

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

Date Wednesday 10 September 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, 5 September 2025.

4. FILMING - This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed.

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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 3 - 4)  
The Minutes of the meeting of the Planning Committee held on 13<sup>th</sup> August 2025 are attached for Members' approval.
- 6 FUL/354777/25 - Former Crompton Health Centre, High Street, Shaw (Pages 5 - 20)  
Change of use from health centre (Use Class E) to House in Multiple Occupation (HMO) - 22 units (Sui Generis)
- 7 FUL/352774/24 - Compass House, Neville Street, Oldham (Pages 21 - 34)  
Two storey building with ground floor prayer hall (F1(f)) and first floor community hall (F2b)
- 8 VAR/354643/25 - Spindles Town Square Shopping Centre (Pages 35 - 44)  
Variation of Condition 2 (approved plans) for installation of new staircase and raised platform, sliding door entrance, and relocation of street furniture to Parliament Square frontage relating to app no. FUL/348415/22
- 9 Appeals update report (Pages 45 - 48)



**PLANNING COMMITTEE**  
**13/08/2025 at 6.00 pm**

**Present:** Councillor Hince (Chair)  
Councillors Adams, Akhtar, Z Ali, Charters (Substitute),  
Cosgrove, Davis (Vice-Chair), Harkness, A Hussain, Iqbal,  
Islam, McLaren (Substitute) and Murphy

Also in Attendance:

Alan Evans	Group Solicitor
Abiola Labisi	Senior Planning Officer
Martyn Leigh	Development Management Team Leader
Kaidy McCann	Constitutional Services
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,  
Hurley, S Hussain, Nasheen 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 2<sup>nd</sup> July  
2025 be approved as a correct record.

6           **FUL/353720/24 - LAND ADJACENT TO GORSE MILL,  
GORSE STREET, CHADDERTON, OL9 9RJ**

APPLICATION NUMBER: FUL/353720/24

APPLICANT: Mr. Peter Kashem

PROPOSAL: New warehouse development comprising of 10  
no. units

LOCATION: Land adjacent to Gorse Mill, Gorse Street,  
Chadderton, Oldham, OL9 9RJ.

It was **MOVED** by Councillor Akhtar and **SECONDED** by  
Councillor Harkness 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.

7 **FUL/354415/25 - THE VESTACARE STADIUM,  
WHITEBANK ROAD, OLDHAM, OL8 3JH**

APPLICATION NUMBER: FUL/354415/25

APPLICANT: Mr Charlie O'Brien

PROPOSAL: Retention of 4 no. containers, seating area and siting of canopy for the provision of food, storage and changing facilities.

LOCATION: The Vestacare Stadium, Whitebank Road, Oldham

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

On being put to the vote 9 VOTES were cast IN FAVOUR OF APPROVAL and 3 VOTES were cast AGAINST with 1 ABSTENTIONS.

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

**NOTES:**

1. That the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 9.

8 **APPEALS UPDATE REPORT**

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

9 **LATE LIST**

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

The meeting started at 6.00 pm and ended at 6.21 pm

**APPLICATION REPORT – FUL/354577/25  
Planning Committee – 10th September 2025**

Registration Date: 21<sup>st</sup> May 2025  
Ward: Shaw

Application Reference: FUL/354098/25

Type of Application: Full

Proposal: Change of use from health centre (Use Class E) to House in Multiple Occupation (HMO) - 22 units (Sui Generis)

Location: Former Crompton Health Centre, High Street, Shaw, Oldham, OL2 8ST

Case Officer: Stephen Gill  
Applicant: Safina Ghaus and Mehtab Shaukat  
Agent: Mr. Alan Chorlton

## **1. INTRODUCTION**

- 1.1 The application is referred to Planning Committee for determination at the request of the Assistant Director Planning, Transport & Housing Delivery because of the high level of concern surrounding this application in the local community.
- 1.2 The application site comprises the former Crompton Health Centre, a now-vacant, low-profile flat-roofed building of simple design, with an associated car park. The site is located within Shaw Town Centre and benefits from a prominent position, with High Street a key arterial route into and out of Shaw forming its northern boundary.
- 1.3 To the south, southwest, and southeast, the site is bordered by established residential properties, contributing to a mixed-use context. The site's town centre designation and accessible location make it a sustainable location.

## **2. THE PROPOSAL & BACKGROUND**

- 2.1 The application seeks planning permission for the change of use of the former Crompton Health Centre from its previous use as a health centre (Use Class E) to a House in Multiple Occupation (HMO) comprising 20 units (Sui Generis). This is a resubmission of application reference FUL/354098/25, which proposed 22 HMO units and was refused on the basis that the accommodation was considered substandard.
- 2.2 The proposal also includes minor external alterations, primarily involving changes to the window and door configuration. These alterations are modest and are described in

more detail later in this report. The proposed Schedule of Accommodation is set out below:

<u>SCHEDULE OF ACCOMMODATION</u>	
Flat No.	Area (sqm)
1	28.5
2	26
3	16.5
4	19.5
5	16.5
6	25
7	20
8	20
9	19.5
10	19.5
11	20.5
12	23
13	20
14	19.5
15	19.5
16	20
17	26
18	24
19	31.5
20	15

NB: All new rooflights are to be openable for natural ventilation

Corridors 76.5sqm  
Communal Areas 184.5sqm

2.3 Following an initial review, the Local Planning Authority (LPA) and Environmental Health raised concerns about whether the development met the legal definition of a House in Multiple Occupation (HMO), as set out in the Housing Act 2004. Specifically, the question was whether it satisfied the standard test under Section 254(2) of the Act, which requires (in summary):

- a) The property contains living accommodation that is not self-contained flats;
- b) It is occupied by two or more households who do not form a single household;
- c) Occupants use the accommodation as their only or main residence;
- d) The accommodation is used solely for residential purposes;
- e) At least one occupant pays rent or other consideration; and,
- f) Two or more households share (or lack) one or more basic amenities (defined as a toilet, personal washing facilities, or cooking facilities).

2.4 The initial layout suggested that the units were largely self-contained, with individual bathroom and kitchen facilities. Although some communal areas were included, such as a recreational room and dining area, these did not meet the definition of 'basic amenities' under the Act.

2.5 In response, the applicant submitted amended plans introducing two shared kitchen areas (i.e. shared cooking facilities), in addition to the communal recreational space. As a result, the proposal is now being assessed as a HMO.

### 3. PLANNING HISTORY

- FUL/354098/25 - Change of use from health centre (Use Class E) to House in Multiple Occupation (HMO) - 22 units (Sui Generis). Refused - 04/04/2025

- PA/342266/18 - Reconfiguration of the car-park, access and service areas. Granted - 17/12/2025
- PA/332934/12 - Extension of time relating to PA/056672/09 Demolition of existing health centre and formation of car park and public open space. Granted - 29.11.2012
- PA/056672/09 - Demolition of existing health centre and formation of car park and public open space – Granted - 24/08/2009

#### 4. RELEVANT PLANNING POLICIES

- 4.1 The Places for Everyone (PfE) Joint Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 4.2 The PfE Plan must now be considered in the determination of planning applications, alongside the retained policies in 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).
- 4.3 The following policies are relevant to the determination of this application.

##### **Joint Development Plan Document (Oldham Core Strategy)**

- Policy 03 - An Address of Choice (Partial)
- Policy 09 - Local Environment
- Policy 11 - Housing
- Policy 15 – Centres

##### **Places for Everyone**

- 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-P1 – Sustainable Places;
- Policy JP-C8 - Transport Requirements of New Development

##### **National Planning Policy Framework (NPPF)**

- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 12 – Achieving Well Designed Places

#### 5. CONSULTATIONS

Shaw And Crompton Parish Council	The Parish Council has recommended refusal of the application FUL/354577/25 for the following reasons (in summary):
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	<p><b>Overdevelopment:</b> The development is considered excessive for the building's size and footprint, compromising living standards and resident well-being.</p> <p><b>Impact on Local Character:</b> The development is seen as out of keeping with the surrounding family housing and nearby retirement bungalows, with concerns over impacts on privacy, health, and neighbourhood character.</p> <p><b>Noise and Disturbance:</b> The scale of the HMO is likely to generate increased noise and activity, detrimentally affecting neighbouring residents.</p> <p><b>Safety and Fear of Crime:</b> Concerns were raised that the HMO could attract problematic occupants unless tightly controlled, impacting local perceptions of safety.</p> <p><b>Loss of Business Infrastructure:</b> The site is considered more suitable for continued commercial use, particularly due to its layout, parking provision, and previous use, and its conversion would result in the loss of valuable business premises</p>
Environmental Health	No objections subject to conditions
Highway Engineer	No objection

## 6. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 6.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters.
- 6.2 In response 132 individual representations have been received, which includes 131 that object to the development and 1 that support the application. In addition, a petition has also been submitted, which contains over 100 signatures. It should be noted that it is only the nature of the planning concerns raised in the petition that can be considered in the assessment of this application, not how many signatories there were on the petition.
- 6.3 Councillor Sykes (ward councillor for Shaw) has also submitted an objection to the development, which raises the following concerns:
- The proposal for a 20-bed HMO is excessive and wholly inappropriate in a residential context.



- Excessive number of occupants proposed, disproportionate to the size and setting of the site.
- No provision for off-road parking despite expected vehicle ownership.
- Significant concern about impact on local traffic and highway safety.
- Unmanaged occupancy raises concerns about anti-social behaviour and neighbour relations.
- Loss of valued community facility (former health centre) without adequate replacement.
- Urges refusal of the planning application on grounds of overdevelopment, highways impact, and harm to residential amenity.

6.4 In relation to the public representations and petition and the grounds for supporting and objecting, these are summarised below:

#### 6.5 **Support Comments (summary)**

- Support for housing development and reuse of vacant buildings.

#### 6.6 **Objection Comments (summary)**

1. Principle of Development: (comments addressed in principle of development section)
  - Strong objection to the principle and siting of an intensive HMO use in a predominantly residential area.

These comments are addressed in Section 7 of this report

2. Design, Scale, and Character
  - The proposal is out of keeping with the character and appearance of Shaw.
  - Negative visual impact at a key gateway into Shaw.
  - No local precedent for HMOs of this scale in the area.

These comments are addressed in Section 9 of this report

3. Highways, Parking, and Traffic
  - Insufficient on-site parking, likely leading to overspill parking on surrounding streets.
  - Increased traffic and congestion, exacerbating existing highway safety issues.
  - Inadequate local road infrastructure to accommodate additional demand.

These comments are addressed in Section 10 of this report

4. Residential Amenity
  - Loss of privacy for adjacent homes, including care homes, dementia

units, and bungalows occupied by elderly residents.

- Noise and disturbance during both construction and occupation.
- Harm to the peaceful setting of nearby vulnerable residents.
- Overdevelopment
- Claims the proposal conflicts with Oldham Local Plan Policy 9, Places for Everyone Policy JP-P1, and NPPF Chapter 12 by failing to provide a high standard of amenity and protect local character

These comments are addressed in Section 8 of this report

5. Community Infrastructure

- Additional strain on already overstretched local services (GPs, dentists, schools, and policing).
- Cumulative impact of HMOs harming community balance and cohesion.

These comments are addressed in Section 12 of this report

6. Crime and Safety

- Fears of increased crime and anti-social behaviour due to lack of on-site supervision and management.
- Design concerns, including poor natural surveillance and potential for secluded areas.
- The transient nature of large HMOs, with a high turnover tends to lead to a rise in anti-social behaviour

These comments are addressed in Section 12 of this report

7. Heritage and Setting

- Detrimental impact on the setting and significance of the Crompton War Memorial and memorial gardens.

These comments are addressed in Section 12 of this report

8. Lack of Management Details

- Absence of information about ongoing site supervision or support for residents.
- Fear of unmanaged occupation leading to community disruption

These comments are addressed in Section 12 of this report

9. Fire Risk

- Insufficient escape routes proposed (corridors are too long)
- No evidence of fire rated doors, walls or protected corridors
- High occupancy combined with shared kitchen facilities will lead to increased fire risks

These comments are addressed in Section 8 of this report

### Non-Material (Non-Planning) Considerations

Some objections raise concerns which, while sincerely expressed, are not planning matters, and cannot be considered further in this report:

- Perceived negative effect on property values.
- General opposition to HMOs and concerns about potential occupiers.
- Allegations about applicant motivations or lack of community respect.
- Alternative use suggestions (e.g. housing for the elderly, police station, green space, community facility).

These comments are addressed in Section 12 of this report

## **ASSESSMENT OF THE PROPOSAL**

### **7. PRINCIPLE OF DEVELOPMENT**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the NPPF.
- 7.2 Chapter 5 of the NPPF emphasises the Government's objective to significantly boost housing supply by ensuring a sufficient amount and variety of land is available where needed.
- 7.3 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).
- 7.4 Paragraph 78 of the NPPF sets out that LPAs 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.
- 7.5 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.
- 7.6 PfE also highlights rising demand for smaller dwellings, with over half of household growth expected from smaller households, increasing demand for apartments.
- 7.7 Oldham Core Strategy Policy 15 states (in summary) that proposals for uses in centres including retail, leisure, and office will be assessed in line with national policy, with a

focus on directing development to existing centres or edge-of-centre locations.

- 7.8 The development would re-use a vacant site, and would contribute to the local housing supply, which supports the Government's objective to re-use previously developed sites, and to increase housing provision nationwide. Its specific nature would help address the needs of individuals seeking this type of accommodation.
- 7.9 Furthermore, given the modest scale of the site, the development is likely to be delivered quickly, facilitating a more immediate addition to the housing stock. This aligns with the principles of Policy JP-H1 regarding housing delivery, and with Chapter 5 of the NPPF, particularly in relation to the site's contribution to housing supply and its potential for swift build-out as a medium-sized site.
- 7.10 The site is located within Shaw Centre. Core Strategy Policy 15 does not specifically refer to the acceptability of HMO uses within town centres; such uses are nevertheless common in centres. In this case, the site is adjacent to existing residential properties to the immediate south, south-west, and south-east.
- 7.11 The site previously operated as a health centre rather than a commercial or retail facility, meaning its redevelopment would not result in the loss of any existing commercial, employment, or retail uses. The community facility which previously occupied the premises continues to operate from modern replacement premises nearby. Therefore, the building is no longer required for a continuation of that service. As such, the proposal would not undermine the vitality or viability of Shaw Centre. On that basis, it is considered that the principle of development is acceptable.

## **8. AMENITY**

- 8.1 Policy 9 of the Local Plan states that development must not cause significant harm to the amenity of existing or future occupants, including impacts on privacy, safety, noise, security, visual appearance, and access to daylight. Paragraph 135 of the NPPF also requires development to secure a high standard of amenity for both existing and future users.

### *Amenities for future occupiers:*

- 8.2 Environmental Health has reviewed the updated floor plan and confirmed that all proposed rooms comply with Oldham Council's HMO standards and benefit from natural light, ensuring a satisfactory living environment. The development includes two shared kitchens and a communal living area, supporting a balanced communal living arrangement with adequate cooking and dining facilities. The site is also located in a well-connected and sustainable location, with good access to local shops, schools, public transport, and recreational space.
- 8.3 Environmental Health have requested a condition is attached that requires a scheme for soundproofing between the units, to ensure that the amenity of future residents is maintained to an acceptable standard.

- 8.4 In relation to fire safety, Environmental Health have confirmed that occupants would have an acceptable means of escape. In addition, under the HMO license regime, the licence holder is required to take general fire precautions in line with the Regulatory Reform (Fire Safety) Order 2005, including carrying out a fire risk assessment. In addition, appropriate smoke alarms must be installed and maintained.

*Amenities for neighbouring occupiers:*

- 8.5 While the surrounding area is densely developed, the site is occupied by a single-storey building. Due to the building's modest height and existing separation distances, the proposal would not lead to unacceptable overlooking or a loss of privacy for neighbouring residents. The level of separation and scale of development are considered appropriate to the context.

*Conclusion on Amenity:*

- 8.6 Overall, the proposal is considered acceptable in terms of its impact on residential amenity. It would provide a good standard of accommodation for future occupiers while safeguarding the living conditions of neighbouring residents, in accordance with Policy 9 of the Local Plan and Paragraph 135 of the NPPF.

## **9. DESIGN**

- 9.1 NPPF paragraph 135 as well as Local Plan Policy 9 and PfE Policy JP-P1 require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.
- 9.2 The development does not propose any extensions or increases in the scale of the building. External alterations are modest and primarily comprise fenestration changes, including new windows, the application of obscure film for privacy, and the blocking up of certain windows with cladding to match existing materials.
- 9.3 There are no objections to the principle of the proposed design changes. They are minor in scope and, from a design perspective, would not harm the character or appearance of the surrounding area. While concerns have been raised regarding the scale of the development and the lack of precedent for this type of scheme locally, each application must be assessed on its own merits. The absence of similar developments in the vicinity does not provide a reasonable basis for refusal in planning terms.
- 9.4 Accordingly, the alterations are considered compliant with Local Plan Policy 9 and PfE Policy JP-P1.

## **10. HIGHWAYS**

- 10.1 PfE Policy JP-C8 requires new development to be designed and located in a way that promotes walking, cycling, and public transport use, reducing reliance on private cars and supporting the creation of sustainable, accessible, and attractive communities. Developments must provide safe, direct, and inclusive access for all users, prioritising pedestrians, cyclists, and public transport in line with the user hierarchy. Proposals should also ensure strong connectivity to local facilities and transport links. Adequate and well-integrated parking should be provided, including for disabled users, alongside secure and convenient cycle parking.
- 10.2 NPPF paragraph 116 states 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, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 10.3 The Highway Engineer raises no objections to the proposal. Although parking provision is limited, HMOs generally generate lower levels of car ownership. The site benefits from good access to public transport, including nearby bus stops and Shaw and Crompton Metrolink Station (approximately 700m away), as well as local shops and amenities within walking distance of Shaw town centre.
- 10.4 As with the previous submission, a bin store is identified on the site plan, but no design details have been provided. Additionally, no cycle storage is shown. However, both matters could be addressed via condition, as advised by the Highway Engineer.
- 10.5 Subject to suitable conditions, the proposal is considered consistent with the aims of PfE Policy JP-C8 and Chapter 9 of the NPPF.

## **11. BIODIVERSITY NET GAIN**

- 11.1 Regarding Biodiversity Net Gain (BNG), the statutory requirement to deliver a 10% net gain under Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) does not apply in this case, as the application is below the de minimus threshold, meaning the development impacts less than 25 square metres of onsite habitat.

## **12. RESPONSE TO REPRESENTATIONS**

- 12.1 Many of the concerns raised in public representations have been addressed in the main body of this report. For completeness, the issues not explicitly covered are considered below.
- 12.2 Concerns regarding potential anti-social behaviour and lack of management are not matters that can reasonably justify refusal on planning grounds. As Environmental Health note, the proposed HMO would be subject to separate licensing controls which

govern its management.

- 12.3 No significant external alterations are proposed that would affect the setting of the nearby Grade II\* listed Crompton War Memorial. The minor window changes are considered negligible in heritage terms, and associated traffic movements would be less than the building's previous use as a health centre.
- 12.4 Concerns regarding property values are not material planning considerations. With respect to the potential occupiers, the LPAs must focus on whether the proposed land use is acceptable in planning terms. The presumed characteristics of future residents cannot be considered under planning policy or legislation. Suggestions that alternative forms of development should be pursued are also not material: the LPA is required to assess the acceptability of the application submitted and cannot require the applicant to consider an alternative use.
- 12.5 Finally, while concerns have been raised regarding pressure on local infrastructure and services, the scale of the proposal is not considered to result in unacceptable impacts, nor would it trigger requirements for financial contributions under planning policy. It is not considered that the development would result in unacceptable cumulative impacts.

### **13. CONCLUSION**

- 13.1 The proposal would bring a vacant, previously developed site in a sustainable, town centre location back into active use, contributing to local housing needs through the provision of HMO accommodation. It aligns with PFE Policy JP-H1 and Chapter 5 of the NPPF, which promote the timely delivery of a diverse housing mix.
- 13.2 The site's former use as a health centre has ceased, and the service has been re-provided in nearby modern facilities. The proposal would not result in the loss of retail, employment, or community use and would therefore not undermine the vitality or viability of Shaw Town Centre.
- 13.3 In terms of design, the proposed external alterations are modest and in keeping with the character of the area. The scheme would provide a good standard of living accommodation for future occupiers and would safeguard the amenity of neighbouring residents, in accordance with Core Strategy Policy 9 and paragraph 135 of the NPPF.
- 13.4 There are no objections on highways grounds from the Highways Authority and, although parking provision is limited, this is acceptable given the site's sustainable location and the typically lower levels of car ownership associated with HMO uses. Matters relating to waste and cycle storage can be secured by condition.
- 13.5 Taking all relevant considerations into account, the proposal is considered to represent a sustainable form of development that complies with the development plan as a whole. There are no material considerations that indicate otherwise. The application is therefore recommended for approval, subject to appropriate planning conditions.

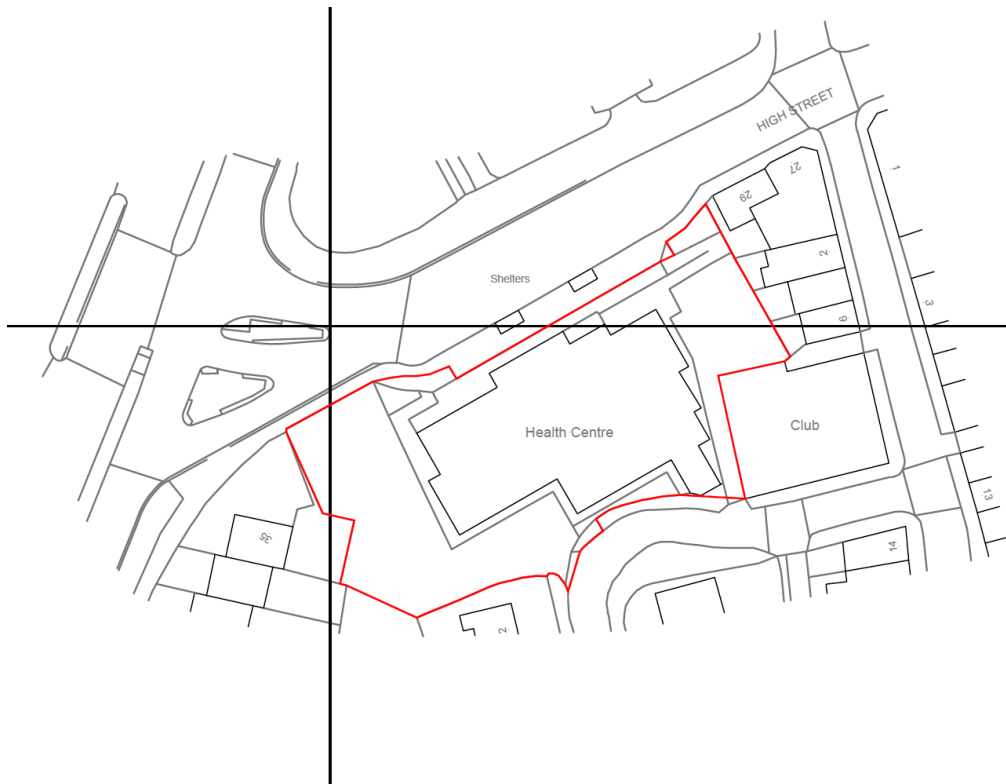
## **14. RECOMMENDATION**

14.1 The application is therefore recommended for approval subject to the imposition of the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. No development shall take place until a scheme to soundproof the walls between the residential units has been submitted to and approved in writing by the Local Planning Authority. All such works that form part of the approved scheme shall be implemented prior to first occupation of the development and shall be retained at all times thereafter. REASON - To protect the amenity of future occupiers in accordance with Oldham Core Strategy Policy 9.
4. Prior to first use of the development a scheme for the provision of secure cycle parking and bin storage shall be submitted to and approved in writing by the local planning authority. The approved facilities shall remain available for users of the development thereafter. REASON – In order to ensure acceptable waste storage facilities and promote sustainable means of travel having regard to Oldham Core Strategy Policy 9.



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



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## **PLANNING COMMITTEE – BACKGROUND PAPERS**

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

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

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

#### **THE BACKGROUND PAPERS**

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

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

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

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

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

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

#### **ADDITIONAL BACKGROUND PAPERS**

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

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

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## **APPLICATION REPORT – FUL/352774/24 Planning Committee 10<sup>th</sup> September 2025**

Registration Date: 9th May 2025  
Ward: Coldhurst

Application Reference: FUL/352774/24  
Type of Application: Full Application

Proposal: Two-storey building with ground floor prayer hall (F1(f)) and first floor community hall (F2b).

Location: Compass House, Neville Street, Oldham, OL9 6LD

Case Officer: Matthew Taylor  
Applicant: Juhel  
Agent: Mr Martin Spencer

### **1. INTRODUCTION**

- 1.1 This application is presented to Planning Committee as it proposes a development exceeding 1,000m<sup>2</sup> in floorspace and is therefore a Major development.

### **2. RECOMMENDATION**

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

### **3. THE SITE**

- 3.1 The application relates to an area of land north to Compass House, Neville Street, Oldham, OL9 6LD.
- 3.2 The site is currently enclosed by security fencing and contains a concrete pad and steel structures. These were installed following the granting of planning permission for the demolition of an annex building that originally occupied the site, and erection of a prayer hall (Ref: PA/343451/19). However, the works carried out did not constitute a lawful commencement of development because the pre-commencement conditions attached to the permission had not been discharged by the applicant. Consequently, the planning permission has now lapsed.

### **4. THE PROPOSAL**

- 4.1 The proposal is for the erection of a two-storey building with ground floor prayer hall (F1(f)) and first floor community hall (F2b).
- 4.2 The building would be rectangular in shape and create 1144sqm of floorspace. It would incorporate a flat roof design with parapet wall surround, which would keep down the

overall height of the building to approximately 8.6m (approximately 1.1m taller than the previously approved single storey building).

## **5. RELEVANT PLANNING HISTORY**

PA/336508/15 - 1) Erection of a canopy 2) Single storey extension 3) Pitched roofing over existing annex building. Approved 23.06.2015

PA/338180/16 - Demolition of existing annex building and reconstruction and extension on same footprint for new two storey prayer hall. Approved 19.07.2016

PA/343451/19 - Single storey prayer hall and community rooms. Approved 07.01.2020

VAR/348177/21 - Variation of condition 2 relating to application PA/343451/19, which proposes aesthetic design changes to the proposed building. Withdrawn 23.05.2025

## **6. RELEVANT PLANNING POLICIES**

6.1 The Places for Everyone (PfE) Joint 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 the retained policies in 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 allocated in the Proposals Map associated with the Development Plan as Central Shopping Core and Primary Shopping Frontage (part).

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

### Places for Everyone

Policy JP-S1: Sustainable Development

Policy JP-P1 Sustainable Places

Policy JP-P3: Cultural Facilities

Policy JP-S4: Flood Risk and the Water Environment

Policy JP-G7: Trees and Woodland

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

Policy JP-C8: Transport Requirements of New Development

### Local Plan

Policy 1: Climate Change and Sustainable Development

Policy 2: Communities

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

## 7. CONSULTATIONS

### *Highways Engineer:*

No objection, subject to a cycle storage condition.

### *Greater Manchester Ecology Unit:*

There has been no unauthorised site degradation since January 2020, so the *de minimis* exemption applies and the application is not subject to mandatory Biodiversity Net Gain (BNG). However, GMEU advises that planning policy supports biodiversity enhancements. Therefore, features such as integrated bat or bird boxes should be included where possible, and a suitably worded planning condition is recommended to secure these measures.

### *Mining Remediation Authority:*

The site lies within a Development High Risk Area, where historic, unrecorded shallow coal mining may pose risks to ground stability and public safety. Initial ground investigation reports lacked a specific assessment of coal mining risks, resulting in an initial objection from the Coal Authority. Although updated coal mining information has now been submitted, the Coal Authority maintains concerns—particularly regarding the assumption that foundation design alone will fully mitigate these risks.

Mine gas risks may also be present and should be considered by the Local Planning Authority (LPA), even if not explicitly identified by the Coal Authority. Additionally, if Sustainable Drainage Systems (SuDS) are proposed, the developer must assess their potential interaction with ground stability and any underlying mine workings.

The Coal Authority has withdrawn its objection, subject to the imposition of conditions relating to:

- Intrusive Site Investigation and Remediation, and
- Post-Remediation Declaration,

to ensure the safety and stability of the development, in accordance with paragraphs 187, 196, and 197 of the National Planning Policy Framework (NPPF).

### *Environmental Health:*

Have raised no objection to the proposed new community and religious building and its use, subject to conditions addressing the following matters:

- Contamination
- Landfill Gas Investigation
- Noise from Building and Plant
- Restricted Hours of Use
- Call to Prayer – Noise Control

## 8. 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, publication of a press notice, and neighbour notification letters.

8.2 In response, 51 support comments and 26 objection comments have been received.

### *Summary of objections:*

#### Traffic & Parking:

- Severe congestion on Neville Street, Daintry Road, and Middleton Road.
- Overflow parking from mosque and Ahmed Cash & Carry affecting residents.
- Lack of independent traffic and parking assessments.
- Concerns that existing infrastructure cannot support increased demand.

#### Residential Amenity:

- Loss of privacy.
- Loss of natural light due to building height.
- Increased noise from events and construction.
- Ongoing disruption from previous incomplete works.

#### Community Impact:

- Perceived overdevelopment in a vulnerable area.
- Lack of consultation with directly affected residents.
- Distrust due to change in scope from prayer hall to community/event space.
- Concerns about anti-social behaviour and fireworks.

#### Planning Concerns:

- Conflict with local plan.
- Inadequate access and public transport.
- Environmental damage (e.g., tree removal).
- Strain on existing community facilities.

### *Summary of supporting comments:*

#### Community Benefits:

- Inclusive space serving Muslims and non-Muslims.
- Dedicated female areas and youth facilities.
- Educational and interfaith programs.
- Addresses lack of community spaces due to government cuts.

#### Parking & Management:

- Large on-site car park (claimed capacity of 60–100 cars).



- Plans for enforcement and collaboration with Ahmed Cash & Carry.
- Mosque stewards manage parking during peak times.

Design & Sustainability:

- Vertical expansion avoids green space loss.
- Environmentally friendly features (e.g., energy-efficient lighting).
- Accessible design for all community members.

Social Cohesion:

- Promotes unity, understanding, and mutual support.
- Seen as a positive investment in the future of the neighbourhood.

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings by promoting the reuse of existing buildings and developments on previously developed land prior to the use of greenfield sites.
- 9.2 In addition, consideration should be given to Policy 2 'Communities' of the Joint DPD, which endorses improvements to the education and skills of the borough's population by supporting proposals for new and improved community facilities that meet an identified need.
- 9.3 The application is considered acceptable in principle, since the proposed use would bring benefits to the local community, and provide a centre for residents on a brownfield site. It is therefore in compliance with the aims and objectives of Policies 1 and 2 of the Local Plan.

## **10. DESIGN AND APPEARANCE**

- 10.1 Policy JP-P1 within the PFE Joint DPD outlines that we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places. Policy 1 within the DPD states that the Council will ensure that development proposals respect Oldham's built environment.
- 10.2 Furthermore, the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.
- 10.3 The proposed building is an appropriate scale and mass in relation to the adjoining Compass House and industrial building. Furthermore, the proposed building has a modern and simple palette of materials that will not detract from the character of the area.
- 10.4 In this context it is considered that the development accords with the design principles set out above.

## **11. AMENITY**

- 11.1 Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development is not located where it would be adversely affected by neighbouring land uses and does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users. This includes impacts related to safety, security, and noise.
- 11.2 In respect of other potential amenity impacts the Council's Environmental Health section have raised no objection to the proposed development. However, they have recommended the imposition of conditions due to the proximity of the development to residential properties. These include:
- Noise Insulation (Building and Plant Equipment) – Both building and externally mounted equipment must be insulated in line with an approved scheme, completed before first use and retained thereafter.
  - Restricted Hours of Use – The premises may only operate between 07:00 and 23:00 for worshippers and deliveries.
  - Noise Control –No audible call to prayer outside the site boundary is permitted unless a noise minimisation plan is submitted and approved.
- 11.3 Therefore, given that the current scheme maintains the same use as the previous application and separation distance from residential properties, it is considered appropriate to impose the same residential amenity planning conditions, having regard to Policy 9.

## **12. HIGHWAY SAFETY**

- 12.1 Policy 5 of the Local Plan requires that developments do not compromise pedestrian or highway safety and Policy 9 of the Local Plan states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users.
- 12.2 Crucially, NPPF paragraph 116 requires that, in considering planning applications, *“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.”* This therefore provides the key test for considering this (and other) proposal in relation to highway safety.
- 12.3 The Highway Engineer initially had concerns about the level of car parking provision and the pattern of use for the proposed development. However, the Applicant has now provided additional information to address this matter. Whilst there will be some additional demand for on-street parking, it is not considered this would significantly or severely impact on the local highway network to the detriment of highway safety.
- 12.4 Therefore, it is not considered by the consultee that the development would not be detrimental to highway safety.
- 12.5 On the basis of the above, the development complies with the NPPF, together with Policies 5 and 9, 13 of the Local Plan.

### **13. ECOLOGY**

- 13.1 Policy 6 and Policy 21 of the Oldham LDF Joint DPD are concerned with protecting, conserving and enhancing our local natural environments.

*Biodiversity Enhancement:*

- 13.2 It is expected development of this scale include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the National Planning Policy Framework. Therefore, to address this matter, an appropriately worded planning condition has been agreed with the applicant prior to determination and is attached to the recommendation.

*Biodiversity Net Gain:*

- 13.3 Greater Manchester Ecology Unit note in their response that there has been no unauthorised site degradation since January 2020, so the *de minimis* exemption applies and the application is not subject to mandatory Biodiversity Net Gain (BNG).
- 13.4 Therefore, it is accepted that the proposal is exempt from BNG requirements under the *de minimis* rule.

### **14. DRAINAGE**

- 14.1 Policy 19 of the Oldham LDF Joint DPD is concerned with ensuring that new developments do not result in an unacceptable flood risk or increased drainage problems by directing developments away from flood risk areas.
- 14.2 In line with good practice, a condition to ensure that details of a drainage strategy are submitted and agreed with the Local Planning Authority prior to the commencement of development has been attached. This will ensure that surface and foul water is appropriately considered as part of the development.

### **15. GROUND CONDITIONS**

- 15.1 Paragraph 187 of the NPPF states where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 15.2 The Council's Environmental Heath team have been consulted and recommended it is appropriate to impose conditions which relation to intrusive site investigations for landfill gas and a watching brief for other contaminations. These are attached to the recommendation.
- 15.3 The application site lies within a designated Development High Risk Area, where historic, unrecorded shallow coal mining may pose risks to ground stability and public safety. Initial ground investigation reports lacked specific assessment of these risks, prompting an objection from the Mining Remediation Authority (previously known as the Coal Authority).

- 15.4 Although updated coal mining information has since been submitted, the Mining Remediation Authority remains concerned that the potential impacts of shallow workings have not been adequately addressed given that a reliance on foundation design alone is not considered a sufficient mitigation strategy.
- 15.5 Additional risks include the potential presence of mine gases, which should be considered by the Local Planning Authority (LPA), and the interaction between Sustainable Drainage Systems (SuDS) and ground stability, which requires specialist assessment.
- 15.6 The Mining Remediation Authority has withdrawn its objection, subject to the imposition of conditions requiring:
- Intrusive site investigations and implementation of any necessary remediation measures; and,
  - A post-remediation declaration confirming the site is safe and stable for development.

These measures are necessary to ensure public safety and compliance with paragraphs 187, 196, and 197 of the National Planning Policy Framework (NPPF).

## **16. CONCLUSION**

- 16.1 Having regard to the scale and nature of the proposed development, the location of the site and the general pattern of development in the area, it is considered that the development would not lead to any significant adverse impact on the character of the area neither would it lead to unacceptable adverse impact on the amenity of the occupiers of neighbouring properties.
- 16.2 The proposal would serve the local community and provide new and improved community facilities. The proposal would therefore be in accordance with relevant provisions of the Local Plan Policies.

## **17. RECOMMENDATION**

- 17.1 It is recommended that planning permission is granted, subject to the imposition of the following conditions.

## **18. 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. Notwithstanding the details shown on the approved plans, no development comprising the erection of any external walls shall take place until a specification of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 1 of the Oldham Local Plan and Policy JP-P1 within the PFE Joint DPD.
4. The use of the development hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter. Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
5. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, having regard to Policy 9 of the Oldham Local Plan.
6. Notwithstanding any development undertaken to date, no further works of construction of the fabric of the building hereby approved shall be undertaken until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's report and recommendations 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 satisfactory completion report, to discharge the condition. Reason - In order to protect public safety, because the site is located within 250m of a former landfill site, having regard to Policy 9 of the Oldham Local Plan.
7. The building and/or externally mounted plant and equipment shall be insulated in accordance with a scheme submitted to and approved by the Local Planning Authority before the development is first brought in house. Any work implementing the scheme shall be completed before use and shall be retained at all times thereafter. Reason - To ensure the protection of nearby premises, having regard to Policy 9 of the Local Plan.
8. The premises shall only be open to worshippers and deliveries between the following times 07:00 to 23:00. Reason - To protect the amenities of occupiers of nearby premise, having regard to Policy 9 of the Local Plan.
9. There shall be no call to prayer from any amplified speaker played at the premises unless a plan on how to minimise its potential noise nuisance has been submitted

to and agreed by the LPA. Reason - to ensure the protection of occupants of nearby premises, having regard to Policy 9 of the Local Plan.

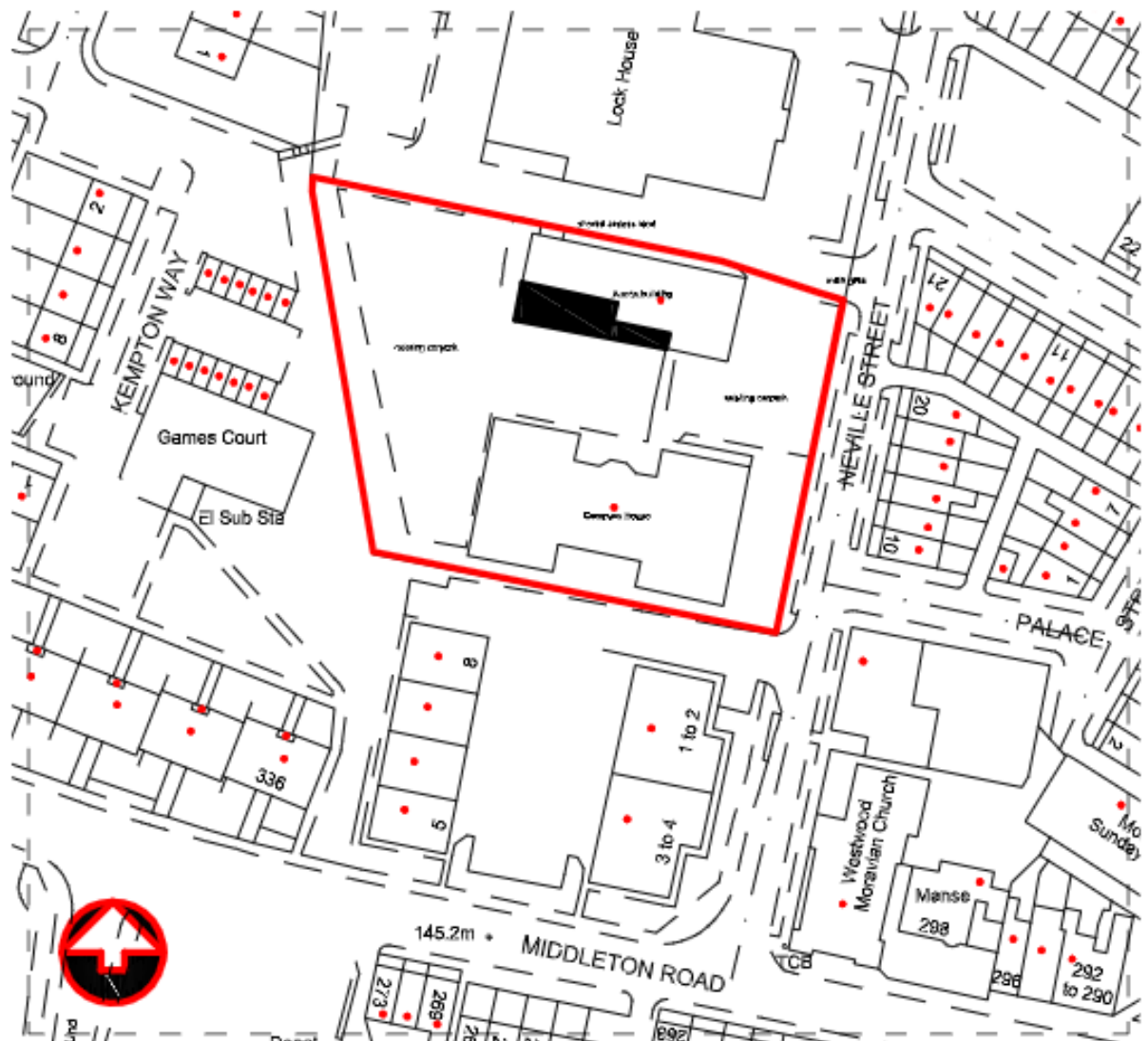
10. Notwithstanding any development undertaken to date, no further works of construction of the fabric of the building hereby approved shall be undertaken until, a scheme for the Biodiversity Enhancement Measures, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter. REASON - To ensure positive enhancement of the site having regard to Policy 21 of the Oldham Local Plan.
11. Notwithstanding any development undertaken to date, no further works of construction of the fabric of the building hereby approved shall be undertaken until:
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented onsite in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance. Reason: The undertaking of remedial measures, prior to the commencement of development, is considered to be necessary. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 and 197 of the National Planning Policy Framework.

12. Notwithstanding any development undertaken to date, no further works of construction of the fabric of the building hereby approved shall be undertaken until:
- (i) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity;
  - (ii) any remediation works and/or mitigation measures to address land instability arising from past 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.
  - (iii) a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance. REASON – In order to ensure any coal mining legacy has been satisfactorily addressed having regard to 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

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## **APPLICATION REPORT – VAR/354643/25 Planning Committee 10<sup>th</sup> September 2025**

Registration Date: 9th June 2025  
Ward: Coldhurst

Application Reference: VAR/354643/25  
Type of Application: Variation of Condition

Proposal: Variation of Condition 2 (approved plans) for installation of new staircase and raised platform, sliding door entrance, and relocation of street furniture to Parliament Square frontage relating to app no. FUL/348415/22.

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

Case Officer: Graham Dickman  
Applicant: Oldham Council  
Agent: George Bissett

### **1. INTRODUCTION**

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

### **2. RECOMMENDATION**

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

### **3. THE SITE**

- 3.1 The application relates to the south-eastern corner of the recently redeveloped Spindles where it fronts onto Parliament Square. This area of the building will comprise the food & beverage market with access to the events space above.

### **4. THE PROPOSAL**

- 4.1 The proposal seeks amendments to the approved design of the access to the Parliament Street frontage.
- 4.2 This amendment comprises the installation of a 6.2m wide staircase with handrails and balustrades and an extended raised platform connecting with the existing platform entrance to the market area at the northern end of the frontage.
- 4.3 A new doorway with direct access to the building will be provided from the platform via an automatic sliding entrance door.

- 4.4 In addition, the amendment will include changes to the design and siting of the adjacent planters, benches, cycle stands and lampposts.

#### Environmental Impact Assessment

- 4.5 The original redevelopment proposal has been subject to a Screening Request and Opinion in respect of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), as to whether an Environmental Statement is required.
- 4.6 The development is of a type listed within the descriptions of development contained within Schedule 2 of the Regulations, falling under category 10(b) urban development projects (including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas).
- 4.7 The site is not within a 'Sensitive Area' as defined in the Regulations. However, the overall site area exceeds the threshold for assessment.
- 4.8 The proposal represents a "subsequent application" under the Regulations. Following careful assessment; it has been determined that the changes would not be significant in terms of environmental impact and an Environmental Statement remains not required.

## **5. RELEVANT PLANNING HISTORY**

CND/354563/25 - Discharge of Condition 6 (Site Investigation) relating to FUL/348415/22. Discharged 2 June 2025

NMA/352622/24 – Non-material amendment to Condition 2 (Approved Details Schedule) – goods lift amendment relating to app no FUL/348415/22. Approved 27 September 2024

NMA/352858/24 – Non-material amendment to Condition 8 (energy report) relating to app no FUL/348415/22. Approved 17 June 2024

NMA/352622/24 – Non-material amendment to the Approved Details Schedule (Condition 2) relating to app no FUL/348415/22. Approved 22 April 2024

CND/351805/23 - Discharge of condition no's 3 (Materials), 4 (Coal Mining), 5 (Archaeology), 6 (Site Investigation) and 7 (Drainage) relating to app no. FUL/348415/22. Partly discharged 17 June 2025

NMA/351559/23 – Non-material amendment to the Approved Details Schedule (Condition 2) relating to app no FUL/348415/22. Approved 6 October 2023

FUL/348415/22 - Comprehensive redevelopment of the Spindles Town Square Shopping Centre comprising the rationalisation of the existing Upper Mall floorspace to create new flexible high quality office use including co-working space (Use Class E), Change of use of part of the existing Upper Mall and car park to create a new archive space (Sui generis) and construction of a new market hall (Use Class E) and event space (Sui generis) including rooftop terrace, together with external alterations, cycle storage and changing facilities, roof mounted solar photovoltaic panels, public realm improvements, and other associated works. Approved 8 June 2022

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

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The Places for Everyone (PfE) Joint 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 retained policies in 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 On the Proposals Map associated with the Development Plan, the site is located within the Central Shopping Core and Primary Shopping Frontage (part).
- 6.4 As such, the following policies are 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  
Policy JP-C5: Streets for All

### Local Plan

Policy 9 - Local Environment

## **7. CONSULTATIONS**

Highways Engineer: No objection.

## **8. REPRESENTATIONS**

- 8.1 The application has been publicised by means of press notice and site notice.
- 8.2 In response, no representations have been received.

## **9. PLANNING CONSIDERATIONS**

### **Principle of development**

- 9.1 The principle of the site's re-development was established by the planning permission granted in 2022.
- 9.2 The present application involves a refinement to the access arrangements leading to the food & beverage market and to the events space above.

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

- 9.3 The site is located adjacent to the Oldham Town Centre Conservation Area and the setting of the Grade II listed Old Town Hall.
- 9.4 The application is accompanied by an Addendum Heritage Statement, which provides an assessment of the significance of the proposed amendments and their relationship to off-site designated heritage assets.
- 9.5 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.
- 9.6 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.
- 9.7 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”.
- 9.8 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.
- 9.9 The Heritage Statement submitted with the original application concluded that the development would cause ‘less than substantial’ harm to off-site heritage assets, including the Town Centre Conservation Area.
- 9.10 The proposed amendments would not involve a significant change in the relationship of the development to heritage assets and therefore the original conclusion continues to apply.
- 9.11 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”.
- 9.12 In this case, the impact must be weighed in the context of the significant regeneration benefits to the town centre from the regeneration of the Spindles, and therefore, approval would accord with the statutory duties and national and local planning policies.

## **10. CONCLUSION**

- 10.1 The proposal relates to a change in a small part of the overall redevelopment of an important and prominent site within the Town Centre which will ensure benefits in reinvigoration of the existing retail core, indoor market, and nighttime economy.
- 10.2 The re-design enhances access to the building and therefore represents a positive amendment to the previously approved development.

## **11. RECOMMENDATION**

- 11.1 It is recommended that planning permission is granted subject to conditions listed below.
- 11.2 Since the application is in the form of a Variation of Condition application, all conditions associated with the original approval continue to apply and have been updated to represent both the present change and previous Discharge of Condition applications.

## **12. RECOMMENDED CONDITIONS**

1. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice.

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

2. Unless superseded by the details indicated on plan Ref: 14433-AEW-XX-XX-DR-A-1001 Rev P05, the development shall be implemented in accordance with the Proposed External Materials Schedule as approved under application CND/351805/23.

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 9 of the Oldham Local Plan.

3. The development shall be implemented in accordance with the details shown on plan SPO-JPS-02-XX-DR-C-000502 Rev P04 as approved under application CND/351805/23

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

4. The development hereby approved shall be implemented in accordance with the measures set out in the Energy Strategy Ref: SPO-IES-02-XX-RP-M-000002-Issue W03, dated April 2024 and the detailed scheme for the installation of photovoltaics as set out in the Roof PV Array Technical Submitted Ref: SPO-IES-02-XX-TS-0025 dated 24 April 2024. The measures shall be fully implemented in accordance with the approved details and shall be retained thereafter.

REASON – To ensure that the development accords with the provisions of Policy JP-S2 of the Places for Everyone Joint Development Plan.

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

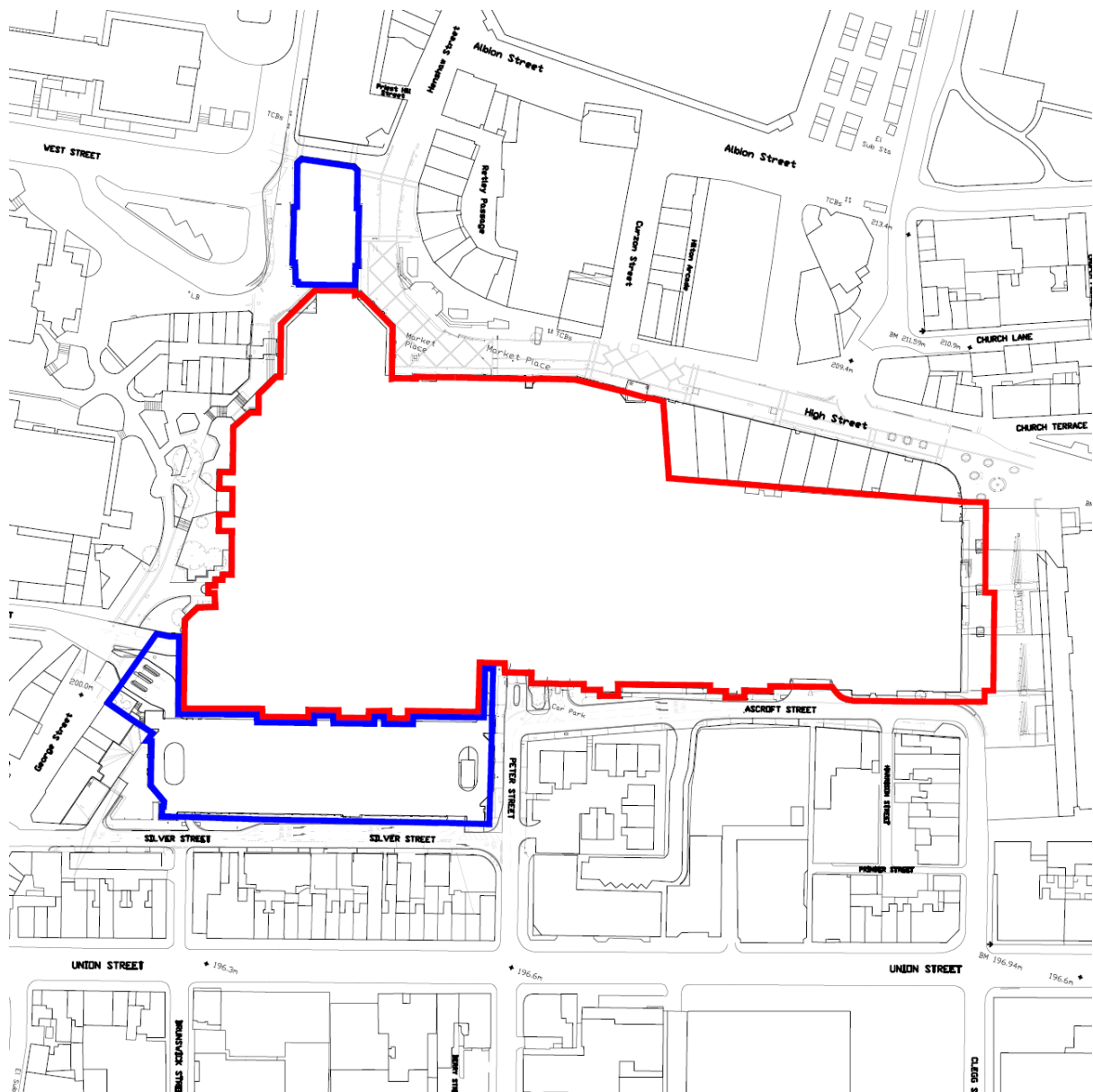
REASON - To secure a safe form of development having regard to Policy 9 of the Oldham Local Plan.

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

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



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



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## **PLANNING COMMITTEE – BACKGROUND PAPERS**

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

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

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

#### **THE BACKGROUND PAPERS**

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

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

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

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

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

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

#### **ADDITIONAL BACKGROUND PAPERS**

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

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

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## Planning Appeals Update

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### Planning Committee

#### Report of Assistant Director Planning, Transportation & Housing Delivery

#### DATE OF COMMITTEE

**10 September 2025**

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 13 August 2025. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between Monday 28 July 2025 Friday 22 August which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description
FUL/350640/23	Land to the Southern Side of Cragg Road, Chadderton	Ongoing	26/02/2025	Demolition of existing outbuildings and erection of 4 no. detached dwellings with associated landscaping
FUL/351985/23	Land Off Carr Lane, Diggle	Ongoing	15/04/2025	Erection of 1 no. dwelling and associated landscaping.
VAR/353273/24	Land Off Haven Lane, Moorside Oldham	Ongoing	24/04/2025	Application for removal of condition no. 17 (requirement for traffic calming measures prior to occupation of the approved dwellings) relating to app no. PA/338917/16
FUL/346290/21	Land to the rear of 16 Propps Hall Drive, Failsworth	Ongoing	01/07/2025	Erection of 2 dwellings
HOU/352974/24	30 Springwood, Delph	Dismissed, 12/08/2025	21/05/2025	Part single storey/part two storey side extension with balcony.

ADV/353465/24	Roton House Ellen Street Oldham	Allowed, 28/07/2025	02/06/2025	Erection of 1 x 48-sheet LED illuminated advertisement (3.2m x 6.2m).
FUL/353816/25	92 Burnley Lane Chadderton Oldham	Dismissed, 28/07/2025	18/05/2025	Erection of new self-contained single-storey residential studio accommodation in the rear garden.
HOU/353815/24	19 Overdale Close Oldham	Dismissed, 04/08/2025	12/05/2025	Excavation of grass embankment, erection of retaining walls and standalone garage at the front.
HOU/354041/25	579 Broadway Chadderton Oldham	Ongoing	02/07/2025	Lowering of kerb and associated alterations to front of property (including hardstanding) to create driveway, and erection of a 1.2m high fence
HOU/354120/25	26 Grains Road Delph	Ongoing	30/06/2025	Erection of a rear dormer
HOU/354140/25	103 Stamford Road, Lees	Dismissed, 12/08/2025	05/06/2025	Driveway and light vehicle duty crossing.
FUL/354201/25	63H Heron Street Oldham	Ongoing	07/07/2025	Change of use from garage/storage (Use Class B8) to self-contained flat (Use Class C3) with a single storey front extension.
FUL/353405/24	Land On The South East Side Of Medlock Road, Failsworth	Ongoing	24/07/2025	Installation and operation of a 30 MW Battery Energy Storage System (BESS), including access and associated infrastructure.
ADV/354130/25	273 Middleton Road, Oldham	Dismissed, 21/08/2025	30/07/2025	Replacement of a static advertising billboard with an LED

				digital advertising billboard
HOU/354175/25	1 Alexander Avenue, Failsworth	NEW	15/08/2025	First floor front extension and new roof to side garage

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

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

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

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