporation of the area occupied by the section of building which is not to redeveloped into the adjacent open public realm.

#### **5. PLANNING HISTORY**

PA/338914/16 - Change of use of building from public house (use class A4) to food bank (use class D1). Approved 22 September 2016

#### **6. RELEVANT PLANNING POLICIES**

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 The site is designated within the Town Centre on the plan associated with the Local Plan.
- 6.4 As such, the following policies are considered relevant to the determination of this application:

##### Places for Everyone

Policy JP-S1: Sustainable Development

Policy JP-P1 Sustainable Places

Policy JP-P2: Heritage

Policy JP-P3: Cultural Facilities

Policy JP-P4: New Retail and Leisure Uses in Town Centres

##### Core Strategy

## 7. CONSULTATIONS

Highways Officer	No objections in principle
United Utilities	Recommend that any redevelopment is supported by a sustainable drainage scheme.

## 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 display of a site notice and publication of a press notice.
- 8.2 In response one representation has been received objecting to the loss of the public house.

## **ASSESSMENT OF THE PROPOSAL**

### 9. PRINCIPLE OF DEVELOPMENT

- 9.1 Whilst not meeting the criteria for statutory national listing, the main Manchester Chambers building is considered a building which represents a 'non-designated heritage asset'.
- 9.2 NPPF paragraph 216 states that "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".
- 9.3 The proposal involves the removal of later additions to the main Manchester Chambers building. The former Three Crowns is the more prominent section to be removed. It is in a poor state of repair and detracts visually from the attractive main building. The structures to the rear are similarly of little aesthetic value.
- 9.4 Details of scale and appearance are matters reserved for subsequent approval. It will be necessary for the resultant designs to ensure they positively complement the retained building.
- 9.5 In this context, the proposals have the potential to enhance the setting of the building and therefore would result in no harm to the significance of the heritage asset.
- 9.6 In respect of the loss of the public house use, this previous use ceased more than 10 years ago, leading to its subsequent use as a food bank. The building is presently vacant.
- 9.7 The proposals will allow for the creation of new commercial floorspace. It will also help

improve the interface with the relocated outdoor market on George Square and the partial removal of building footprint to the side will allow improved pedestrian links from the bus station to the market site.

## **10. HIGHWAYS ISSUES**

- 10.1 NPPF paragraph 116 states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 10.2 The site does not include any existing on-site parking or servicing facilities. This arrangement will continue.
- 10.3 As noted above, the removal of part of the existing footprint will enhance pedestrian movement around the site.
- 10.4 In these circumstances, the Highways Officer has no objections to the proposals.

## **11. BIODIVERSITY**

- 11.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 11.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.
- 11.3 Based on the application site which contains no biodiversity features, the development would not be subject to the statutory BNG requirement.
- 11.4 No direct ecological assessment of the building has been carried out. However, an assessment for the adjacent Magistrates’ Court site concluded that existing trees would have negligible suitability for bats whilst the area is subject to bright street lighting and heavy human disturbance further reducing its suitability.
- 11.5 Nevertheless, the decision notice will remind the applicant of their responsibilities in respect of bats and nesting birds.

## **12. CONCLUSION**

- 12.1 The proposals will result in a number of significant benefits. These include removal of presently poor-quality structures and enhancement of the setting of Manchester Chambers, along with the creation of improved access to and interface with George Square.

## **13. RECOMMENDED CONDITIONS**

- 1. Application for approval of the reserved matters of 1) Access 2) Appearance 3) Landscape 4) Layout and 5) Scale shall be made to the Local Planning Authority before



the expiration of 10 years from the date of this permission. The commencement of development of each plot (as defined on approved plan 18505-HBA-ZZ-GF-D-A-080023 P04) must be no later than the expiration of 3 years from the final approval of the reserved matters relating to that development plot.

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 unless variation from approved plans is required by any other condition of this permission. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. All applications for Reserved Matters shall be in accordance with the following approved Parameter Plans: 18505-HBA-ZZ-ZZ-D-A-080020 P04, 18505-HBA-ZZ-ZZ-D-A-080021 P02, 18505-HBA-ZZ-GF-D-A-080023 P04, 18505-HBA-ZZ-ZZ-D-A-080025 P04, 18505-HBA-ZZ-ZZ-D-A-080026 P04, 18505-HBA-ZZ-ZZ-D-A-080027 P04, and 18505-HBA-ZZ-ZZ-D-A-080028 P03. REASON - In order to ensure that the developed scheme accords with the parameters used to assess the impact this proposal will have on its surroundings, including the neighbouring buildings, having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.
4. No demolition works or construction works (whether undertaken as a single or separate operation) shall be commenced until details for the methods to be employed to control and monitor noise and dust, arrangements for demolition/construction vehicle access (including scheduling of deliveries, loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and demolition/construction methods to be used); and details of measures to safeguard pedestrian access adjacent to the site, have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details. REASON – To safeguard the amenities of the area having regard to Policy 9 of the Oldham Local Plan.
5. Unless undertaken as part of a single building operation for the provision of new floorspace, no demolition works shall be undertaken unless a scheme for the treatment of exposed surfaces to Manchester Chambers has been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved scheme. REASON – In the interest of protecting the non-designated heritage asset having regard to Policy JP-P2 of the Places for Everyone Joint Development Document.

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



## **PLANNING COMMITTEE – BACKGROUND PAPERS**

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## **APPLICATION REPORT – FUL/354322/25 Planning Committee 2<sup>nd</sup> July 2025**

Registration Date: 9<sup>th</sup> April 2025  
Ward: Coldhurst

Application Reference: FUL/354322/25  
Type of Application: Full

Proposal: Change of use of Civic Centre Tower from office (Use Class E(c))  
to hotel (Use Class C1)

Location: Civic Tower, West Street, Oldham, OL1 1UT

Case Officer: Graham Dickman  
Applicant: Muse Places Limited  
Agent: Hannah Blunstone

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to an application involving the Council as landowner in connection with major schemes for the regeneration of the town centre.

### **2. RECOMMENDATION**

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

### **3. SITE DESCRIPTION**

- 3.1 The application relates to the existing 15 storey Civic Tower which was built in the 1970s in connection with the larger Civic Centre complex.
- 3.2 The building is located in an elevated position in the south-east corner of the Civic Centre site adjacent to Oldham Bus Station.
- 3.3 The building was previously utilised as local authority offices with a public reception area on the ground floor. It is now vacant following the transfer of functions to the Spindles.

### **4. THE PROPOSAL**

- 4.1 The proposal involves the re-use of the building as a hotel.
- 4.2 No details of necessary internal or external alterations to facilitate the change are available. It is estimated that approximately 126 bedrooms could be accommodated, although this will be dependent on the specific requirements of a future occupier.

## 5. PLANNING HISTORY

OUT/354338/25 - Hybrid planning application seeking: - 1. Permission for demolition of existing buildings. 2. Full planning permission for residential development (Block A) (Use Class C3) with associated access, servicing, parking, public realm and landscaping. 3. Outline planning permission for development of a mix of uses, comprising residential units (Use Class C3); ancillary commercial, business and service uses (Use Classes E and F1) with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access. Pending determination

PA/333862/13 - Replacement of 5 no. antennas, additional 1 no. antenna, 1 no. dish and 2 no. equipment cabinets. Approved 16 May 2013

## 6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 The site is designated within the Town Centre on the plan associated with the Local Plan.
- 6.4 As such, the following policies are considered relevant to the determination of this application:

### Places for Everyone

Policy JP-S1: Sustainable Development  
Policy JP-P1 Sustainable Places  
Policy JP-P4: New Retail and Leisure Uses in Town Centres  
Policy JP-C8: Transport Requirements of New Development

### Core Strategy

Policy 9: Local Environment  
Policy 15: Centres  
Policy 21: Protecting Natural Environmental Assets

## 7. CONSULTATIONS

Highways Officer	Clarification will be required for servicing arrangements
United Utilities	No objections on the assumption that existing drainage connections will be used.

## **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 display of a site notice.
- 8.2 In response three representations have been received raising the following issues:
- There is a lack of parking available for a potential 100 plus room hotel.
  - Concern regarding limited parking which will be available (one bay) for disabled persons.
  - Notes that there is only one useable lift.
  - Queries the range of uses within Class C1, which includes a hostel leading to a potential increase in crime.
  - Questions the need for a town centre hotel.

## **ASSESSMENT OF THE PROPOSAL**

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 Places for Everyone Policy JP-P4 indicates that large-scale retail and leisure development will be located within centres at the upper level of the hierarchy, including Oldham town centre, an approach which reflects Local Plan Policy 15.
- 9.2 As part of the wider town centre regeneration proposals, it is proposed that the Civic Tower will be retained and for alternative uses to be considered.
- 9.3 The proposed use has been identified as providing an appropriate inward investment opportunity to function alongside the adjacent residential scheme as part of the wider vision for the regeneration of the Civic Centre site.
- 9.4 It would introduce a use which would generate additional visits to the town centre and represent an acceptable activity which would be complementary to the adjacent new residential developments.
- 9.5 In the representations, reference is made to the possibility of the building being utilised as a hotel. The courts have held that whether planning permission is required to change use from a hotel to a hostel would depend on the individual planning circumstances.
- 9.6 Notwithstanding the rights afforded by the Use Classes Order, the building is in the ownership of the Council and therefore would be capable of retaining control over the use of the building.
- 9.7 The proposed re-use forms part of the Council's wider aspirations for regeneration of the wider Civic centre site. In this context, use of the building as a hostel would not represent an activity conducive to attracting inward investment for the residential

scheme.

## **10. DESIGN AND LAYOUT**

- 10.1 The application seeks approval for the principle of the proposed use only, and therefore, no details are presently available in relation to the resultant internal layout. This would be devised subsequently to meet the needs of a future hotel operator.
- 10.2 In providing hotel accommodation within the building, it will be necessary for compliance with Fire Regulations to ensure the safety of guests. At present the building has access to a pair of lifts and two separate staircases.
- 10.3 Any material alterations to the exterior of the building would be subject to a separate planning application. This would also apply to the addition of new advertising.

## **11. HIGHWAYS ISSUES**

- 11.1 NPPF paragraph 116 states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 11.2 Parking to service the building will be limited to short-stay areas for deliveries, service vehicles, and taxi drop-off/ pick-up. A bay for disabled persons’ parking will be provided as part of the wider Civic Centre site redevelopment.
- 11.3 Whilst the parking facilities will be limited, guests utilising town centre hotels will be aware of those limitations and plan the visit accordingly.
- 11.4 Given the proposed redevelopment of the wider Civic Centre site, the availability of parking and servicing may vary dependent on the timing of implementation of the proposals. It is therefore recommended that the future operator will need to confirm the arrangements prior to commencement of the use.
- 11.5 A condition has been recommended to require prior submission of such details.

## **12. BIODIVERSITY**

- 12.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 12.2 Based on the application site and indicative proposals, the development would not be subject to the statutory BNG requirement.
- 12.3 It is noted that Peregrine falcon, a protected species within Schedule 1 of the Wildlife & Countryside Act 1981, are known to nest on the building.
- 12.4 Consequently, A condition is recommendation to ensure that no work, such as the installation of new plant and equipment, is carried out to the birds and their nests are not disturbed.



### **13. CONCLUSION**

- 13.1 The proposed re-use of the building would further assist the regeneration of the town centre alongside the proposed redevelopment of the adjacent Civic Centre and Magistrates' Court sites.
- 13.2 As no operator is identified at this stage, further details will be required to ensure the building can be appropriately serviced prior to occupation.
- 13.3 The proposed conversion to a hotel would allow the continued productive use of the retained building and would be a fully policy compliant use in this town centre location.

### **14. 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.

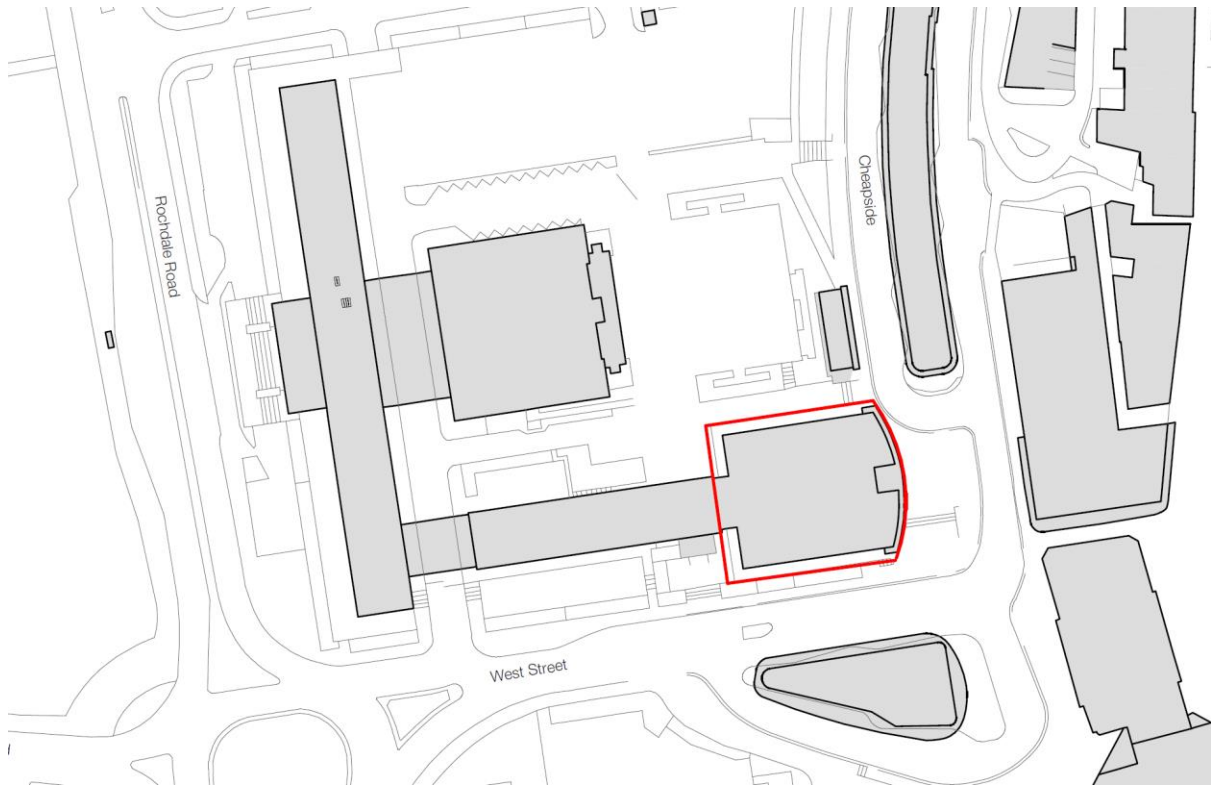
- 3. Prior to the installation of any additional/ replacement plant or equipment to the roof of the building, an assessment shall be carried out by a suitably qualified person to determine whether protected bird species are present. Where such presence is identified, a scheme of measures to protect the birds shall be submitted to and approved in writing by the Local Planning Authority.

REASON – To ensure the protection of bird habitats which are protected under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

- 4. The use hereby approved shall not be commenced until details of arrangements for servicing of the site have been submitted to and approved in writing by the Local Planning Authority. The use thereafter shall be undertaken in accordance with the approved details.

REASON – In order to secure satisfactory access having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan.

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



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