

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 11 March 2026

Time 6.00 pm

Venue JR Clynes Building, Cultural Quarter, Greaves Street, Oldham, OL1 1AL

- 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
 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, 6 March 2026.
 4. Filming - This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed.

Disruptive and anti social behaviour will always be filmed. Any member of the public who attends a meeting and objects to being filmed for the Council's broadcast should advise the Constitutional Services Officer who will instruct that they are not included in the filming. Members of the public and the press may also record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

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

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

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

Membership of the PLANNING COMMITTEE

Councillors Akhtar, Z Ali, Cosgrove, Davis, Harkness, Hince (Chair), Hobin, Hurley, A Hussain, S. Hussain, Iqbal, Islam, Lancaster, 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
The Minutes of the meeting of the Planning Committee held on 11 February 2026 are to follow.
- 6 FUL/355367/25 - 3 Kevin Avenue, Royton, Oldham, OL2 6AH (Pages 3 - 14)
Change of use to a 6 bed house in multiple occupation (HMO) and a first floor extension over garage.
- 7 FUL/354867/25 - Land rear of Alexandra Centre Retail Park, Park Road, Oldham (Pages 15 - 22)
Erection of a first floor extension.
- 8 FUL/354817/25 - Land Adjacent to Oldham Hulme Grammar School to the rear of No.10 York Avenue, Oldham (Pages 23 - 32)
Demolition of 2 garages and erection of 1 no. dwelling.
- 9 FUL/355356/25 - 7 Silver Street, Oldham, OL1 1HU (Pages 33 - 42)
Erection of a shipping container to serve hot/cold food to takeaway.
- 10 Appeals Update Report (Pages 43 - 44)

APPLICATION REPORT – FUL/355367/25 Planning Committee – 11th March 2026

Registration Date: 25 November 2025
Ward: Royton South

Application Reference: FUL/355367/25
Type of Application: Full Application

Proposal: Change of use to a 6 bed house in multiple occupation (HMO) and a first floor extension over garage.

Location: 3 Kevin Avenue, Royton, Oldham, OL2 6AH

Case Officer: Simon Lake
Applicant: Footlong (UK) Ltd
Agent: Miss Rachel Webber (DNA Design Group)

1. INTRODUCTION

- 1.1 The application was referred to Planning Committee for consideration at its meeting on 11 February 2026 for determination in accordance with the Scheme of Delegation because the Applicants are known to be directly related to Councillor Abdul Jabbar.
- 1.2 At a previous planning committee meeting on 11th February 2026 members resolved to defer the decision pending further information and clarification about the allocation of on-street parking permits for properties on Kevin Avenue issued through a Traffic Regulation Order (TRO). This was a result of concerns being raised at the meeting about the impacts of additional demand for parking associated with the proposed use of the property as a House in Multiple Occupation. Such detail is now provided in Section 11 of the report below.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The site relates to an existing dwellinghouse (Class C3) located at No. 3 Kevin Avenue, sited in proximity to the corner of Kevin Avenue and Mildred Avenue.
- 3.2 The two storey, semi-detached property is finished in brickwork, under a tiled hipped roof. No. 3 benefits from a single storey garage occupying much of the side elevation, with a section of hardstanding providing off-street parking to the front of the property and a sizable private garden to the rear. The immediate vicinity is residential, albeit the site is located close to Rochdale Road, with the surrounding properties featuring a similar age and character.

4. THE PROPOSAL

- 4.1 This application seeks planning permission to change the use of the property from the existing dwellinghouse (Class C3) to a 6-bedroom, 6 person House in Multiple Occupation (Class C4).
- 4.2 Permission is also sought for a first-floor side extension to facilitate additional internal space, located above the garage. The first-floor scheme will be set back from the front elevation, featuring a hipped roof, with matching materials used throughout.
- 4.3 The schedule of accommodation is as follows (excluding ensuite facilities):
- Bed 1 (single person): 11.5m²
 - Bed 2 (single person): 10.5m²
 - Bed 3 (single person): 12.6m²
 - Bed 4 (single person): 10.5m²
 - Bed 5 (single person): 11.0m²
 - Bed 6 (single person): 10.8m²
- 4.4 A single kitchen/dining area is proposed to be shared between 6 residents, measuring 20.4m².
- 4.5 A cycle shelter will be installed within the rear garden, providing space for 6 bicycles for the residents.

5. PLANNING HISTORY

- 5.1 There is no relevant planning history.

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 (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 6.3 As such, the following policies are considered relevant to the determination of this application:
- Places for Everyone Policy JP-P1 (Sustainable Places);
 - Places for Everyone Policy JP-G8 (A Net Enhancement of Biodiversity and Geodiversity)
 - Local Plan Development Management Policy 3 (An Address of Choice)
 - Local Plan Development Management Policy 5 (Promoting Accessibility and Sustainable Transport Choices)
 - Local Plan Development Management Policy 9 (Local Environment).
 - Local Plan Development Management Policy 11 (Housing)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	No objections
Highways	No objections

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by means of neighbour notification letters.

8.2 In response, a total of 41 representations have been received to the application raising the following (summarised) planning-related concerns:

- Increased pressure on local resources (refer to section 9 of report)
- Concerns over the nature of the use being inappropriate and not in keeping within a residential area (refer to sections 9 and 10 of report)
- Impact on residential amenity through increased noise and frequency of use (refer to section 10 of report)
- Impact on parking due to additional vehicles (refer to section 11 of report)
- Impact on highway safety and access due to highway arrangement (refer to section 11 of report)
- Not suitable for future occupiers (refer to section 10 of report)
- Loss of light (refer to section 10 of report)
- Contrary to Article 4 Direction
- Concentration of private rented properties in the area
- Concerns about anti-social behaviour

8.3 A petition in objection to the proposal containing 59 signatures has also been received.

8.4 Other issues raised by objectors have included matters which are not material planning considerations, including the impact of the proposal on the value of existing properties in the area, suitability of the future occupiers, displacement of the current occupiers and fears that the property will not be maintained. As these are not material planning considerations, they will not be addressed in this report.

8.5 Following the publication of the Planning Committee report for the meeting that took place on 11 February, a Late List report clarified that two additional representations had been received raising the following (summarised) matters:

- Impact on parking and highway safety due to additional vehicles
- Amenity concerns related to noise due to increased intensity of use
- Concerns around anti-social behaviour
- Concerns over the nature of the use being inappropriate and not in keeping with the established residential character
- Contrary to Article 4 Direction
- Impact on visual amenity due to bins

- 8.6 The Late List report explained that appropriate provision to the rear of the property is shown on the proposed site plan for storage of bins, and that the remainder of the concerns raised had already been covered within the published committee report.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application site is unallocated within the Local Plan.
- 9.2 Policy 3 of the Oldham Local Plan (2011) requires that minor residential developments be located within a ten-minute walk of at least two 'key services'. Policy 5 of the Oldham Local Plan (2011) requires that all minor residential development should achieve 'Low Accessibility' as a minimum which is defined as being within approximately 400 metres of a bus route.
- 9.3 The application site is located within 400m of Royal Oldham Hospital and is adjacent to Rochdale Road close to a number of small convince shops, food outlets and other commercial premises accessible within a ten-minute walk. Furthermore, the site is within 100m of a bus stop on Rochdale Road which offers frequent service towards Oldham Town Centre and beyond. As such it is considered that the site is sustainably located in respect of nearby services and public transport options.
- 9.4 It is therefore considered that the principle of the proposal is acceptable against the requirements of these policies.

10. RESIDENTIAL AMENITY

- 10.1 Having regard to the requirements of Policy 9 of the Oldham Local Plan the impact of the development on surrounding residents needs to be considered alongside ensuring that the proposals provide suitable accommodation and amenity for future occupiers.
- 10.2 Policy 11 of the Oldham Local Plan (2011) states that houses in multiple occupancy shall not be permitted unless it can be demonstrated that the proposal does not adversely affect:
- the local character of the area;
 - the level of residential and workplace amenity of future and neighbouring occupants; and,
 - traffic levels and the safety of road users.
- 10.3 The property is located within a predominantly residential area of Royton and the proposed HMO would house six unrelated individuals living together as a single household. Many of the nearby dwellings have been significantly extended and could conceivably be occupied by an equal number of residents. As such, the intensity of the use of the property, including the number of comings and goings, would not be anticipated to be significantly over and above what might be expected from a large dwellinghouse in Class C3 use.
- 10.4 The Council's register of Property and HMO licenses does not show any existing properties on Kevin Avenue (or the adjoining Mildred Avenue and Angela Avenue) as

being occupied as HMOs. The proposal is not therefore considered to result in a proliferation of such uses in the area which might otherwise erode its character.

- 10.5 In assessing any impacts of the proposals, the closest properties that might be directly affected by the proposed use and/or proposed extensions are those which adjoin the application site – i.e. numbers 1 and 5 Kevin Avenue.
- 10.6 Local Plan Policy 9 explains that development should avoid causing significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety and security, noise, pollution, the visual appearance of an area, access to daylight or other nuisances.
- 10.7 No.1 Kevin Avenue occupies the same semi-detached pair as No. 3, with the proposed extension positioned on the opposite side of the property. As such, there will be no notable impacts in terms of overshadowing, outlook and privacy.
- 10.8 In respect of no. 5 Kevin Avenue, the proposed side extension will project towards the shared boundary with this property, which occupies the adjacent semi-detached pair. Whilst the property has two windows on its facing side elevation, one is obscure glazed, whilst the other serves a non-habitable room. As such, it is considered that the proposed extensions and alterations will not cause any significant loss of light or outlook, at least to the extent that they would justify refusal of the application. Furthermore, the proposal does not include any side facing windows, maintaining privacy.
- 10.9 When assessing residential amenity it is also important to consider whether the proposed accommodation would be suitable for the future occupiers. The Council's House in Multiple Occupation Standards document (2011) requires all rooms to be a minimum of 10m² if no shared living room is provided, as is the case in this application. The proposed plans demonstrate that all bedrooms meet this required standard for single occupiers along with compliance with the required living/kitchen area room size of 19.5m². It is also noted that the property benefits from substantial outdoor amenity space. It is also noted that no objections have been raised to the proposals by the Council's Environmental Health department (who are responsible for issuing HMO licences).
- 10.10 In considering the potential for additional noise impacts from the proposed use there is no justifiable basis or substantive evidence upon which to assume that six unrelated individuals would cause materially more noise compared to that caused by, for example, a dwelling occupied by a family.

11. PARKING AND HIGHWAY SAFETY CONSIDERATIONS

- 11.1 Policy 9 of the Oldham Local Plan (2011) requires that development (which includes a change of use) does not harm the safety of road users.
- 11.2 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 proposals in relation to highway safety.

- 11.3 The site benefits from existing off-street parking, has good public transport links and HMOs are generally considered to attract occupants who do not own vehicles. Further, the Council does not have parking standards for residential development. Considering the factors above, the proposal is not considered to have any severe impact on the highway network and the Council's Highways Engineer has raised no objections. Bicycle storage will be implemented as shown on the proposed plans.
- 11.4 There are no parking standards for residential development although it is considered that the likelihood of an occupier of an HMO having a private vehicle is generally anticipated to be lower than a regular dwellinghouse. Irrespective of this, the property benefits from existing off-street parking, and it must be recognised that alternative transport options are available in the form of good public transport links as well as bicycle storage being proposed as part of this application.
- 11.5 Furthermore, no objections have been received from the Council's Highway Engineer.
- 11.6 At the Planning Committee meeting on 11 February 2026, it was resolved to defer the decision until such a time that clarification was provided by officers relating to allocation of on-street parking permits issued through a Traffic Regulation Order (TRO). The Council's Highways Engineer has provided confirmation of these details as set out below:
- Kevin Avenue is part of a wider residents parking permit zone which was introduced on 16th November 2015;
 - The scheme operates between the hours of 08.00 and 16.00 Monday to Saturday;
 - Properties with off street parking are allocated two visitor parking permits.
 - The permits do not allow parking outside the associated property but within the wider zone; and,
 - When allocating parking permits it is the building that is taken into account, not the number of residents residing within it.
- 11.7 Therefore, since a House in Multiple Occupation is one building or household, and no. 3 Kevin Avenue has existing off-street parking in the form of a driveway, only two visitor permits would be issued in this case.

12. DESIGN AND APPEARANCE

- 12.1 PfE Policy JP-P1 (Sustainable Places) requires that all development should respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used and enable a clear understanding of how the place has developed.
- 12.2 The first-floor side extension will be finished in materials to match the existing dwelling, namely a brickwork exterior and tiled roof. Similarly, the extension will feature a hipped roof, allowing for an in keeping appearance. Furthermore, the side extension will be set back from the front elevation, with the roof set below the ridge of the existing, creating a subservient addition which also lessens the potential terracing impact with the adjacent semi-detached dwelling.

12.3 Similar two storey side extensions are present on Kevin Avenue, along with other significant additions to properties in the vicinity. As a result, it is considered that the design and appearance of the proposed exterior alterations and extensions to the property are in accordance with the requirements of PfE Policy JP-P1.

13. BIODIVERSITY NET GAIN

13.1 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- a. a Biodiversity Gain Plan has been submitted to the planning authority, and
- b. the planning authority has approved the plan.

13.2 However, there are exemptions to the legislation which apply in some certain cases. The proposed extension will occupy a small footprint and be sited above the existing garage.

13.3 Based on this, the development is exempt from Biodiversity Net Gain requirements because it is below the *de minimis* threshold, being development which does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

13.4 However, having regard to PfE Policy JP-G8 it is considered reasonable to require that a bat/bird box is installed on the building prior to first occupation as an HMO, and this will be secured through the imposition of a condition attached to the recommendation.

14. CONCLUSION AND RECOMMENDATION

14.1 The proposed change of use, facilitated by the proposed extension to the property, is considered to comply with the relevant development plan policies, Places for Everyone Plan and the NPPF. As sought by Members, this report has offered clarity regarding the allocation of parking permits, and these additional details have not resulted in any changes to the recommendations made. As such, the application remains to be recommended for approval, subject to the following conditions.

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those of the existing building. REASON - To ensure that the

appearance of the development is acceptable having regard to Policy JP-P1 Sustainable Places of the Places for Everyone Plan (2024).

4. Prior to first occupation of the dwelling hereby approved, a bat/bird box shall be installed on the building. REASON - To ensure a gain to biodiversity and geodiversity on site having regard to Policy JP-G8 (A Net Gain to Biodiversity and Geodiversity) of the Places for Everyone Plan (2024).

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

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

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

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APPLICATION REPORT – FUL/354867/25 Planning Committee 11th March 2026

Registration Date: 25th July 2025
Ward: St. Mary's

Application Reference: FUL/354867/25
Type of Application: Full Application

Proposal: Erection of a first floor extension

Location: Land rear of Alexandra Centre Retail Park, Park Road, Oldham

Case Officer: Abiola Labisi
Applicant: Mr. T. Mushtaq
Agent: Mr Lee Hollinworth

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Council's Constitution and Scheme of Delegation because as the applicant is directly related to Councillor Shaid Mustaq (who represents the Alexandra Ward).

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved, subject to conditions referenced at the end of this report, and that the Assistant Director for Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The site forms part of the Alexandra Retail Park, Oldham, located on the north east side of Park Road, Oldham. The site is approximately 0.8km from Oldham Town Centre. On the opposite side of Park Road are properties in residential use while within the retail park are units in retail and other non-domestic uses.
- 3.2 Access into the retail park and the application site is off Park Road. On site is a building that houses a soccer centre.

4. THE PROPOSAL

- 4.1 The application seeks planning permission for the erection of a first floor extension over the reception area of the building. The applicant has advised that the extension (labelled as event centre on the plans) would serve as a breakout area for children learning football in the centre as well as being used as temporary office space by staff of the centre. Planning permission was granted for the erection of the soccer centre under planning reference PA/342888/19.

- 4.2 When the application was originally submitted the building had not been substantially completed. However, the area of the building now proposed to be extended had been substantially completed and therefore, it is considered that the proposal can now be dealt with as a full application for an extension (rather than a minor material amendment to the approved scheme).
- 4.3 The proposed first floor extension would cover an area of approximately 15m x 15m. In terms of external finished materials, it would be built using a combination of brick and Tata Trisomet anthracite cladding for the walls, and Tata Trisomet grey goose wing cladding for the roof, to match the existing building.

5. PLANNING HISTORY

- 5.1 Under planning ref. PA/342888/19, planning permission was granted for a proposed soccer centre (Use Class D2) with associated car park and access arrangements, subject to conditions on 6 June 2019.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. In addition, the Places for Everyone (PfE) Joint Plan which was adopted in March 2024 forms a material consideration in the assessment of planning proposals. The application site is unallocated and therefore the following policies are considered relevant to the determination of this application:

Joint Development Plan Document (Local Plan):

Policy 5 - Promoting Accessibility and Sustainable Transport; and,
Policy 9 - Local Environment.

Places for Everyone:

Policy JP-C1 – An Integrated Network; and,
Policy JP-P1 – Sustainable Places.

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received raising no objection to the proposal.
Highways	Formal comments received raising no objection to the proposal.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters and display of a site notice, and publication of a press notice as affecting a public right of way.
- 8.2 No objections have been received in relation to the application.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application site has planning permission for use as a soccer centre (granted under planning ref. PA/342888/19). The proposed extension to the building is to facilitate and enhance the approved use as a soccer centre.
- 9.2 With regard to the promotion of healthy communities, paragraph 96 of the NPPF provides that planning policies and decisions should aim to achieve healthy, inclusive and safe places which amongst others enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified, local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, **sports facilities**, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 9.3 The proposed extension would enhance the use of the approved sports facility thereby contributing positively towards the achievement of a healthy community. As such, the proposal would be in accordance with relevant provisions of paragraph 96 of the NPPF and is thus considered acceptable in principle.

10. RESIDENTIAL AMENITY

- 10.1 Having regard to the requirements of Policy 9 of the Oldham Local Plan the impact of the development on surrounding residents needs to be considered. In this regard, it is noted that the proposed extension would be well separated from neighbouring residential properties and this coupled with the scale and nature of the use, would minimise and potential impact on the amenity of the occupiers of neighbouring properties.
- 10.2 Having regard to the foregoing therefore, it is considered that the proposal would not result in any unacceptable amenity issues.

11. DESIGN AND INTEGRATION WITH LOCAL CHARACTER

- 11.1 The application site forms part of a retail park wherein there are buildings similar in scale and design to the approved soccer centre building. The proposed extension would be subservient to the approved building and would be in keeping with the general pattern of development within the park.

11.2 Furthermore, the site is well screened from views from the public highway and as a result, the potential impact of the extension on the area's visual amenity would be minimal.

11.3 It is therefore considered that the proposal would be in accordance with relevant provisions of Policy JP-P1 (Sustainable Places) of the Places for Everyone Joint Plan which require that development integrates well with and respect local character.

12. HIGHWAY ISSUES AND PUBLIC RIGHT OF WAY

12.1 Paragraph 115 of the National Planning Policy Framework (NPPF) provides that planning decisions should ensure that safe and suitable access to a site can be achieved for all users while paragraph 116 provides 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

12.2 The proposed extension would benefit from an existing access and would not lead to the generation of any significant additional vehicular traffic. In addition, there is adequate parking and turning facilities within the park. As such, it is considered that the proposal would not lead to any unacceptable impact on highway safety and capacity.

12.3 A public right of way (No. 151 OLDH) runs through the retail park. However, by virtue of its location in relation to the public right of way, the proposal would not have any adverse impact on this.

13. CONCLUSION

13.1 The site is located within an area with established non-domestic uses, and the proposed development would be in accordance with the approved use of the site. The development would not lead to any significant adverse impact on the amenity of occupiers of neighbouring properties neither would it detract from the character of the area to an unacceptable degree. The proposal would therefore be in accordance with relevant provisions of Policy 9 of the Oldham Local Plan and Policy JP-P1 of the Places for Everyone Joint Plan.

14. RECOMMENDATION

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

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those stated on the plans and application form. REASON - To ensure that the appearance of the development is acceptable having regard to Policy JP-P1 (Sustainable Places) of the Places for Everyone Plan (2024).

PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

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APPLICATION REPORT – FUL/354817/25 Planning Committee 11th March 2026

Registration Date: 19th August 2025
Ward: Werneth

Application Reference: FUL/354817/25
Type of Application: Full

Proposal: Demolition of 2 garages and erection of 1 no. dwelling.

Location: Land adjacent to Oldham Hulme Grammar School to the rear of No.10 York Avenue, Oldham

Case Officer: Sophie Leech
Applicant: Sameer Zulqurnain (KSGZ Holdings LTD)
Agent: AM Architectural & Surveying LTD

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Council's Constitution and Scheme of Delegation because Councillor Karman Ghafoor (who represents the Hollinwood Ward) is understood to be a Director of KSGZ Holdings Ltd (the Applicant).

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report, and that the Assistant Director Planning, Transport & Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 Measuring approximately 0.22 hectares, the application site is located on the southern side of Clarence Avenue and to the rear of 10 York Avenue, Oldham. The site comprises of two single storey garages. Clarence Avenue is an unadopted highway.
- 3.2 The site is unallocated by the Local Plan Proposals Map.

4. THE PROPOSAL

- 4.1 The application seeks approval for the demolition of the garages and the erection of a three storey detached dwelling which would provide 4 bedrooms and 2no off road parking spaces along with a private rear garden.
- 4.2 The external materials proposed comprise of red brick with a tile roof and there will be extensive glazing to the front elevation along with a rear dormer featuring on the rear roof slope. The front elevation will also provide a small balcony at first floor.

5. PLANNING HISTORY

5.1 No recorded planning history

6. RELEVANT PLANNING POLICIES

6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. In addition, the Places for Everyone (PfE) Joint Plan which was adopted in March 2024 forms a material consideration in the assessment of planning proposals.

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

- Policy 1 - Climate Change and Sustainable Development;
- Policy 2 - Communities;
- Policy 3 – An Address of Choice;
- Policy 5 – Promoting Accessibility and Sustainable Transport Options;
- Policy 9 - Local Environment;
- Policy JP-S4 - Flood Risk and the Water Environment;
- Policy JP-P1 - Sustainable Places;
- Policy JP-G7 - Trees and Woodland; and,
- Policy JP-G8 - A Net Gain to Biodiversity and Geodiversity;

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Greater Manchester Ecology Unit	Formal response received. No objection, but biodiversity net gain condition applies and 10% gain required at discharge stage.
Environmental Health	Formal response received. Raise no objection subject to conditions relating to a watching brief and control of construction noise.
Highways	Formal response received raising no objection.
Tree Officer	Formal response received raising no objection subject to the submitted tree documents being fully adhered to throughout the construction period.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters.

8.2 In response, no comments have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The application site is unallocated and consists of two single storey garages and therefore represents previously developed land. The proposal is for a single detached dwelling with most surrounding uses being residential.
- 9.2 The site is sustainably located in close proximity to key services and public transport options and is considered to be acceptable in principle having regard to the requirements of Local Plan policies 3 and 5, and PfE Policy JP-P1.

10. DESIGN AND RESIDENTIAL AMENITY

- 10.1 The dwelling will be proposed roughly on the same footprint as the existing garaging development, however, will allow for 2no off road parking spaces to the front of the site.
- 10.2 The appearance and design of the area varies with mainly larger semi-detached and detached dwellings ranging from the Victorian period onwards. The proposed design will reflect a contemporary addition to the street scene and will be read against other residential properties and an existing office block.
- 10.3 The dwelling will adopt a similar appearance to the existing residential dwellings surrounding the site with matching external materials. In addition to this, the overall height of the dwelling will sit below that of the large office block to the southeast of the site. As a result of these matters, the proposed development will have a low-level impact on the character of the site or the wider street scene. Accordingly, the proposal complies with Policy JP-P1.
- 10.4 There are existing two storey dwellings to the rear of the site. The remaining separation distance between new habitable room windows at first and second floor of the new dwelling and the rear of two storey dwellings on York Avenue would be approximately 19.5m which is considered acceptable. This distance would result in no significant adverse impact on residential amenity in terms of loss of light, outlook, or privacy.
- 10.5 There are no dwellings directly facing the front or western side elevation, however there are residential gardens to consider to the front. The separation distance to these gardens would be some 18m with the highway intervening the gap. This distance would result in no significant adverse impact on residential amenity in terms of loss of light, outlook, or privacy.
- 10.6 As such, the proposal is considered acceptable in terms of its relationship with existing development surrounding the site and would not have any significant impact on existing levels of amenity enjoyed by the occupiers of neighbouring properties.

11. PARKING AND HIGHWAY SAFETY

- 11.1 The proposed development will provide two off road parking spaces to the front of the site with associated hardstanding to create the driveway.

- 11.2 The Council's Highways Engineer has raised no objections to the scheme. Accordingly, the proposal is not considered to result in any severe impact on the highway network or be detrimental to highway safety.
- 11.3 As such, insofar as parking and highway considerations are concerned, the proposal is acceptable having regard to the requirements of Local Plan Policy 9 and paragraph 116 of the National Planning Policy Framework.

12. TREES AND LANDSCAPING

- 12.1 The site is bound by a large off site mature tree (T1 – Horse Chestnut) with its trunk near the boundary and some branches overhanging into the site.
- 12.2 The tree will require a crown lift of 5m to accommodate the proposal, and this has been considered in the submitted Arboricultural Method Statement. The Applicant has also submitted a Tree Protection Plan to protect this off-site tree during construction works.
- 12.3 The Council's Tree Officer has been consulted and raised no objections to the application subject to the report and plan submitted being adhered to fully during the construction period. The imposition of a condition attached to the recommendation would require this and therefore, subject to this condition, it is considered that the proposal complies with the requirements of PfE Policy JP-G7.

13. DRAINAGE & ENVIRONMENTAL HEALTH

- 13.1 The application has not been supported by any drainage details and therefore a condition is required to require a full drainage strategy to be submitted and approved in writing by the Local Planning Authority.
- 13.2 Similarly, no details of ground contamination have been submitted. Therefore, a condition is included within the recommendation which would require further details of ground contamination should any be found during construction works. In addition to this, Environmental Health have requested a construction noise condition to require details of the control of construction noise and dust to be submitted and approved in writing by the Local Planning Authority.
- 13.3 Subject to the imposition of conditions referred to above, the proposal is considered to comply with the requirements of Local Plan policies Policy 9, Policy 19 and PfE Policy JP-S4.

14. BIODIVERSITY NET GAIN

- 14.1 Paragraph 187 of the NPPF requires that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan), amongst others.
- 14.2 In addition, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the

plan. However, there are exemptions to the legislation which apply in some certain cases.

- 14.3 This development is subject to the above and the submitted BNG report and Metric find that a loss of 0.01 units will be incurred onsite, thus at least 0.01 units will be compensated for off-site to achieve 10% net gain, likely through the purchase of units from a habitat bank.
- 14.4 Greater Manchester Ecology Unit have no objections to achieving a 10% gain off-site and the LPA can be relatively confident this is feasible, given the small number of low distinctiveness units required.
- 14.5 The Statutory Biodiversity Gain Condition will be deemed to apply. To discharge the condition, sufficient information will be required to demonstrate that a 10% net gain will be achieved, including a Biodiversity Gain Plan, final version of the BNG metric showing a 10% net gain in habitat units, and evidence that the correct number and type of units have been successfully allocated to the development.
- 14.6 As such, it is considered that the proposal complies with Local Plan Policy 21 and PfE Policy JP-G8.

15. CONCLUSION

- 15.1 The proposed development is considered acceptable on the basis that it is in accordance with relevant policies contained within the Places for Everyone Plan (2024) and the Oldham Local Plan (2011) and meets the requirements of the National Planning Policy Framework.
- 15.2 Therefore, the application is recommended for approval, subject to the conditions listed below:

16. RECOMMENDED CONDITIONS

- 1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
- 3. No development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable having regard to Policy JP-P1 (Sustainable Places) of the Places for Everyone Plan (2024).

4. Prior to the commencement of any part of the development hereby approved, other than demolition, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained thereafter. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy 19 of the Oldham Local Plan and Policy JP-S4 (Flood Risk and the Water Environment).
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. Prior to commencement of development, a scheme for protecting the nearby properties from noise and vibration from demolition/construction works should be submitted to the local planning authority. Regard should be given to hours of operation, the use of quiet working methods, the use of most suitable plant, controlling noise and vibration at source, controlling dust from site. Where construction site processes are likely to give rise to significant levels of vibration, appropriate monitoring should be undertaken. A method of vibration measurement should be agreed prior to commencement of site works. REASON- To protect the occupiers of nearby premises from unnecessary disturbance from noise and vibration from demolition and construction works having regard to Policy 9 of the Oldham Local Plan.
7. The development shall be undertaken in full accordance with the submitted Arboricultural Method Statement ref: 23452a/ChC received 13.02.2026 and Tree Protection Plan ref: 23452a/ChC received 13.02.2026 and all requirements and recommendations shall be in place for the full construction period and until construction is complete on site. REASON - To ensure the safety of the protected tree having regard to Policy JP-G7 (Trees and Woodland) of the Places for Everyone Plan (2024).
8. The development hereby approved shall not be occupied unless and until a scheme for the provision of 1 bat and 1 bird box has been installed on the dwelling. Thereafter, the approved boxes shall be installed and shall remain in place for the life of the development. REASON - To ensure a net gain to biodiversity on site having regard to Policy JP-G8 of the Places for Everyone Plan (2024).

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

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- 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](#).

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ADDITIONAL BACKGROUND PAPERS

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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
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APPLICATION REPORT – FUL/355356/25 Planning Committee – 11th March 2026

Registration Date: 21st November 2025
Ward: Coldhurst

Application Reference: FUL/355356/25
Type of Application: Full Application

Proposal: Erection of a shipping container to serve hot/cold food to takeaway.

Location: 7 Silver Street, Oldham, OL1 1HU

Case Officer: Matthew Taylor
Applicant: Mr Mohammed Waleed Hashim
Agent: Mr Ibrahim Bin Awais

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Council's Constitution and Scheme of Delegation because the Applicant, Mr Mohammed Waleed Hashim, is a direct relative of Councillor Shoab Akhtar (Werneth Ward).

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report, and that the Assistant Director Planning, Transport & Housing Delivery shall be authorised to issue the decision.

3. THE SITE

- 3.1 The application site is located on the corner of created by the junction of Silver Street and Peter Street (on the southern side of Silver Street).
- 3.2 The site is within the defined Town Centre Central Shopping Core on the proposals map of the Local Plan. It is currently an open hardstanding area that is partly enclosed by a knee-high post and rail timber fence and has an established use as a car park.

4. THE PROPOSAL

- 4.1 The application seeks planning permission for the siting of a shipping container on the land equipped with facilities to cook and serve hot food. No customer seating is proposed as part of the scheme so it would therefore effectively operate as a hot food takeaway.

5. PLANNING HISTORY

5.1 No relevant planning history.

6. RELEVANT PLANNING POLICIES

6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. In addition, the Places for Everyone (PfE) Joint Plan which was adopted in March 2024 forms a material consideration in the assessment of planning proposals.

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

Joint Development Plan Document (Local Plan):

Policy 09 - Local Environment

Places for Everyone:

JP-P1 - Sustainable Places

National Planning Policy Framework:

Chapter 8 – Promoting Healthy and Safe Communities
Chapter 9 – Promoting Sustainable Transport
Chapter 12 – Achieving Well Designed Places

7. CONSULTATIONS

Highways Officer	Recommended refusal for the reasons outlined in section 11 of this report.
Environmental Health	No objection subject to the wastewater from the unit must be connected to the foul sewer system.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council’s adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters, display of a site notice, and publication of a press notice.

8.2 In response no representations have been received objecting to the development.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 Paragraph 97 of the NPPF (December 2024) states that local planning authorities should refuse applications for hot-food takeaways and fast-food outlets:
- a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or
 - b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution, or anti-social behaviour.
- 9.2 These criteria are intended to ensure that new hot-food takeaway uses are directed to appropriate commercial areas and do not exacerbate existing issues relating to public health, environmental quality, or community safety.
- 9.3 The application site is located within the designated Town Centre and therefore falls within the exception set out in Paragraph 97(a). As such, the proposal does not conflict with national policy relating to proximity to schools or youth-focused facilities.
- 9.4 Furthermore, there is no evidence to suggest that the introduction of this proposal would contribute to a harmful concentration of similar uses in the locality, nor that it would materially worsen health outcomes, pollution levels, or anti-social behaviour as described in Paragraph 97(b).
- 9.5 On this basis, the proposal is considered to comply with the relevant provisions of the NPPF. Accordingly, the development is acceptable in principle, subject to the detailed assessment of site-specific matters.

10. AMENITY CONSIDERATIONS

- 10.1 Oldham Local Plan Policy 9 states that development should not cause significant harm to the amenity of current or future occupants, or to neighbouring users, through impacts such as loss of privacy, noise, visual intrusion, or access to daylight, among others. Paragraph 135 of the NPPF requires that new development ensures a high standard of amenity for existing and future users.
- 10.2 It is evident that the proposed use would operate predominantly within the night-time economy, and as such, potential impacts on amenity form a central part of the assessment.
- 10.3 The location of the site within the Town Centre is a significant factor. The surrounding area is characterised largely by commercial premises, many of which already contribute to evening and late-night activity. This context inherently reduces the sensitivity of neighbouring uses to the type of impacts typically associated with hot-food takeaways or similar operations.
- 10.4 When considered against this backdrop, and subject to the imposition of suitably worded planning conditions that feature on this recommendation, particularly those controlling opening hours, it is concluded that the proposal would not give rise to an unacceptable level of noise, disturbance, or general amenity harm. The development

is therefore considered compatible with its town centre setting and would not materially affect the living conditions of existing or future occupants of nearby properties, nor the operation of adjacent commercial uses.

- 10.5 Given that the proposal includes the preparation and serving of hot food, appropriate management of cooking odours, fumes, and waste is essential to safeguard the environment and the amenity of the wider area. These matters can be effectively addressed through the submission and approval of detailed extraction, filtration, and waste-handling systems. Planning conditions requiring such details prior to first use are both reasonable and necessary to ensure compliance with environmental health standards and to prevent adverse impacts on neighbouring properties.

11. DESIGN CONSIDERATIONS

- 11.1 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.
- 11.2 Policy 1 within the DPD states that the Council will ensure that development proposals respect Oldham's built environment.
- 11.3 The application site is a cleared site that is currently used for parking. The proposal comprises a small commercial unit typical in scale and form for this type of development. The surrounding built environment is varied, with no strong uniformity in architectural style, building height, or frontage design only this frontage of Silver Street. Within this context, the modest scale of the unit and the nature of the proposed use would not appear incongruous or visually intrusive.
- 11.4 The proposal would not detract from the character or appearance of the wider area. As such, the development is considered to comply with Policy JP-P1 of the PfE Joint DPD and Policy 1 of the Oldham DPD.

12. PARKING AND HIGHWAY SAFETY

- 12.1 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.
- 12.2 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, considering all reasonable future scenarios.
- 12.3 The Highway Engineer has reviewed the application and raised an objection. Their view is that the proposed development would be located close to the signal-controlled junction at Peter Street/Union Street and the junction of Silver Street/Peter Street. They note that customers of hot-food takeaways often seek to park as close to the premises as possible when arriving by car.

- 12.4 Given the limited lawful on-street parking in the immediate area, the Highway Engineer considers it highly likely that additional short-term, illegal parking would occur. They anticipate this would take place on the approaches to the Peter Street/Union Street traffic signals and on Silver Street near its junction with Peter Street, increasing the risk of congestion, obstructing visibility, and creating conflict between road users.
- 12.5 The Highway Engineer further advises that short-term illegal parking of this nature is difficult to enforce and that no practical measures exist that would reliably prevent it. They therefore conclude that any increase in unlawful stopping or parking in this constrained area would be detrimental to highway safety.
- 12.6 In addition, the submitted drawings do not clarify whether the existing car park use would be retained alongside the proposed kiosk. The Highway Engineer expresses concern that, if the car park remains operational, conflict may arise between pedestrians accessing the kiosk and vehicles manoeuvring within the car park. Further information was requested regarding the intended use of the car park, the extent of perimeter fencing and gates, and the arrangements for safe pedestrian access. The response provided did not adequately address these matters.
- 12.7 However, having regard to the Highway Engineer's comments, several material planning considerations are present which must be afforded weight in the planning balance:
- The site has an established use as a car park which has been operating for over 10 years (and is therefore exempt from planning enforcement action);
 - On-street parking on Silver Street is available to the public between 7pm and 7am, with loading restrictions applying only outside these hours;
 - Multiple private and public car parks are located within walking distance of the site, providing lawful parking opportunities for customers. For the purposes of determining a planning application it cannot be assumed that customers would park illegally if visiting the premises by vehicle.
 - The site is located within the Town Centre, which benefits from strong walking, cycling, and public transport links, reducing reliance on private car use and supporting sustainable travel patterns; and,
 - Presence of other food outlets in the vicinity of the site.
- 12.8 Taking these factors into account and applying the NPPF test it is not considered that the impacts identified would amount to an unacceptable or severe impact on highway safety on the operation of the road network. While the concerns raised are acknowledged, they are not judged to be of sufficient magnitude to robustly justify a recommendation of refusal.
- 12.9 Overall, the proposed development is not considered to result in severe impacts on the highway network or highway safety. The development is therefore judged to comply with the requirements of PfE Policy JP-C8 and Chapter 9 of the National Planning Policy Framework.

13. ECOLOGY

- 13.1 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan.
- 13.2 However, there are exemptions to the legislation which apply in some certain cases. This development is exempt from Biodiversity Net Gain requirements as it does not impact a priority habitat given the site comprises an area of hardstanding.

14. DRAINAGE

- 14.1 Policy 19 of the Oldham LDF Joint DPD seeks to ensure that new development does not result in unacceptable flood risk or increased drainage problems. The policy directs development away from areas at risk of flooding and requires proposals to demonstrate that appropriate drainage arrangements can be achieved.
- 14.2 No drainage details have been submitted as part of this application. Having regard to the comments from Environmental Health, the method of managing foul water must be fully addressed before the business begins trading. Without this information, the Local Planning Authority cannot be satisfied that the development would not give rise to drainage issues or health concerns on or off the site.
- 14.3 To ensure compliance with Policy 19, it is therefore considered necessary and reasonable to impose an appropriately worded planning condition requiring the submission and approval of full details of the proposed foul water drainage systems. These details must demonstrate how water will be safely and effectively discharged to the main sewer network. The condition will ensure that adequate drainage infrastructure is secured prior to the commencement of the use, thereby preventing any unacceptable impacts.

15. CONCLUSION AND RECOMMENDATION

- 15.1 The proposal is considered to comply with the relevant development plan policies, Places for Everyone Plan and the NPPF. The application is therefore recommended for approval subject to the imposition of conditions referenced below:
1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
 2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
 3. The use hereby permitted shall not be open to customers outside the following times;

09:00 - 01:00 Sunday - Thursday
09:00 - 02:00 Friday and Saturday

Reason - To protect the amenities of occupiers of nearby premises, having regard to Policy 9 of the Local Plan.

4. The development hereby approved shall not be brought into use unless and until a detailed scheme for treating fumes and odours 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. The scheme shall detail how the extraction unit will be attenuated and mounted to minimise the transmission of airbourne and structure bourne 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 nearby premises, having regard to Policy 9 of the Local Plan.
5. The development hereby approved shall not be brought into use unless and until details of facilities for the storage and removal of refuse and waste materials have been submitted to and approved in writing by the Local Planning Authority and the agreed scheme has been fully implemented. Thereafter approved facilities shall at all times remain available for use. Reason - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area, having regard to Policy 9 of the Local Plan.
6. Notwithstanding the plans hereby approved, the business shall not be open for trade or business unless and until, details of the method of foul water drainage from the site to the main sewer along Stanley Road has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the opening/trading of the business and shall be maintained thereafter. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy 19 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)



PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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Planning Appeals Update

Planning Committee

Report of Assistant Director Planning, Transportation & Housing Delivery

DATE OF COMMITTEE

11 March 2026

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 11 February 2026. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between Monday 26 January and Friday 20 February 2026 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
ADV/354398/25	IMO Car Wash Shaw Road Oldham OL1 3JA	Allowed, 29/01/2026	06/10/2025	Erection of a freestanding D-Poster LED advertisement.
FUL/353485/24	The Barn, Diglea, Diggle	Ongoing	28/11/2025	Erection of 1 no. two storey dwellinghouse and garage.
FUL/354054/25	Clough Manor, Rochdale Road, Denshaw	Ongoing	06/11/2025	Change of use to a touring caravan site including new access to highway.
HOU/353477/24	234 Belgrave Road Oldham OL8 2JU	Ongoing	29/12/2025	Part two storey and part single storey rear extension (retrospective).
HOU/354720/25	2B New Street Uppermill Oldham OL3 6AU	Ongoing	23/01/2026	Erection of a rear dormer

FUL/355041/25	181 - 183 Huddersfield Road Oldham OL1 3PA	Ongoing	19/01/2026	Creation of 2 no. flats to the second floor with front and rear dormers.
ADV/355069/25	576 Middleton Road Chadderton Oldham OL9 0HE	NEW	27/01/2026	Installation of 1 no. digital advertisement display
HOU/355030/25	27 Osborne Road Oldham OL8 1SJ	NEW	28/01/2026	1) First floor rear extension 2) Single storey rear extension 3) Single storey front extension 4) Raised boundary wall (Retrospective)

RECOMMENDATION - That the report be noted.

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