

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

Date Wednesday 8 July 2026

Time 6.00 pm

Venue Council Chamber, JR Clynes - The JR Clynes Building, 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](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, 3 July 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.

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**Oldham**  
Council

Membership of the PLANNING COMMITTEE  
Councillors Akhtar, Z Ali, Brooks, Charters, Harkness, Hurley, Iqbal,  
Jackson, Nasheen, Pinder and Woodvine

Item No

- 1 Election of Chair  
The Panel is asked to elect a Chair for the duration of the meeting.
- 2 Apologies For Absence
- 3 Urgent Business  
Urgent business, if any, introduced by the Chair
- 4 Declarations of Interest  
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 5 Public Question Time  
To receive Questions from the Public, in accordance with the Council's Constitution.
- 6 Minutes of Previous Meeting (Pages 5 - 8)  
The Minutes of the meeting of the Planning Committee held on 15 April 2026 are attached for Members' approval.
- 7 FUL/349488/22 - St Pauls Church, Rochdale Road, Shaw (Pages 9 - 32)  
Partial rebuild of the chapel walls, formation of salvaged stone storage enclosure within the footprint of the chapel. Restoring the existing graveyard to the front of the chapel and Refurbishment/Repair of 19thC iron railings. Erection of New Permanent Gable wall to Sunday School/Chapel. Replacement to Entrance Door Sets to Sunday School and Internal works including repairing damaged timber floors, repairs to Escape Staircase
- 8 LBC/349489/22 - St Pauls Church, Rochdale Road, Shaw (Pages 33 - 52)  
Partial rebuild of the chapel walls, formation of salvaged stone storage enclosure within the footprint of the chapel. Restoring the existing graveyard to the front of the chapel and Refurbishment/Repair of 19thC iron railings. Erection of New Permanent Gable wall to Sunday School/Chapel. Replacement to Entrance Door Sets to Sunday School and Internal works including repairing damaged timber floors, repairs to Escape Staircase
- 9 FUL/354901/25 – Hill Top Farm, Healds Green, Chadderton (Pages 53 - 64)  
Change of use of existing building from part agricultural, part B8 industrial, to use class E (children's day nursery) with new car parking.
- 10 FUL/355703/26 – 45 to 49 Ripponden Road, Oldham (Pages 65 - 74)



1) Conversion of lower ground (storage) and ground floors into Class E (office).  
2) Alterations to existing store frontages. 3) Conversion of first floor (residential)  
into a 5 bed house in multiple occupation. 4) New rear access staircase

11 Appeals Update Report (Pages 75 - 78)



**Present:** Councillor Hince (Chair)  
Councillors Cosgrove, Davis, Hobin, Hurley, A Hussain (items 7 & 8 only), S. Hussain, Iqbal (items 7 & 8 only), Islam (items 7 & 8 only), Lancaster, Nasheen and Woodvine

Also in Attendance:

Graham Dickman	Major Projects Development Lead
Martyn Leigh	Development Management Team Leader
Kaidy McCann	Constitutional Services
Wendy Moorhouse	Principal Transport Officer
Sumayya Rawat	Solicitor
Peter Richards	Assistant Director Planning, Transport and Housing Delivery

## 1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Harkness and Murphy.

## 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**

The following question was submitted by Bev Macyna:

What are the implications of a site being cleared prior to development, how does this affect the biodiversity net gains and how would the council calculate the additional loss?

The Chair replied as follows:

Generally, clearance of vegetation, habitats or other features supporting the ecological value of a site before planning permission is granted does not reduce planning obligations.

This is because national planning guidance states that where habitat value has been lost prior to the submission of a planning application, the site's pre-development biodiversity value should be assessed as being that which existed immediately before those works took place.

Any pre-existing ecological value can be verified by aerial imagery, previous records, as well as professional judgement obtained from consulting with the Greater Manchester Ecology Unit.



The following question was submitted by Alison Smith:

When the committee considers planning applications located in flood zone 2 (not recommended in the local plan) do they use the worst case scenario as shown on the Flood Map for planning?

The Chair replied as follows:

Flood risk is a material planning consideration meaning that it is relevant for the purposes of assessing planning applications. All Major and Minor planning applications falling within Flood Zones 2, 3, and 3b (which have a greater risk of flood risk than Flood Zone 1), must be submitted with a Flood Risk Assessment, as set out in the Council's adopted Planning Validation Checklist.

Depending on the circumstances consultees on the planning application might include the Environment Agency or Lead Local Flood Authority. Their advice would be sought in relation to flood risk and drainage.

Where a site spans more than one Flood Zone consideration will be given to all flood risks across the whole development site.

5 **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meetings held on the 11<sup>th</sup> February 2026 and 11<sup>th</sup> March 2026 be approved as a correct record.

6 **FUL/355510/25 - BOUNDARY PARK, HILBRE AVENUE/FURTHERWOOD ROAD, OLDHAM**

APPLICATION NUMBER: FUL/355510/25

APPLICANT: Sportstown Ltd

PROPOSAL: 1) Creation of three open netball courts with associated acoustic and security fencing, 2) Changing room building (alternative location to that approved under application VAR/352459/24), 3) Introduction of terraced seating overlooking the recently completed Little Wembley training pitch, 4) Reconfiguration of the existing car/coach park with access from Hilbre Avenue and introduction of a pedestrian 'Bee Way' route, 5) New/replacement lighting within the car park and along the Bee Way, 6) Provision of bin and cycle stores, 7) Creation of a formalised ground crew compound, 8) Modification of concourse immediately in front Boundary Park stadium including relocation of 2 existing food concession stands, 9) Erection of a public art feature combining the OAFc owl and 'The Oldham Embryo'; 10) Reconfiguration of Boundary Drive turning head, and 11) associated hard and soft landscaping.

LOCATION: Boundary Park, Hilbre Avenue/ Furtherwood Road, Oldham OL1 2PB

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

On being put to the vote 8 VOTES were cast IN FAVOUR OF APPROVAL and 1 VOTE was cast AGAINST with 0 ABSTENTIONS.

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

**NOTES:**

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

7 **FUL/355746/26 - NOV PROCESS AND FLOW TECHNOLOGIES UK LIMITED, GREENGATE, CHADDERTON**

APPLICATION NUMBER: FUL/355746/26

APPLICANT: Stephen Ashworth

PROPOSAL: Installation of a two-storey modular building to be used as office facilities for a temporary period of 10 years (Retrospective application)

LOCATION: Nov Process and Flow Technologies UK Ltd, Greengate, Chadderton, M24 1SA

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

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

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

8 **APPEALS UPDATE REPORT**

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

The meeting started at 6.00 pm and ended at 6.39 pm

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## **APPLICATION REPORT – FUL/349488/22 Planning Committee – 8<sup>th</sup> July 2026**

Registration Date: 22 July 2022  
Ward: Shaw

Application Reference: FUL/349488/22  
Type of Application: Full

Proposal: Partial rebuild of the chapel walls, formation of salvaged stone storage enclosure within the footprint of the chapel. Restoring the existing graveyard to the front of the chapel and Refurbishment / Repair of 19<sup>th</sup> Century iron railings. Erection of New Permanent Gable wall to Sunday School/Chapel. Replacement to Entrance Door Sets to Sunday School and Internal works including repairing damaged timber floors, repairs to Escape Staircase

Location: Saint Paul's Methodist Church, Rochdale Road, Shaw, OL2 8AD

Case Officer: Stephen Gill  
Applicant: Mr. Mohammed Hussain-Ahmed  
Agent: Mr. Don Hobson

### **1. INTRODUCTION**

- 1.1 The application, and the associated application for listed building consent (LBC/349489/22) are referred to Planning Committee for determination at the request of the Assistant Director Planning, Transport & Housing Delivery because of the level of concern surrounding these applications in the local community.

### **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 site is located on the northern side of Rochdale Road and is flanked by Chapel Street to the east, King Albert Street to the north, and Crompton Way is located to the west. The site comprises the Grade II listed St Paul's Methodist Church. The original chapel was built in 1863 and designed by architect James Simpson. The Sunday School to the rear was built in 1871. The former nursery building was a 20<sup>th</sup> century

addition. The site also encompasses a previously used car park which is accessed from Rochdale Road and a further car park to the rear, accessed from King Albert Street.

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

- 4.1 The application proposes the partial reconstruction of the Church and Sunday School buildings, including the reinstatement of a collapsed gable wall, the formation of a new permanent gable, and repairs to the structural and architectural elements. The scheme also includes internal adaptations, a new access arrangement, and the formation of a landscaped peace garden within the existing graveyard to the front of the chapel and refurbishment / repair of 19<sup>th</sup> Century iron railings.

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

- PA/343832/19 - Part retrospective application for the demolition of a building previously forming part of the church – Approved, 21 November 2019
- PA/027596/91 - Removal of condition 3 in respect of lift enclosure on PA/027262/91 – Approved, 11 July 1991
- PA/027262/91 - New entrance and lift enclosure with internal alterations – Approved, 23 May 1991
- PA/001486/75 - Conversion of hall into church and hall – Approved, 16 April 1975

#### **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 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 following policies are relevant to the determination of this application.

##### **Joint Development Plan Document (Local Plan)**

- Policy 09 - Local Environment;
- Policy 21 - Protecting Natural Environmental Assets; and,
- Policy 24 - Historic Environment

## Places for Everyone

- PfE Policy JP-P1 - Sustainable Places;
- PfE Policy JP-C8 - Transport Requirements of New Development;
- PfE Policy JP-G7 - Trees and Woodland; and
- PfE Policy JP-P2 – Heritage

## National Planning Policy Framework

- Chapter 16 – Conserving the Historic Environment

## 7. CONSULTATIONS

Highways Officer	No objection. Condition required for a Construction Environment Management Plan
Environmental Health	No objections subject to conditions
Historic England	Historic England welcomes the submission of the Heritage Statement and Archaeological Desk-Based Assessment, noting these provide a comprehensive understanding of the site, including the extent of burials. They acknowledge that whilst the proposals would result in harm, the consolidation and repair of the remaining structure, retention of salvaged materials, and restoration of the graveyard and railings would deliver heritage benefits. It is regretted that the chapel is not proposed to be rebuilt. Historic England advise that the LPA should weigh harm against public benefits in accordance with the NPPF and recommend conditions to secure detailed construction, stone reuse, and repair work
Shaw and Crompton Parish Council	Objection raised due to inadequate access and parking
Greater Manchester Archaeological Advisory Services	No objection subject to conditions. Comments discussed in detail within the report.
Growth Lancashire	Conclude that the development would result in substantial harm to a Grade II Listed Building. Comments are discussed in detail within the report.

Victorian Society	Objects to the proposals, raising concerns that further loss of historic fabric would reduce the likelihood of any future reconstruction of the chapel. They consider the scheme would effectively result in the loss of the building and advise that the application falls short of NPPF requirements due to insufficient information.
Historic Buildings and Places	Object to the proposals, advising that the proposals would consolidate the loss of the historic chapel and fail to meaningfully restore its significance. They conclude that the scheme is unacceptable in heritage terms.

## 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 294 representations and a petition with 338 signatures have been received objecting to the development.

8.3 The grounds of objection are summarised below:

### 8.4 **Highways, Access, and Parking**

- Repeated concern that only 24 spaces are proposed for a use that could attract 300–500 visitors, especially on Fridays.
- Local streets are already overloaded, with pressure on parking for residents and businesses.
- No formal parking strategy included in the application.
- Site is located at/near a signalised junction already under pressure.
- Anticipated volume of visitors would exacerbate existing traffic issues, particularly during school times and peak hours.
- Some objections highlight risks to highway safety, especially for pedestrians.
- Existing access point considered narrow and dangerous.
- Concerns raised about access for emergency and refuse vehicles.
- Layout may cause obstruction of pavements or visibility splays.

Highways matters are discussed in section 11 of this report.

#### 8.5 **Heritage and Listed Building Concerns**

- The former church is statutorily listed; demolition was carried out without full consent.
- Many objectors claim that the proposal does not amount to faithful reconstruction, especially if salvaged materials are not reused.
- Proposals considered to cause harm to the character, appearance, and setting of the heritage asset.
  - The use of new modern materials (e.g., blockwork and render) is widely objected to.
  - Lack of a conservation-led strategy for rebuilding.
  - Is inappropriate in scale and form for the setting

Heritage matters are discussed in section 9 and 13 of this report.

#### 8.6 **Residential Amenity Impacts**

- Concerns over late-night and high-volume activity from site use, including vehicle movements.
- Floodlighting is proposed or anticipated, affecting bedroom windows and neighbouring gardens.
- Increased traffic expected to worsen local air pollution, especially in a constrained area.
- Represents overdevelopment of a constrained, sensitive site

Amenity matters are discussed in section 10 and 13 of this report

#### 8.7 **Incomplete Application Documents**

- Lack of detail in submitted plans and forms:
  - No confirmed internal floor layout
  - No detailed methodology for rebuild
  - No management plan for use
  - No operating hours, visitor capacity, or traffic assessment
- Reference to “temporary” works causes widespread concern and mistrust about the long-term intentions

#### 8.8 **Local and National Planning Policy**

- Non-compliance with Local Plan Policies relating to heritage, design, and transport

This concern is discussed throughout the report.

#### 8.9 **Ecological and Environmental Impact**

- Potential biodiversity impacts and lack of ecological information submitted with the application.

Ecology matters are discussed in section 12 and 13 of this report

#### 8.10 **Religion & Disturbance to the Burial Ground**

- Perceived use of the site as a mosque or Islamic centre:
- Potential Loss of Christian heritage:
- Concerns that a Christian church and burial site would be repurposed for a different faith.
- Concerns about future use or expansion of a mosque:
- Potential inter-faith conflicts:
- Potential disrespect to the existing (Christian) burial ground:
- Belief that the site contains over 400 graves; strong opposition to disturbance.
- Calls for graves to remain undisturbed and for site to be treated as consecrated ground.
- Suggestions for a memorial garden or landscaped public space instead of parking

The above matters are discussed in section 13 of this report

#### 8.11 **Other Concerns**

- Concerns raised in relation to frequency and scale of use (particularly Friday prayers), and cultural integration
- Concerns that the applicant does not own or control the land or building
- Parts (e.g., headstones, gates) belong to families or the community
- Concerns in relation to the applicant's past actions, including:
  - Unauthorised demolition of the church structure
  - Alleged theft or damage to stone and graves
  - Disregard for planning or heritage regulations
- Criticism of the Council or Planning Process
  - Lack of transparency
  - Failure to consult the community
  - Alleged bias or mishandling

The above matters are discussed in section 13 of this report

## ASSESSMENT OF THE PROPOSAL

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

9.1 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 National Planning Policy Framework (NPPF).

#### *Heritage*

9.2 In assessing the principle of development, the key consideration is the potential heritage impact of the works undertaken to St Paul's Methodist Church, a Grade II Listed Building. The end use as a place of worship does not require assessment in planning terms, as no material change of use is proposed; the building's previous and continued use is understood to be the same. Therefore, the principal issue is whether the proposed works are acceptable in heritage and design terms. Relevant legislation, along with national and local planning policies, will be set out and assessed accordingly below.

9.3 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that, in considering whether to grant planning permission for development that affects a listed building or its setting, the Local Planning Authority (LPA) 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.

9.4 In this case the 'Development Plan' is made up of two documents: the Places for Everyone Joint Plan ("PfE"); and the Oldham Joint Core Strategy and Development Management Policies DPD (known as the Local Plan).

9.5 The Local Plan Policy 24 states (in summary) that the Council will protect, conserve, and enhance heritage assets and their settings which adds to the borough's sense of place and identity. PfE Policy JP-P2 (in summary) states that development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy

9.6 Paragraph 210 of the NPPF outlines that in determining planning applications, local planning authorities should consider:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities and economic vitality; and

- c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.7 NPPF Paragraph 212 emphasises that great weight should be given to the conservation of designated heritage assets, with the degree of weight increasing with the asset’s significance. This applies regardless of the level of harm (substantial or less than substantial).
- 9.8 NPPF Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 9.9 Paragraph 214 sets out a stringent test where a proposed development would result in substantial harm to, or the total loss of significance of, a designated heritage asset. In such cases, local planning authorities should refuse consent unless it can be clearly demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Alternatively, consent may only be granted where all of the following criteria are satisfied:
- a) the nature of the heritage asset prevents all reasonable uses of the site;
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that would enable its conservation;
  - c) conservation of the heritage asset by grant-funding or through some form of not-for-profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the public benefit of bringing the site back into use.
- 9.10 In considering the weight to be given to heritage assets within the planning balance, the judgment in *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin) is particularly relevant. At paragraph 45 of the judgment, Lindblom LJ confirmed that:
- “There is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building or the character or appearance of a conservation area.”*

- 9.11 This reinforces the need for significant weight to be afforded to the conservation of designated heritage assets, in line with the statutory duties under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 16 of the NPPF.

#### *Background*

- 9.12 By 2016, despite its listed status, the building had deteriorated significantly and was placed on the Historic England *Buildings at Risk Register*. Early that year, part of the roof collapsed, confirming longstanding structural concerns. Emergency works were carried out to address immediate public safety risks, including partial wall removal and the installation of external scaffolding. However, the building remained unstable, and ongoing movement placed further strain on the temporary supports. In 2019, structural professionals concluded that substantial demolition was the only viable option to eliminate the risk posed by the building.
- 9.13 The work included reducing the height of the walls to 1 metre above ground floor cill level due to the dangerous structural condition. This caused a high level of harm to the significance of the listed building, but support for the works was predicated on Historic England's (HE) expectation that the chapel would be rebuilt. The demolition was carried out under the *Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010* and planning application ref: PA/343832/19.
- 9.14 Although the demolition caused substantial harm to the listed building's significance, no alternative means of stabilisation were identified. Listed Building Consent was not required due to the Ecclesiastical Exemption. While the demolition was regrettable, it was justified on grounds of structural safety and public protection.
- 9.15 The applicant purchased the site in 2023 and has advised that, at the time of purchase, conveyancing confirmed there was no legal requirement to fully reinstate the chapel building, beyond safeguarding the retained structure and preserving existing stone and building components. Following acquisition, a site clearance exercise was undertaken during which the west wall collapsed, resulting in further harm to the Listed Building. The agent for the application has also advised that the applicant was not aware of the building's listed status at the time of purchase. Notwithstanding this, the applicant has confirmed that remedial works will be undertaken, including the reconstruction of the west wall, which is addressed later in this report.

#### *Proposed Works*

- 9.16 This application proposes to bring the building back into use, which is a significant benefit of the scheme. The scheme includes constructing a new permanent stone gable wall on the south elevation of the former chapel. This wall will be built on a steel frame supported by concrete pad foundations and helical piles. The external face will feature new ashlar stonework with moulded coping stones and a pediment that reflects the original architectural character. The wall is purposefully set forward to protect the surviving internal plaster mouldings and decorative features from further deterioration. A void would be created between the new and existing walls to allow for future

maintenance, with secure internal access and a temporary decorative gate to facilitate this.

- 9.17 The west gable wall of the chapel, which as set out above collapsed as part of previous clearance work is to be reinstated up to 1 metre above ground level, using salvaged stone reclaimed from the original structure. This section would replicate the original detailing and align with the retained east wall in terms of height and appearance. Consolidation and repair of existing quoins and rubble masonry would also be carried out where necessary.
- 9.18 Repairs and alterations are also proposed to the surviving Sunday School building. Several door openings would be reinstated, including the replacement of an original timber entrance door with a frameless glass door set within an aluminium frame. Two new double doors are proposed, one replacing an unauthorised UPVC window and stone infill, and the other reinstated in a historically appropriate position, using designs that match the original. Internally, a previously removed staircase, likely dismantled during earlier demolition works, would be reconstructed using surviving elements such as the newel posts, handrail, and balustrades. The internal hardwood tongue-and-groove floor, partially removed due to damp issues, will require improved ventilation prior to reinstatement.
- 9.19 Externally, the graveyard to the front of the chapel would be cleared of overgrown vegetation, debris, and rubbish. All graves and gravestones would be retained and protected throughout. The area is to be repurposed as a community peace garden. The cast iron railings enclosing the graveyard would be repaired, refurbished, and refinished to reflect their original appearance. Additionally, new wrought iron infill panels are proposed within the chapel's former window openings to secure the structure, designed to complement the historic railings.
- 9.20 New copings, lead flashings, and rainwater goods would match the materials and profiles of the original features. Moulds would be taken of decorative elements, such as friezes, lozenges, and arch mouldings, prior to encapsulation, enabling future interpretation or reproduction if needed. Perished lime plaster would be removed and repointed using Natural Hydraulic Lime.
- 9.21 The applicant states that the overall design philosophy reflects a conservation-led approach focused on consolidating the site's historic significance rather than pursuing full reconstruction.

#### *Heritage Harm*

- 9.22 Historic England (HE) and Growth Lancashire (GL), the Council's conservation advisors, have been consulted and did raise initial concerns regarding the application for two principal reasons. Firstly, concerns relate to the nature of the proposed scheme. Secondly, insufficient information was initially submitted to enable a robust assessment of the impact on the significance of the Grade II listed buildings, including the absence of a Heritage Impact Assessment (HIA) and a lack of clarity regarding the extent and phasing of works.

- 9.23 HE's concerns originate from the 2019 works, when structural professionals concluded that substantial demolition was necessary to address the chapel's dangerous condition. Demolition was undertaken under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010, reducing the chapel walls to approximately 1 metre above ground floor cill level. Whilst this resulted in a high level of harm to the significance of the listed building, HE supported those works on the expectation that the chapel would subsequently be rebuilt.
- 9.24 In subsequent responses, HE advised that, whilst the current proposals represent an improvement on earlier iterations, the application lacked sufficient supporting information, including both a Heritage Impact Assessment (HIA) and an Archaeological Desk-Based Assessment. Heritage consultees raised concerns that the proposals represent a consolidation approach following earlier substantial harm, without provision for full reinstatement of the chapel.
- 9.25 Whilst these concerns are noted, the current application must be assessed on its own merits. The partial demolition pre-dates the involvement of the current applicant, who was not party to those works and is not subject to any binding requirement to reconstruct the chapel. The LPA cannot require full reconstruction and must therefore determine the acceptability of the scheme as submitted.
- 9.26 In response, the applicant submitted a HIA in May 2026, prepared by Keystone Heritage, which assesses the significance of the heritage assets and the impact of the proposed works.
- 9.27 The HIA identifies that the principal source of harm arises from the introduction of a new gable to the former chapel. This would alter the historic plan form and spatial character of the surviving ruin, resulting in some loss of evidential and historical value. However, the HIA concludes that this harm is moderated by the sensitive design approach, including the use of compatible materials, retention of surviving fabric, and the structural necessity of the intervention.
- 9.28 The HIA also identifies a range of heritage benefits, including the partial reconstruction and stabilisation of the chapel using salvaged stone, the repair and retention of historic railings, and the restoration of the burial ground as a publicly accessible 'peace garden'. These measures would enhance the condition, legibility and communal value of the site. Internal works to the Sunday School building are similarly assessed as beneficial.
- 9.29 Overall, the HIA concludes that the proposals would give rise to less than substantial harm to the significance of the listed buildings, principally arising from the intervention within the chapel.
- 9.30 Both HE and GL have been re-consulted on the submitted HIA. HE welcomes the submission of a comprehensive HIA and Archaeological Desk-Based Assessment, noting that these provide a detailed understanding of the site's significance and the extent of potential below-ground remains, including additional burials.

- 9.31 Whilst HE reiterates that the absence of proposals to rebuild the chapel is regrettable, they acknowledge that the scheme includes positive measures, including the safeguarding and reuse of masonry and the consolidation of the remaining structure, which would assist any future reconstruction.
- 9.32 HE advises that the LPA should weigh the identified harm against the public benefits of the proposal, giving great weight to the conservation of the designated heritage asset in accordance with the NPPF.
- 9.33 GL acknowledge that the HIA provides a comprehensive account of the site's history and the proposed works.
- 9.34 However, GL advise that the HIA does not adequately justify its conclusion that the development would result in less than substantial harm. In particular, it does not sufficiently address the implications of the chapel's previous collapse in 2019 or fully engage with the requirements of paragraph 214 of the NPPF, including consideration of whether the chapel should be rebuilt.
- 9.35 GL note that, when considered in isolation, the proposals may give rise to less than substantial harm, with some heritage benefits arising from the restoration of the burial ground and the limited safeguarding of surviving fabric. However, they advise that such an approach would effectively confirm the permanent loss of the chapel, which was accepted previously in 2019.
- 9.36 When assessed in its full context, including the absence of proposals to rebuild the collapsed chapel and the lack of clear justification under paragraph 214 of the NPPF, GL conclude that the development would result in a substantial level of harm to the significance of the listed building.
- 9.37 Accordingly, GL advise that the LPA must assess whether the identified substantial harm is outweighed by substantial public benefits, or whether the criteria set out in paragraph 214(a–d) of the NPPF have been met.

#### *Archaeological Harm*

- 9.38 The site is located within an area of known archaeological potential associated with the historic chapel and its graveyard. In particular, there is clear evidence that burial activity has taken place both within the external graveyard and potentially within the footprint of the later chapel building itself.
- 9.39 The application is supported by a Desk Based Archaeological Assessment (May 2026) (DBA). The DBA draws upon historic mapping, archival sources, burial records and site inspection to establish the archaeological baseline and assess potential impacts. The Greater Manchester Archaeological Advisory Service (GMAAS) has been consulted and confirms that the submitted DBA is robust and agrees with its conclusions.
- 9.40 The DBA identifies that earlier burial ground associated with the original Bethel Chapel (shown on mapping from 1845) was partially built over by the later Methodist chapel

(1881). As a result, there is potential for previously unrecorded burials, including within the southern and western parts of the chapel footprint, in addition to those known within the surviving graveyard. Burial records indicate the presence of both in-ground interments and burial vaults, although the precise locations of some of these remain uncertain.

- 9.41 GMAAS advises that the proposed groundworks, including the construction of the new south gable, clearance of internal material, and preparation of surfaces, have the potential to disturb both known and unknown burials, as well as earlier structural remains. As such, archaeological investigation and mitigation will be required.
- 9.42 In order to address this, GMAAS recommends that a programme of further archaeological works is secured by condition. This would include an initial phase of archaeological evaluation, followed where necessary by detailed excavation, recording, and appropriate treatment of any remains identified.
- 9.43 GMAAS welcomes the proposed restoration of the burial ground as a 'peace garden', subject to appropriate safeguards to ensure that gravestones and ledger stones are protected during clearance works. The recording of inscriptions is encouraged as a means of enhancing public understanding and community engagement with the site.
- 9.44 Subject to the imposition of a suitably worded planning condition securing a phased programme of archaeological investigation, recording, and post-excavation analysis, the development is considered acceptable in archaeological terms. The development would therefore accord with the requirements of the NPPF in respect of conserving and recording heritage assets.
- 9.45 The DBA concludes that the development would cause less than substantial harm to non-designated buried archaeology. GMAAS have not questioned this conclusion.

#### *Harm vs Benefits*

- 9.46 As established in *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin), any harm to the significance of a designated heritage asset must be given considerable importance and weight in the planning balance.
- 9.47 GL conclude that the development would result in substantial harm to the significance of the Grade II listed building. In such circumstances, as set out above, NPPF paragraph 214 requires that consent should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or that the alternative criteria (A-D) set out within that paragraph are met.
- 9.48 It is also accepted that the development would result in less than substantial harm to non-designated archaeological remains. In accordance with paragraph 215 of the NPPF, this harm must also be weighed against the public benefits of the proposal.
- 9.49 The identified public benefits of the scheme include:

- The repair and partial restoration of a severely damaged Grade II listed building, securing its long-term retention;
- The reintroduction of the building's use as a place of worship, delivering social and community value;
- The creation of a publicly accessible 'peace garden', providing communal and heritage benefits; and
- Economic and social benefits associated with construction activity and ongoing use.

9.50 The identified less than substantial and substantial harm is afforded significant weight in the planning balance. It is noted that the concerns raised by HE and GL appear to be influenced, in part, by the extent of previous demolition works and the absence of proposals to fully reconstruct the chapel.

9.51 However, those earlier works predate the current applicant's involvement, and there is no legal requirement for the applicant to re-build the chapel in full. On that basis, the LPA must assess the application as submitted and cannot require the full reconstruction of the chapel. The assessment is therefore focused on whether the current proposals represent an acceptable and justified approach to the conservation of the remaining asset.

9.52 As set out above, since acquiring the site, the applicant has undertaken clearance works during which a further section of the western wall collapsed, increasing the level of harm. The current proposals however include remedial measures to stabilise and reconstruct the western wall as described above.

9.53 In considering the planning balance, significant weight is given to the current condition of the site. The building is in a very poor state of repair, is not publicly accessible, and currently provides no viable use, detracting from the character and appearance of the area.

9.54 The proposed scheme would secure the stabilisation, partial reconstruction and viable reuse of the listed building and associated Sunday School. It would significantly improve the condition and appearance of the site, secure its long-term occupation, and deliver meaningful public access and community benefit. When considered in the context of the building's current condition, it is concluded that the substantial harm identified would be outweighed by the substantial public benefits arising from the scheme.

9.55 On this basis, the proposal is considered to comply with the requirements of Chapter 16 of the NPPF, Policy JP-S2 of Places for Everyone, and Local Plan Policy 24.

## **10. AMENITY**

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 The development primarily relates to the restoration of the listed building. While concerns have been raised regarding the end use and potential amenity impacts, as set out above, an assessment of the end use is not required because it does not constitute development requiring planning permission.
- 10.3 Residential properties are located close to the site, particularly to the east and north. As such, there is some potential for disturbance during the construction and restoration phases. Although Environmental Health has raised no objection to the proposals, they have recommended that a scheme be submitted to demonstrate how noise and vibration impacts on nearby properties will be mitigated during construction. This can be secured by condition. Subject to this, the development is considered to comply with Local Plan Policy 9.

## **11. HIGHWAYS**

- 11.1 PfE Policy JP-C8 requires development to promote sustainable travel by prioritising walking, cycling and public transport, ensuring safe, inclusive access and appropriate connectivity, alongside adequate and well-integrated parking provision. Paragraph 116 of the NPPF states that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety or severe residual cumulative impacts on the road network.
- 11.2 In highway terms, the use of the building would remain as a place of worship, which does not require planning permission. As such, the key consideration relates to potential impacts arising from the construction phase, particularly construction traffic. A condition requiring the submission of a Construction Management Plan will ensure that such impacts are appropriately managed and minimised.
- 11.3 Subject to this condition, the development is not considered to result in any unacceptable impacts on the highway network or highway safety. The proposal is therefore considered to comply with PfE Policy JP-C8 and Chapter 9 of the NPPF.

## **12. ECOLOGY**

- 12.1 PfE Policy JP-G8 states (in summary) that development proposals should avoid fragmenting or severing connectivity between habitats and is expected to deliver a minimum of 10% measurable net gain in biodiversity and include suitable long-term management arrangements for habitats and geological features associated with the development. Oldham Core Strategy Policy 21 states that new development and growth pressures must be balanced by protecting, conserving, and enhancing our local natural environments.

- 12.2 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 was submitted prior to 2 April 2024, when BNG requirements were extended to small sites. Therefore, the development is exempt from the requirement to deliver 10% net gain

### **13. RESPONSE TO REPRESENTATIONS**

- 13.1 Many of the concerns raised through public representations have been addressed in the main body of this report. However, for completeness, those not explicitly covered are expanded upon below.
- 13.2 Concerns relating to access, highway impacts, parking, and the absence of a parking strategy have been noted. As set out above in this report, the end use of the building does not require planning permission and is therefore not a material consideration in this application. This application relates solely to the proposed physical works to the listed building.
- 13.3 Heritage concerns have been fully assessed in the report. While some harm has been identified, this has been judged to be less than substantial and is outweighed by the public benefits of the scheme, including the restoration and long-term retention of a designated heritage asset.
- 13.4 Issues relating to residential amenity have been considered in Section 8. Concerns regarding the future use of the building fall outside the scope of this application, as no change of use is proposed. Additionally, objections relating to religious beliefs or potential religious conflicts are not material planning considerations and cannot be taken into account in the determination of this application.
- 13.5 There are no identified unacceptable impacts in relation to ecology arising from the development, given the nature of the works proposed. The development is exempt from the requirement to deliver Biodiversity Net Gain under current regulations and guidance, and no further assessment is required in this regard.
- 13.6 Land ownership issues are not material to the determination of a planning application. Speculation regarding ownership or rights over the land does not affect the assessment of the planning merits of the proposal.
- 13.7 In response to concerns regarding the Council's handling of the application, all submitted plans and supporting documents have been made publicly available. The application has been publicised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Planning (Listed Buildings and Conservation Areas) Act 1990. This included neighbour notification letters, the display of site notices, and publication of a press notice. The Local Planning Authority has fulfilled its statutory obligations in this regard.

- 13.8 Concerns regarding potential disturbance to graves or burial areas have been considered by GMAAS, and further planning conditions relating to the submission of additional archaeological investigation works will ensure that this matter is dealt with thoroughly. This application does not propose to remove any buried remains from the site.

## **14. CONCLUSION**

- 14.1 In conclusion, the principle of development is considered acceptable for the reasons set out above.
- 14.2 The proposals have been assessed against the relevant legislative tests, including Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the heritage policies set out in the NPPF and the Core Strategy
- 14.3 The development would result in harm to the significance of the Grade II listed building and non-designated archaeological remains. This harm has been carefully considered and is afforded considerable weight in accordance with the NPPF. However, the scheme would deliver substantial public benefits, including the repair, stabilisation and viable reuse of a heritage asset in a poor and deteriorating condition, alongside enhanced public access and community use. Subject to the recommended conditions, including archaeological mitigation, these benefits are considered to outweigh the identified harm.
- 14.4 The proposal is therefore considered to comply with the requirements of Chapter 16 of the NPPF, together with relevant local and strategic planning policies. Accordingly, the application is recommended for approval, subject to conditions.

Appropriate controls can be secured by condition to manage construction impacts, including noise, vibration, and construction traffic, thereby ensuring compliance with local policy requirements.

On balance and having given considerable importance and weight to the preservation of the designated heritage asset, it is concluded that the proposed development is acceptable and in accordance with the development plan and national planning policy when read as a whole.

## **15. RECOMMENDATION**

- 15.1 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. No development groundworks shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Project Design (PD) submitted to and approved in writing by Oldham Council. The PD shall cover the following:
  1. Informed by the North West Historic Environment Research Framework, a phased programme of site investigation and recording to include:
    - i. Archaeological evaluation through test-pits/trenches/strip-map areas
    - ii. (informed by i) A scheme for the detailed excavation and recording of structural remains identified, including graves, and for the removal and reburial of human remains at risk (subject of a new detailed PD)
  2. A programme of post excavation assessment to include:
    - i – analysis of the site investigation records and finds
    - ii - production of a final report on the significance of the heritage interest recorded.
  3. Deposition of the final report with the Greater Manchester Historic Environment Record.
  4. Dissemination of the results commensurate with their significance.
  5. Provision for archive deposition of the report and records of the site investigation.
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved PD.

REASON: In accordance with NPPF Section 16, Paragraph 218 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

4. No above-ground works shall take place until details and samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
  - Samples of all stone, including type, colour and texture;
  - Full details of mortar mixes; and
  - A sample panel of proposed pointing.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the use of appropriate materials in the interests of retaining as far as possible the character and significance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

5. Notwithstanding the submitted plans, no works relating to the reconstruction of the collapsed or reduced-height chapel walls shall take place until the proposals have

been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- Elevations and sections;
- Details of stone coursing, bonding and jointing;
- The use, selection and placement of salvaged stone; and
- Construction and finishing details informed by site clearance and investigation works.

The works shall be carried out in accordance with the approved details.

REASON: To ensure a sympathetic reconstruction of historic fabric in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

6. No development shall commence until a detailed method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- Construction methodology for the new gable wall;
- Measures to protect retained historic fabric, including internal plasterwork;
- Details of the removal of existing lime plaster;
- Repointing methodology;
- Methodology for repair of existing railings and gates; and
- Details of the storage, handling and protection of salvaged stone.

The works shall be carried out in accordance with the approved method statement.

REASON: To safeguard the historic fabric of the Listed Building during construction works in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

7. Notwithstanding the submitted plans, no above-ground works shall take place until detailed drawings and specifications of the following have been submitted to and approved in writing by the Local Planning Authority:

- Wrought iron infill panels;
- Boundary railings and gates (including temporary gates);
- External doors and frames;
- Ventilation grilles; and
- Rainwater goods.

The development shall be carried out in accordance with the approved details.

REASON: To ensure all external features are appropriate to the character and significance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

8. Prior to the installation of any new flooring, details of the proposed flooring works shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include:
- Materials and construction details; and
  - Justification for replacement where existing flooring cannot be retained and repaired.

The works shall be carried out in accordance with the approved details. REASON: To safeguard historic fabric and ensure appropriate replacement works in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

9. No works to the staircase within the Sunday School shall take place until detailed drawings and a method statement for its repair and reinstatement have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. REASON: To ensure the appropriate conservation of an important internal feature in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

10. Prior to the commencement of works to the existing entrance structure, details of the proposed repair and refurbishment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. REASON: To preserve the character and appearance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

11. No works to the burial ground area shall take place until a detailed scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Hard and soft landscaping details;
- Treatment and protection of gravestones and ledger stones;
- Surface materials; and
- Boundary treatments where applicable.

The development shall be carried out in accordance with the approved details. REASON: To ensure the setting of the Listed Building is preserved and enhanced in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

12. Works shall take place only between:

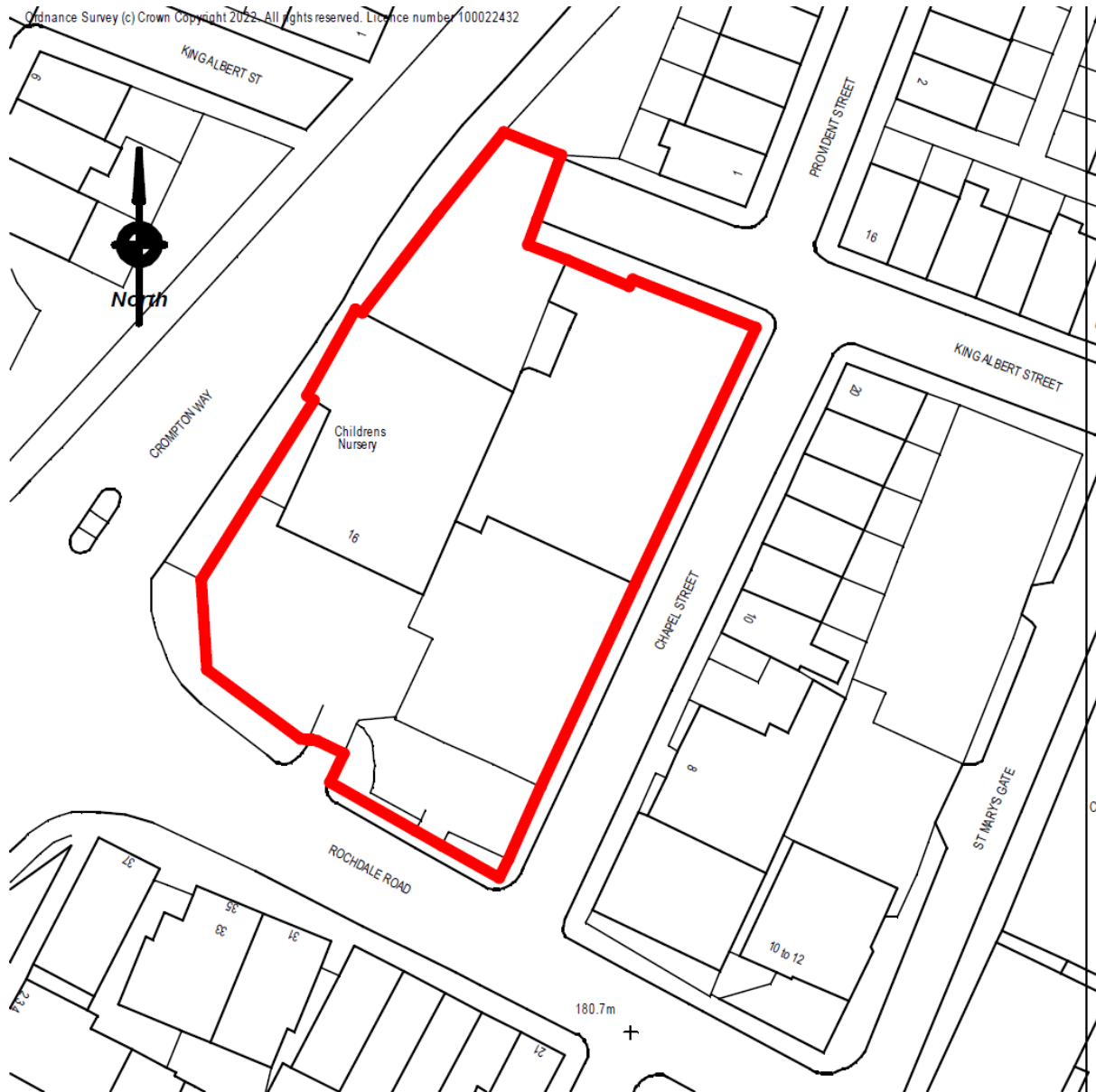
- 08:00 to 18:00 Monday to Friday
- 09:00 to 13:00 Saturday
- No works shall take place on Sundays or Bank Holidays.

REASON: To protect the amenity of existing residents in accordance with Oldham Local Plan Policy 9.

13. No burning of waste or other materials shall take place on site at any time unless otherwise agreed in writing by the Local Planning Authority. REASON: To protect the amenity of nearby occupiers and to prevent air pollution in accordance with Oldham Local Plan Policy 9.
14. No development shall commence (other than works to remove invasive species) until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of measures to control stone crushing activity (if applicable), dust, noise, vibration, and traffic management measures arising from construction activities and shall have regard to the Institute of Air Quality Management's latest guidance on the assessment of dust from construction and demolition. The approved CMP shall be adhered to throughout the construction period. REASON: To protect the amenity of nearby occupiers in accordance with Oldham Local Plan Policy 9.
15. Piling shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details. REASON: To protect the amenity of nearby occupiers in accordance with Oldham Local Plan Policy 9.
16. 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.

# 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 – LBC/349489/22 Planning Committee – 8<sup>th</sup> July 2026**

Registration Date: 22 July 2022  
Ward: Shaw

Application Reference: LBC/349489/22  
Type of Application: LBC

Proposal: Partial rebuild of the chapel walls, formation of salvaged stone storage enclosure within the footprint of the chapel. Restoring the existing graveyard to the front of the chapel and Refurbishment/Repair of 19thC iron railings. Erection of New Permanent Gable wall to Sunday School/Chapel. Replacement to Entrance Door Sets to Sunday School and Internal works including repairing damaged timber floors, repairs to Escape Staircase

Location: Saint Paul's Methodist Church, Rochdale Road, Shaw, OL2 8AD

Case Officer: Stephen Gill  
Applicant: Mr. Mohammed Hussain-Ahmed  
Agent: Mr. Don Hobson

### **1. INTRODUCTION**

- 1.1 This Listed Building Consent application is referred to Planning Committee for determination at the request of the Assistant Director Planning, Transport & Housing Delivery because of the level of concern surrounding these applications in the local community.
- 1.2 The site is located on the northern side of Rochdale Road and is flanked by Chapel Street to the east, King Albert Street to the north, and Crompton way is located to the west. The site comprises the Grade II listed St Paul's Methodist Church. The original chapel was built in 1863 and designed by architect James Simpson. The Sunday School to the rear was built in 1871 The former nursery build was a 20<sup>th</sup> century addition. The site also encompasses a previously used car park which is accessed from Rochdale Road and a further car park to the rear, accessed from King Albert Street.

### **2. THE PROPOSAL**

- 2.1 The application proposes the partial reconstruction of the Church and Sunday School buildings, including the reinstatement of a collapsed gable wall, the formation of a new permanent gable, and repairs to the structural and architectural elements. The scheme

also includes internal adaptations, a new access arrangement, and the formation of a landscaped peace garden within the existing graveyard to the front of the chapel and Refurbishment/Repair of 19thC iron railings.

### 3. PLANNING HISTORY

- PA/343832/19 - Part retrospective application for the demolition of a building previously forming part of the church- Granted- 21/11/2019
- PA/027596/91 - Removal of condition 3 in respect of lift enclosure on PA/027262/91 - Approved 11 July 1991
- PA/027262/91 - New entrance and lift enclosure with internal alterations - Approved 23 May 1991
- PA/001486/75 - Conversion of hall into church and hall - Granted- 16/04/1975

### 4. RELEVANT PLANNING POLICIES

- 4.1 The Places for Everyone (PfE) 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 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

- Policy 24 - Historic Environment

#### Places for Everyone

- PfE Policy JP-P2 – Heritage

#### National Planning Policy Framework

### 5. CONSULTATIONS

Historic England	Historic England welcomes the submission of the Heritage Statement and Archaeological Desk-Based Assessment, noting these provide a comprehensive understanding of the site, including the extent of burials.
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	They acknowledge that whilst the proposals would result in harm, the consolidation and repair of the remaining structure, retention of salvaged materials, and restoration of the graveyard and railings would deliver heritage benefits. It is regretted that the chapel is not proposed to be rebuilt. Historic England advise that the LPA should weigh harm against public benefits in accordance with the NPPF and recommend conditions to secure detailed construction, stone reuse, and repair work
Growth Lancashire	Conclude that the development would result in substantial harm to a Grade II Listed Building. Comments are discussed in detail within the report.
Shaw and Crompton Parish Council	Object due to inadequate access and parking
Greater Manchester Archaeological Advisory Services	No objection subject to conditions. Comments discussed in detail within the report.
Victorian Society	Objects to the proposals, raising concerns that further loss of historic fabric would reduce the likelihood of any future reconstruction of the chapel. They consider the scheme would effectively result in the loss of the building and advise that the application falls short of NPPF requirements due to insufficient information.
Historic Buildings and Places	Object to the proposals, advising that the proposals would consolidate the loss of the historic chapel and fail to meaningfully restore its significance. Concerns are also raised regarding the design of the proposed gable, the impact on townscape, and the potential clearance of graves. They conclude that the scheme is unacceptable in heritage terms.

## 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, display of a site notice, and publication of a press notice.
- 6.2 In response 196 representations have been received objecting to the development.
- 6.3 The grounds of objection are summarised below:
- 6.4 **Highways, Access, and Parking**
- Access/egress too close to busy crossroads with traffic lights and accident history.

- Surrounding streets too narrow for increased traffic flow.
- Risk of congestion, queuing, and restricted emergency access.
- Insufficient spaces for projected visitor numbers (some estimates up to 300–500 people).
- Loss of existing on-street parking for residents and local businesses.
- Concerns about overspill parking onto surrounding residential streets.
- Increased vehicle movements leading to congestion in Shaw centre.
- Additional air pollution and noise from traffic.
- Disruption to bin collections and service vehicles due to blocked roads.

Highways matters are not material to the Listed Building application.

#### 6.5 **Heritage and Listed Building Concerns**

- Harm to the Grade II listed building's historic fabric and setting.
- Preference for full restoration of the church to its original form and use.
- Opposition to demolition or alteration of original stonework and features.
- Perception that Shaw's heritage and architectural character are being eroded.

Heritage matters are discussed in detail in section 7 of this report.

#### 6.6 **Residential Amenity Impacts**

- Noise nuisance and disturbance from large gatherings and events.
- Loss of privacy to neighbouring properties.
- Increased general activity impacting quiet residential streets.

The above matters are not material to the Listed Building application.

#### 6.7 **Other Planning Considerations**

- Potential impact on local ecology.
- Possible contamination risks from ground disturbance.

The above matters are not material to the Listed Building application.

#### 6.8 **Religion & Disturbance to the Burial Ground**

- Perceived use of the site as a mosque or Islamic centre.
- Potential Loss of Christian heritage.
- Concerns that a Christian church and burial site would be repurposed for a different faith.
- Concerns about future use or expansion of a mosque:
- Potential inter-faith conflicts.
- Potential disrespect to the existing (Christian) burial ground.
- Belief that the site contains over 400 graves; strong opposition to disturbance.
- Calls for graves to remain undisturbed and for site to be treated as consecrated ground.

#### 6.9 **Other Concerns**

- Allegations of underhanded or non-transparent dealings.
- Claims of misinformation or contradictory plans submitted by the applicant.

- Frustration over perceived lack of meaningful public consultation from the Council.
- Desire for the building to serve wider community functions, particularly for youth.

## ASSESSMENT OF THE PROPOSAL

### 7. IMPACT TO DESIGNATED HERITAGE ASSET

- 7.1 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.
- 7.2 In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The PfE Plan must also be considered in the determination of planning applications, alongside Oldham's Development Plan.
- 7.3 Development Plan Policy 24 states (in summary) that the Council will protect, conserve, and enhance heritage assets and their settings which adds to the borough's sense of place and identity. PfE Policy JP-P2 (in summary) states that development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy
- 7.4 Paragraph 210 of the NPPF outlines that in determining planning applications, local planning authorities should consider:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities and economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 7.5 Paragraph 212 emphasises that great weight should be given to the conservation of designated heritage assets, with the degree of weight increasing with the asset's significance. This applies regardless of the level of harm (substantial or less than substantial).
- 7.6 Paragraph 215 states that where a proposal would lead to *less than substantial harm*, this harm must be weighed against the *public benefits* of the proposal, including securing the asset's optimum viable use.
- 7.7 In considering the weight to be given to heritage assets within the planning balance, the judgment in *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin) is particularly relevant. At paragraph 45 of the judgment, Lindblom LJ confirmed that:

*“There is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building or the character or appearance of a conservation area.”*

- 7.8 This reinforces the need for significant weight to be afforded to the conservation of designated heritage assets, in line with the statutory duties under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 16 of the NPPF.

#### *Background*

- 7.9 By 2016, despite its listed status, the building had deteriorated significantly and was placed on the Historic England *Buildings at Risk Register*. Early that year, part of the roof collapsed, confirming longstanding structural concerns. Emergency works were carried out to address immediate public safety risks, including partial wall removal and the installation of external scaffolding. However, the building remained unstable, and ongoing movement placed further strain on the temporary supports. In 2019, structural professionals concluded that substantial demolition was the only viable option to eliminate the risk posed by the building.
- 7.10 The work included reducing the height of the walls to 1 metre above ground floor cill level due to the dangerous structural condition. This caused a high level of harm to the significance of the listed building, but support for the works was predicated on Historic England's (HE) expectation that the chapel would be rebuilt. The demolition was carried out under the *Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010* and planning application ref: PA/343832/19.
- 7.11 Although the demolition caused substantial harm to the listed building's significance, no alternative means of stabilisation were identified. Listed Building Consent was not required due to the Ecclesiastical Exemption. While the demolition was regrettable, it was justified on grounds of structural safety and public protection.
- 7.12 The applicant purchased the site in 2023 and has advised that, at the time of purchase, conveyancing confirmed there was no legal requirement to fully reinstate the chapel building, beyond safeguarding the retained structure and preserving existing stone and building components. Following acquisition, a site clearance exercise was undertaken during which the west wall collapsed, resulting in further harm to the Listed Building. The agent for the application has also advised that the applicant was not aware of the building's listed status at the time of purchase. Notwithstanding this, the applicant has confirmed that remedial works will be undertaken, including the reconstruction of the west wall, which is addressed later in this report.

#### *Proposed Works*

- 7.13 This application proposes to bring the building back into use, which is a significant benefit of the scheme. The scheme includes constructing a new permanent stone gable wall on the south elevation of the former chapel. This wall will be built on a steel frame

supported by concrete pad foundations and helical piles. The external face will feature new ashlar stonework with moulded coping stones and a pediment that reflects the original architectural character. The wall is purposefully set forward to protect the surviving internal plaster mouldings and decorative features from further deterioration. A void would be created between the new and existing walls to allow for future maintenance, with secure internal access and a temporary decorative gate to facilitate this.

- 7.14 The west gable wall of the chapel, which as set out above collapsed as part of previous clearance work is to be reinstated up to 1 metre above ground level, using salvaged stone reclaimed from the original structure. This section would replicate the original detailing and align with the retained east wall in terms of height and appearance. Consolidation and repair of existing quoins and rubble masonry would also be carried out where necessary.
- 7.15 Repairs and alterations are also proposed to the surviving Sunday School building. Several door openings would be reinstated, including the replacement of an original timber entrance door with a frameless glass door set within an aluminium frame. Two new double doors are proposed, one replacing an unauthorised UPVC window and stone infill, and the other reinstated in a historically appropriate position, using designs that match the original. Internally, a previously removed staircase, likely dismantled during earlier demolition works, would be reconstructed using surviving elements such as the newel posts, handrail, and balustrades. The internal hardwood tongue-and-groove floor, partially removed due to damp issues, will require improved ventilation prior to reinstatement.
- 7.16 Externally, the graveyard to the front of the chapel would be cleared of overgrown vegetation, debris, and rubbish. All graves and gravestones would be retained and protected throughout. The area is to be repurposed as a community peace garden. The cast iron railings enclosing the graveyard would be repaired, refurbished, and refinished to reflect their original appearance. Additionally, new wrought iron infill panels are proposed within the chapel's former window openings to secure the structure, designed to complement the historic railings.
- 7.17 New copings, lead flashings, and rainwater goods would match the materials and profiles of the original features. Moulds would be taken of decorative elements, such as friezes, lozenges, and arch mouldings, prior to encapsulation, enabling future interpretation or reproduction if needed. Perished lime plaster would be removed and repointed using Natural Hydraulic Lime.
- 7.18 The applicant states that the overall design philosophy reflects a conservation-led approach focused on consolidating the site's historic significance rather than pursuing full reconstruction.

#### *Heritage Harm*

- 7.19 Historic England (HE) and Growth Lancashire (GL), the Council's conservation advisors, have been consulted and did raise initial concerns regarding the application

for two principal reasons. Firstly, concerns relate to the nature of the proposed scheme. Secondly, insufficient information was initially submitted to enable a robust assessment of the impact on the significance of the Grade II listed buildings, including the absence of a Heritage Impact Assessment (HIA) and a lack of clarity regarding the extent and phasing of works.

- 7.20 HE's concerns originate from the 2019 works, when structural professionals concluded that substantial demolition was necessary to address the chapel's dangerous condition. Demolition was undertaken under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010, reducing the chapel walls to approximately 1 metre above ground floor cill level. Whilst this resulted in a high level of harm to the significance of the listed building, HE supported those works on the expectation that the chapel would subsequently be rebuilt.
- 7.21 In subsequent responses, HE advised that, whilst the current proposals represent an improvement on earlier iterations, the application lacked sufficient supporting information, including both a Heritage Impact Assessment (HIA) and an Archaeological Desk-Based Assessment. Heritage consultees raised concerns that the proposals represent a consolidation approach following earlier substantial harm, without provision for full reinstatement of the chapel.
- 7.22 Whilst these concerns are noted, the current application must be assessed on its own merits. The partial demolition pre-dates the involvement of the current applicant, who was not party to those works and is not subject to any binding requirement to reconstruct the chapel. The LPA cannot require full reconstruction and must therefore determine the acceptability of the scheme as submitted.
- 7.23 In response, the applicant submitted a HIA in May 2026, prepared by Keystone Heritage, which assesses the significance of the heritage assets and the impact of the proposed works.
- 7.24 The HIA identifies that the principal source of harm arises from the introduction of a new gable to the former chapel. This would alter the historic plan form and spatial character of the surviving ruin, resulting in some loss of evidential and historical value. However, the HIA concludes that this harm is moderated by the sensitive design approach, including the use of compatible materials, retention of surviving fabric, and the structural necessity of the intervention.
- 7.25 The HIA also identifies a range of heritage benefits, including the partial reconstruction and stabilisation of the chapel using salvaged stone, the repair and retention of historic railings, and the restoration of the burial ground as a publicly accessible 'peace garden'. These measures would enhance the condition, legibility and communal value of the site. Internal works to the Sunday School building are similarly assessed as beneficial.
- 7.26 Overall, the HIA concludes that the proposals would give rise to less than substantial harm to the significance of the listed buildings, principally arising from the intervention within the chapel.

- 7.27 Both HE and GL have been re-consulted on the submitted HIA. HE welcomes the submission of a comprehensive HIA and Archaeological Desk-Based Assessment, noting that these provide a detailed understanding of the site's significance and the extent of potential below-ground remains, including additional burials.
- 7.28 Whilst HE reiterates that the absence of proposals to rebuild the chapel is regrettable, they acknowledge that the scheme includes positive measures, including the safeguarding and reuse of masonry and the consolidation of the remaining structure, which would assist any future reconstruction.
- 7.29 HE advises that the LPA should weigh the identified harm against the public benefits of the proposal, giving great weight to the conservation of the designated heritage asset in accordance with the NPPF.
- 7.30 GL acknowledge that the HIA provides a comprehensive account of the site's history and the proposed works.
- 7.31 However, GL advise that the HIA does not adequately justify its conclusion that the development would result in less than substantial harm. In particular, it does not sufficiently address the implications of the chapel's previous collapse in 2019 or fully engage with the requirements of paragraph 214 of the NPPF, including consideration of whether the chapel should be rebuilt.
- 7.32 GL note that, when considered in isolation, the proposals may give rise to less than substantial harm, with some heritage benefits arising from the restoration of the burial ground and the limited safeguarding of surviving fabric. However, they advise that such an approach would effectively confirm the permanent loss of the chapel, which was accepted previously in 2019.
- 7.33 When assessed in its full context, including the absence of proposals to rebuild the collapsed chapel and the lack of clear justification under paragraph 214 of the NPPF, GL conclude that the development would result in a substantial level of harm to the significance of the listed building.
- 7.34 Accordingly, GL advise that the LPA must assess whether the identified substantial harm is outweighed by substantial public benefits, or whether the criteria set out in paragraph 214(a–d) of the NPPF have been met.

#### *Archaeological Harm*

- 7.35 The site is located within an area of known archaeological potential associated with the historic chapel and its graveyard. In particular, there is clear evidence that burial activity has taken place both within the external graveyard and potentially within the footprint of the later chapel building itself.
- 7.36 The application is supported by a Desk Based Archaeological Assessment (May 2026) (DBA). The DBA draws upon historic mapping, archival sources, burial records and site inspection to establish the archaeological baseline and assess potential impacts. The

Greater Manchester Archaeological Advisory Service (GMAAS) has been consulted and confirms that the submitted DBA is robust and agrees with its conclusions.

- 7.37 The DBA identifies that earlier burial ground associated with the original Bethel Chapel (shown on mapping from 1845) was partially built over by the later Methodist chapel (1881). As a result, there is potential for previously unrecorded burials, including within the southern and western parts of the chapel footprint, in addition to those known within the surviving graveyard. Burial records indicate the presence of both in-ground interments and burial vaults, although the precise locations of some of these remain uncertain.
- 7.38 GMAAS advises that the proposed groundworks, including the construction of the new south gable, clearance of internal material, and preparation of surfaces, have the potential to disturb both known and unknown burials, as well as earlier structural remains. As such, archaeological investigation and mitigation will be required.
- 7.39 In order to address this, GMAAS recommends that a programme of further archaeological works is secured by condition. This would include an initial phase of archaeological evaluation, followed where necessary by detailed excavation, recording, and appropriate treatment of any remains identified.
- 7.40 GMAAS welcomes the proposed restoration of the burial ground as a 'peace garden', subject to appropriate safeguards to ensure that gravestones and ledger stones are protected during clearance works. The recording of inscriptions is encouraged as a means of enhancing public understanding and community engagement with the site.
- 7.41 Subject to the imposition of a suitably worded planning condition securing a phased programme of archaeological investigation, recording, and post-excavation analysis, the development is considered acceptable in archaeological terms. The development would therefore accord with the requirements of the NPPF in respect of conserving and recording heritage assets.
- 7.42 The DBA concludes that the development would cause less than substantial harm to non-designated buried archaeology. GMAAS have not questioned this conclusion.

#### *Harm vs Benefits*

- 7.43 As established in *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin), any harm to the significance of a designated heritage asset must be given considerable importance and weight in the planning balance.
- 7.44 GL conclude that the development would result in substantial harm to the significance of the Grade II listed building. In such circumstances, as set out above, NPPF paragraph 214 requires that consent should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or that the alternative criteria (A-D) set out within that paragraph are met.

- 7.45 It is also accepted that the development would result in less than substantial harm to non-designated archaeological remains. In accordance with paragraph 215 of the NPPF, this harm must also be weighed against the public benefits of the proposal.
- 7.46 The identified public benefits of the scheme include:
- The repair and partial restoration of a severely damaged Grade II listed building, securing its long-term retention;
  - The reintroduction of the building's use as a place of worship, delivering social and community value;
  - The creation of a publicly accessible 'peace garden', providing communal and heritage benefits; and
  - Economic and social benefits associated with construction activity and ongoing use.
- 7.47 The identified less than substantial and substantial harm is afforded significant weight in the planning balance. It is noted that the concerns raised by HE and GL appear to be influenced, in part, by the extent of previous demolition works and the absence of proposals to fully reconstruct the chapel.
- 7.48 However, those earlier works predate the current applicant's involvement, and there is no legal requirement for the applicant to re-build the chapel in full. On that basis, the LPA must assess the application as submitted and cannot require the full reconstruction of the chapel. The assessment is therefore focused on whether the current proposals represent an acceptable and justified approach to the conservation of the remaining asset.
- 7.49 As set out above, since acquiring the site, the applicant has undertaken clearance works during which a further section of the western wall collapsed, increasing the level of harm. The current proposals however include remedial measures to stabilise and reconstruct the western wall as described above.
- 7.50 In considering the planning balance, significant weight is given to the current condition of the site. The building is in a very poor state of repair, is not publicly accessible, and currently provides no viable use, detracting from the character and appearance of the area.
- 7.51 The proposed scheme would secure the stabilisation, partial reconstruction and viable reuse of the listed building and associated Sunday School. It would significantly improve the condition and appearance of the site, secure its long-term occupation, and deliver meaningful public access and community benefit. When considered in the context of the building's current condition, it is concluded that the substantial harm identified would be outweighed by the substantial public benefits arising from the scheme.
- 7.52 On this basis, the proposal is considered to comply with the requirements of Chapter 16 of the NPPF, Policy JP-S2 of Places for Everyone, and Local Plan Policy 24.

## **8. RESPONSE TO REPRESENTATIONS**

- 8.1 Many of the concerns raised through public representations, particularly those relating to heritage matters, have been addressed within the main body of this report.
- 8.2 Concerns relating to access, highway impacts, parking, residential amenity, ecology, and land ownership are not material to the determination of this application, which relates solely to works to a Listed Building. The assessment of this application focuses on heritage considerations. These matters have been considered separately under the associated full planning application (reference FUL/349488/22).
- 8.3 Concerns regarding potential disturbance to graves or burial areas have been considered by GMAAS, and further planning conditions relating to the submission of additional archaeological investigation works will ensure that this matter is dealt with thoroughly. This application does not propose to remove any buried remains from the site.

## **9. CONCLUSION**

- 9.1 In conclusion, the principle of development is considered acceptable for the reasons set out above.
- 9.2 The proposals have been assessed against the relevant legislative tests, including Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the heritage policies set out in the NPPF and the Core Strategy
- 9.3 The development would result in harm to the significance of the Grade II listed building and non-designated archaeological remains. This harm has been carefully considered and is afforded considerable weight in accordance with the NPPF. However, the scheme would deliver substantial public benefits, including the repair, stabilisation and viable reuse of a heritage asset in a poor and deteriorating condition, alongside enhanced public access and community use. Subject to the recommended conditions, including archaeological mitigation, these benefits are considered to outweigh the identified harm.
- 9.4 The proposal is therefore considered to comply with the requirements of Chapter 16 of the NPPF, together with relevant local and strategic planning policies. Accordingly, the application is recommended for approval, subject to conditions.
- 9.5 On balance and having given considerable importance and weight to the preservation of the designated heritage asset, it is concluded that the proposed development is acceptable and in accordance with the development plan and national planning policy when read as a whole.

## 10. RECOMMENDATION

10.1 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
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 groundworks shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Project Design (PD) submitted to and approved in writing by Oldham Council. The PD shall cover the following:
  1. Informed by the North West Historic Environment Research Framework, a phased programme of site investigation and recording to include:
    - i. Archaeological evaluation through test-pits/trenches/strip-map areas
    - ii. (informed by i) A scheme for the detailed excavation and recording of structural remains identified, including graves, and for the removal and reburial of human remains at risk (subject of a new detailed PD)
  2. A programme of post excavation assessment to include:
    - i – analysis of the site investigation records and finds
    - ii - production of a final report on the significance of the heritage interest recorded.
  3. Deposition of the final report with the Greater Manchester Historic Environment Record.
  4. Dissemination of the results commensurate with their significance.
  5. Provision for archive deposition of the report and records of the site investigation.
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved PD.

REASON: In accordance with NPPF Section 16, Paragraph 218 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

4. No above-ground works shall take place until details and samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
  - Samples of all stone, including type, colour and texture;

- Full details of mortar mixes; and
- A sample panel of proposed pointing.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the use of appropriate materials in the interests of retaining as far as possible the character and significance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

5. Notwithstanding the submitted plans, no works relating to the reconstruction of the collapsed or reduced-height chapel walls shall take place until the proposals have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
  - Elevations and sections;
  - Details of stone coursing, bonding and jointing;
  - The use, selection and placement of salvaged stone; and
  - Construction and finishing details informed by site clearance and investigation works.

The works shall be carried out in accordance with the approved details.

REASON: To ensure a sympathetic reconstruction of historic fabric in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

6. No development shall commence until a detailed method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
  - Construction methodology for the new gable wall;
  - Measures to protect retained historic fabric, including internal plasterwork;
  - Details of the removal of existing lime plaster;
  - Repointing methodology;
  - Methodology for repair of existing railings and gates; and
  - Details of the storage, handling and protection of salvaged stone.

The works shall be carried out in accordance with the approved method statement.

REASON: To safeguard the historic fabric of the Listed Building during construction works in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

7. Notwithstanding the submitted plans, no above-ground works shall take place until detailed drawings and specifications of the following have been submitted to and approved in writing by the Local Planning Authority:
  - Wrought iron infill panels;
  - Boundary railings and gates (including temporary gates);

- External doors and frames;
- Ventilation grilles; and
- Rainwater goods.

The development shall be carried out in accordance with the approved details.

REASON: To ensure all external features are appropriate to the character and significance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

8. Prior to the installation of any new flooring, details of the proposed flooring works shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include:
  - Materials and construction details; and
  - Justification for replacement where existing flooring cannot be retained and repaired.

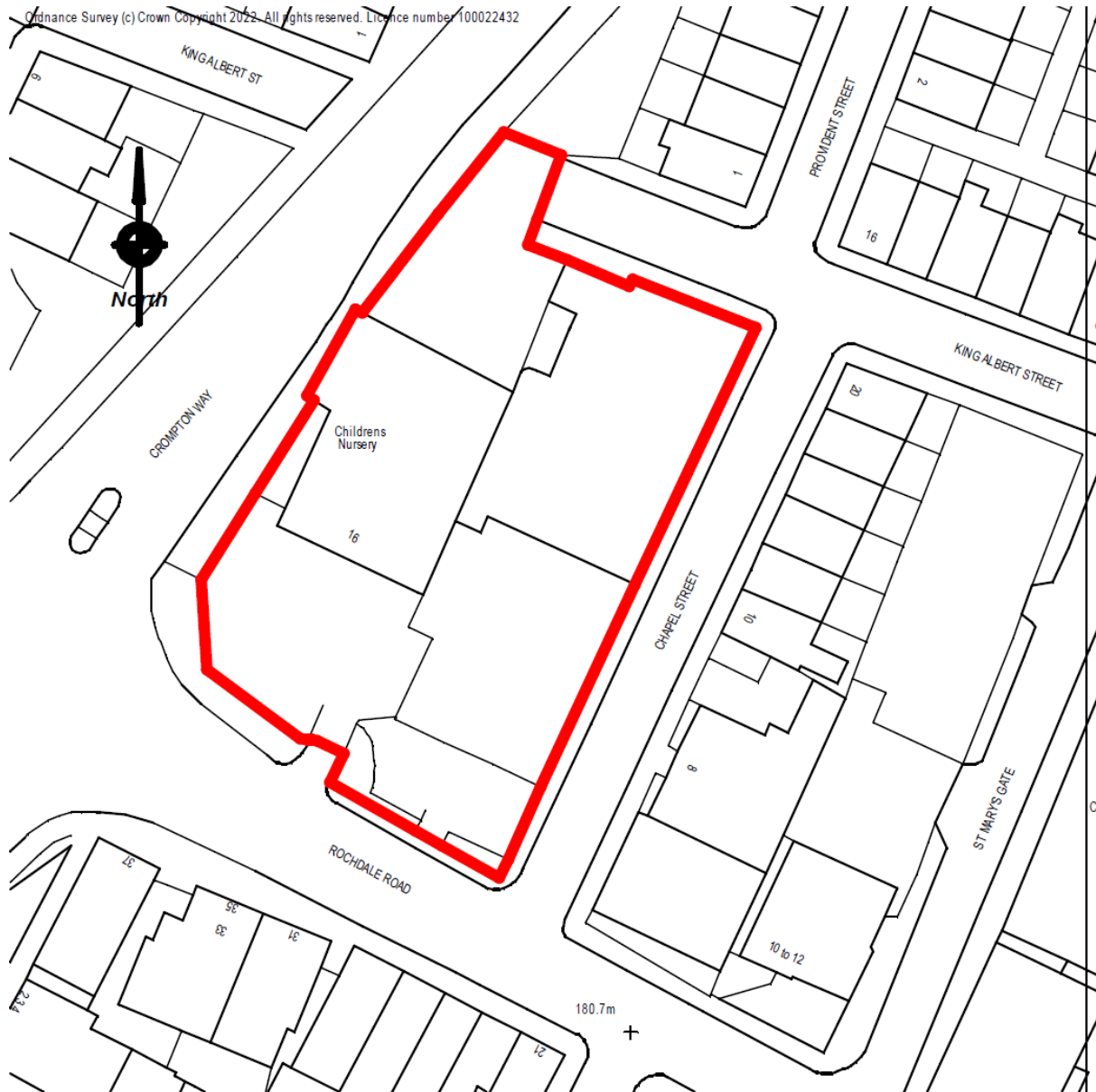
The works shall be carried out in accordance with the approved details. REASON: To safeguard historic fabric and ensure appropriate replacement works in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

9. No works to the staircase within the Sunday School shall take place until detailed drawings and a method statement for its repair and reinstatement have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. REASON: To ensure the appropriate conservation of an important internal feature in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.
10. Prior to the commencement of works to the existing entrance structure, details of the proposed repair and refurbishment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. REASON: To preserve the character and appearance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.
11. No works to the burial ground area shall take place until a detailed scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
  - Hard and soft landscaping details;
  - Treatment and protection of gravestones and ledger stones;
  - Surface materials; and
  - Boundary treatments where applicable.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the setting of the Listed Building is preserved and enhanced in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

# 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/354901/25 Planning Committee 8<sup>th</sup> July 2026**

Registration Date: 5<sup>th</sup> August 2025  
Ward: Chadderton North

Application Reference: FUL/354901/25  
Type of Application: Full

Proposal: Change of use of existing building from part agricultural, part B8 industrial, to use class E (children's day nursery) with new car parking.

Location: Hill Top Farm, Healds Green, Chadderton, OL1 2SB

Case Officer: Sophie Leech  
Applicant: Mrs Hayley Rennie  
Agent: Spence & Oldham Architects 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 as it was called in by a local ward councillor (Councillor Colin McLaren) who is no longer an elected councillor. This referral was made based on concerns about highway safety, impact on the green belt, and given the level of public interest. Subsequently, the referral request has been maintained by Councillor Barbara Brownridge.

### **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 The site is 889m<sup>2</sup> in size and consists of the single storey building and its surrounding curtilage. The building measures approximately 177m<sup>2</sup> in footprint, currently used as half agricultural (88m<sup>2</sup>) and half industrial / storage (89m<sup>2</sup>). The external parts of the site are characterised by rough and patchy modified grassland, partially gravelled, with areas of hardstanding for vehicular access.
- 3.2 The site is bounded to the north by hedgerows along Heights Lane with gated vehicular access, and a fenced off electrical substation. To the east and south the site is bounded by a fence to the Hilltop Farm riding school (within the same land ownership), and to the west by a residential property, 2 Hilltop.
- 3.3 The site is allocated in the Local Plan Proposals Map as being within the Green Belt.

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

- 4.1 The application seeks planning permission for the change of use of the existing building from part agricultural, part B8 industrial, to use class E (children's day nursery) with new car parking. The nursery will provide 50 child spaces.
- 4.2 The existing building is a single storey timber portal frame structure, approximately 25.5m long x 7.2m wide and measuring approximately 4m at its highest point. The interior of the building is open and divided into two spaces which demarcate the two different uses of the building.

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

FUL/356030/26 - Part change of use of agricultural building to Class E use - beauty salon (Pending Consideration).

AGR/354203/25 - Agricultural building for storage of farm machinery. – Granted, 24/04/2025.

FUL/348550/22 - Erection of an indoor manege extending to circa 35m by 25m – Refused, 30/08/2022.

FUL/346541/21 - Erection of building to provide indoor riding arena – Withdrawn, 11/06/2021

CD/340456/17 - Discharge of planning conditions numbers: 3 (protected species), 4 (contamination), 5 (materials) & 7 (landscaping) attached to PA/337077/15 (Conversion of existing barn/stables to form 4 no. dwellings). Disposed of, 05/12/2018

AG/339404/16 - Proposed agricultural building - Granted, 15/12/2016

PA/337077/15 - 1) Conversion of existing barn/stables to form 4 no. dwellings 2) Single storey side extension 3) Erection of garage block – Granted, 12/11/2015

##### Appeal History

REF/0152/23 - Erection of an indoor manege extending to circa 35m by 25m – Dismissed, 05/10/2023

#### **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:

- Local Plan Policy 1 - Climate Change and Sustainable Development;
- Local Plan Policy 2 – Communities;
- Local Plan Policy 9 - Local Environment;
- Local Plan Policy 14 - Supporting Oldham's Economy;

- Place for Everyone Policy JP-J2 - Employment Sites and Premises;
- Place for Everyone Policy JP-P5 - Education, Skills and Knowledge;
- Places for Everyone Policy JP-S2 - Carbon and Energy
- Place for Everyone Policy JP-P1 - Sustainable Places;
- Place for Everyone Policy JP-G8 - A Net Gain to Biodiversity and Geodiversity; and,
- Place for Everyone Policy JP-G9 - Green Belt.

## 7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Following submission of requested noise assessments, no objections subject to conditions.
Highways	Formal response received. No objections, subject to cycle storage condition.
Greater Manchester Ecology Unit	Formal response received. No objections, subject to BNG condition and Habitat Management Monitoring Plan being discharged.

## 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, 73 objections have been received and 34 comments of support.

### Summary of objections:

- Highways and traffic problems;
- Noise and disturbance to a small hamlet;
- A nursery is not needed in this location;
- A vacant nursery building in Chadderton could be used;
- No pavements serve the site;
- Previous applications have been refused in this location; and,
- Significant increases in traffic will occur.

### Summary of support:

- Nurseries provide critical early years learning;
- There is a shortage of early years places in the area;
- The reuse of a building is positive;
- Local children will benefit from a local nursery;
- Locals will benefit from new employment;
- Rural setting will enhance children's learning; and,
- Working parents need reliable childcare locally.

## **ASSESSMENT OF THE PROPOSAL**

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

- 9.1 The building is in mixed use at present and forms part of a wider mixed-use site consisting of a horse-riding school and other ancillary uses. The remaining hamlet consists of residential use.
- 9.2 The proposed offering of a daycare nursery in the Chadderton Fold area will offer the local community with a much-needed and in-demand service and will provide opportunities for skilled jobs in the early years care and education sector.
- 9.3 The proposal seeks to make effective use of currently underused land. Previous agricultural buildings such as that on the site are no longer of requirement to the farm and are available for a range of alternative uses which may benefit the surrounding community.
- 9.4 The proposal seeks to make full use of the existing building on the site and enhance the existing curtilage through a range of biodiversity uplifts including new planting and enhancement of existing habitats. At the same time, the existing building whilst being upgraded will retain its existing size, shape, and look and feel to remain in keeping with the rural surroundings.
- 9.5 The site is located within the Green Belt where development is more restricted. However, the National Planning Policy Framework makes provision for the re-use of existing buildings and for material changes in the use of land provided they maintain openness and do not conflict with the overarching aims and objectives of the Green Belt's main purposes referenced in paragraph 143 of the Framework.
- 9.6 The proposed development is considered acceptable in principle, subject to compliance with all relevant local and national planning policies, including Green Belt considerations which are set out below.

### **10. GREEN BELT IMPACT**

- 10.1 The NPPF makes exemptions to inappropriate development which are set out in paragraph 154 of the Framework. These include the reuse of buildings of permanent and substantial construction as well as material changes in use of land.
- 10.2 The proposed development is a change of use with no extensions to the building, therefore no increase in built footprint. There will be a hard surfaced playground which would be considered under an engineering operation. This surfacing will not give rise to any material impact upon the Green Belt due to its presence as hard surfacing only. As such, the proposed development complies with Policy 22, Policy JP-G9 and the NPPF.

### **11. DESIGN AND APPEARANCE**

- 10.1 Policy JP-P1 Sustainable Places of the Places for Everyone Plan (2024) states that all development, wherever appropriate, should conserve and enhance the natural environment, landscape features, historic environment and local history and culture; enable a clear understanding of how the place has developed; and respect and

acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used.

- 10.2 The building will largely remain unchanged in both appearance and size. The existing timber boarding will be repainted, and new metal gutters will be installed. The building will also receive new UPVC windows and doors. No other alterations are proposed. It will retain its agricultural character and will continue to sit comfortably within its setting and the wider landscape.
- 10.3 An external play area will be created and enclosed with 2-metre-high acoustic timber fencing. The play area will be hard-surfaced, as will the frontage of the building to provide car parking. These works are modest in scale and reflect the existing hard standings already present across the site. Consequently, the additions are not expected to materially alter the appearance of the site or result in any harmful visual impact. Overall, the proposed development is considered acceptable and complies with Policy JP-P1.

## **12. RESIDENTIAL AMENITY**

- 12.1 Policy 9 of the DPD sets out that the Council will protect and improve local environmental quality and amenity by: ensuring development does not cause significant harm to the amenity of the occupants and future occupants; by ensuring there is no significant harm on neighbouring privacy and outlook, and lastly by ensuring there is no significant loss of light.
- 12.2 Residential properties lie immediately to the west and south of the site, with additional housing situated along the northern boundary. Given this context, the proposed use of the building as a children's nursery requires appropriate consideration of potential effects on neighbouring amenity.

### Noise & Disturbance

- 12.3 Noise and disturbance are a key issue in the determination of the application given the site and its surroundings regarding residential amenity. The Applicant has provided the following to mitigate any noise and disturbance on site:
- Noise Assessment covering vehicle noise impact for pick up and drop offs in the newly created car park area.
  - Both recently approved planning applications for garage conversion dwellings adjacent to the site now considered in the acoustic modelling.
  - All windows along the north-west facade fixed and non-opening.
  - For ventilation rather than going with a HVAC system we are proposing an array of high-level opening windows along the opposite facade which faces away from the residential dwellings, this is accounted for in the acoustic modelling.
  - (02)004B Proposed Plans and Elevations: Revised proposed south-east elevation to show above mentioned windows for ventilation, and removal of HVAC notes / external units. Note that these windows are high level for ventilation, and face a boundary fence, and are positioned in line with the existing boarded windows along this façade.

- 12.4 The Council's Environmental Health department have considered the above and raised no objections to the proposed development, subject to the imposition of three conditions relating to opening house, noise levels, maximum numbers of children outside at any one time, and restriction on window openings.
- 12.5 It is considered that the development would be acceptable having regard to conditions set out above, which are set out in the recommendation.

#### Residential Amenity – Light/Outlook/Privacy

- 12.6 The building is located within an established cluster of non-residential structures, with the nearest neighbouring buildings positioned at a reasonable distance from it. As no external alterations or extensions are proposed, the development will not give rise to any adverse impact on nearby residential amenity in terms of loss of light, outlook, or privacy.
- 12.7 Given the above assessment, the proposed development complies with Policy 9.

### **13. PARKING AND HIGHWAY SAFETY**

- 13.1 The surrounding area does not benefit from public transport and access from the wider area is predominantly along country lanes without footway provision. The plans originally submitted with the application had no information on how children could safely access the nursery, nor for how staff would park.
- 13.2 Amended plans now show a car parking area for staff along with a dedicated drop off area for parents with safe walking routes through the car park to the primary entrance. A dedicated pedestrian route between both car park areas and the building has been provided and can be seen on the proposed site plan.
- 13.3 There will be an intensification of traffic and an increase in the demand for on street parking. It is anticipated that some parents will still park on the nearby highways, but they will be required to do so safely and legally.
- 13.4 The Council's Highways Engineer is now satisfied that access to the proposed development is adequate in terms of access to the main entrance for children and their parents, and the demand for on street parking has been mitigated as far as possible given the constraints of the site and the wider area.
- 13.5 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.

### **14. ENERGY AND SUSTAINABILITY**

- 14.1 Policy JP-S2 (Carbon and Energy) requires new development to promote the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling. The policy states that development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy.
- 14.2 A Carbon Energy Efficiency Statement has been submitted by the Applicant outlining what measures will be put in place to promote the retrofitting of this building to improve

energy efficiency. Measures include retaining the timber structure rather than rebuilding, insulating existing walls and roof, low energy LED lighting and an energy efficient boiler system and the promotion of sustainable travel via cycling and walking to the site.

- 14.3 These measures are considered appropriate and acceptable for a change of use application that is not proposing to increase any floor area for new development.
- 14.4 As such the proposal is acceptable having regard to the requirements of Policy JP-S2.

## **15. BIODIVERSITY NET GAIN**

- 15.1 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.
- 15.2 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.
- 15.3 The proposed development has been accompanied by a Small Sites Metric and associated plans. The Metric shows a gain of 0.0173 habitat (10.39%) and 0.139 (35.54%) hedgerow units because of the development. This will be secured through the enhancement of existing grassland, existing hedgerow and planting of additional hedgerow.
- 15.4 The Greater Manchester Ecology Unit also require a small-scale Habitat Management and Monitoring Plan to be provided at condition discharge stage, detailing how the proposed enhancements will be achieved and maintained.
- 15.5 The submitted Preliminary Ecological Appraisal noted low possibility of roosting bats and no further surveys are required. A condition for bat and bird boxes will be added to the decision notice.
- 15.6 As such, it is considered that the proposal complies with Local Plan Policy 21 and PFE Policy JP-G8.

## **16. CONCLUSION**

- 16.1 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.
- 16.2 Therefore, the application is recommended for approval, subject to the conditions listed below:

## 17. RECOMMENDED CONDITIONS

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The development hereby approved shall be completed in accordance with the external materials as shown on the approved plans. 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. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination 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 a satisfactory completion report, to discharge the condition. REASON - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
5. The development hereby approved shall not commence until a scheme and timetable for the achievement of on-site Biodiversity Net Gain, to include a written 30-year Habitat Management and Monitoring Plan (HMMP), has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved plan. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policy JP-G8 of the Places for Everyone Plan (2024).
6. The development hereby approved shall not become operational unless and until a scheme for the provision of bat / bird boxes has been submitted to and approved in writing by the Local Planning Authority. 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).
7. 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.
8. The premises shall only be open to children between 07:30 and 18:00, Monday Friday. REASON - To protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.
9. The 1-hour LAeq from the premises shall not exceed 38dB when measured in free field conditions at a height of 1.5m outside any residential property in the area.

REASON – In order to protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.

10. There shall be a maximum of 15 children in the playground at any one time. REASON – In order to protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.

11. No windows serving the development hereby approved shall be opened for ventilation except those located on the south-eastern elevation. REASON – In order to protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.



## **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.

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

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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
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## **APPLICATION REPORT – FUL/355703/26 Planning Committee – 8<sup>th</sup> July 2026**

Registration Date: 12<sup>th</sup> February 2026  
Ward: St James

Application Reference: FUL/355703/26  
Type of Application: Full

Proposal: 1) Conversion of lower ground (storage) and ground floors into Class E (office). 2) Alterations to existing store frontages. 3) Conversion of first floor (residential) into a 5 bed house in multiple occupation. 4) New rear access staircase.

Location: 45 - 49 Ripponden Road, Oldham, OL1 4EW

Case Officer: Sophie Leech  
Applicant: Mrs Faiza Mushtaq  
Agent: Gamble King and Noone Limited

### **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 has declared they are a relative of Councillor Karman Ghafoor.

### **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 The site relates to 3no commercial units located at 45-49 Ripponden Road, Oldham. The site is located within a predominant mixed-use commercial/industrial area and is not within but sited directly adjacent to Business Employment Area 10 (Greenacres). In addition, there are also some residential properties nearby at Ripponden Road/Shrewsbury Street.
- 3.2 The site is unallocated by the Local Plan Proposals Map.

### **4. THE PROPOSAL**

- 4.1 The application seeks planning permission for the conversion of the lower ground (storage) and ground floors into Class E (office), alterations to existing store frontages, conversion of the first floor (residential) into a 5-bed House in Multiple Occupation (HMO), and a new rear access staircase.
- 4.2 The schedule of HMO accommodation is as follows:

- Bedroom 1: 11.99m<sup>2</sup> (single room)
- Bedroom 2: 14.21m<sup>2</sup> (single room)
- Bedroom 3: 11.27m<sup>2</sup> (single room)
- Bedroom 4: 12.50m<sup>2</sup> (single room)
- Bedroom 5: 13.49m<sup>2</sup> (single room)

4.3 The Class E (office use) is proposed at ground floor and basement level. This will provide 7 offices, along with a meeting room and kitchen and WC facilities. Units 45 and 47 benefit from existing front roller shutters which will be retained and unit 49 will benefit from new roller shutters.

## 5. PLANNING HISTORY

5.1 PA/055951/08 - Proposed alterations to shop and living accommodation – Approved 20.02.2009

## 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:

- Local Plan Policy 1 - Climate Change and Sustainable Development;
- Local Plan Policy 3 – An Address of Choice;
- Local Plan Policy 9 - Local Environment;
- Local Plan Policy 11 – Housing;
- Places for Everyone Policy JP-S2 - Carbon and Energy;
- Places for Everyone Policy JP-P1 - Sustainable Places;
- Places for Everyone Policy JP-G8 - A Net Gain to Biodiversity and Geodiversity;

## 7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. Raise no objection subject to conditions relating to soundproofing.
Highways	Formal response received. Raise no objection subject to cycle storage condition.

## 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 existing ground floor units have operated within Class E uses for over 10 years (including a bicycle shop and offices for a dog-grooming and care company). The continued Class E use at ground-floor level is therefore considered acceptable.
- 9.2 The introduction of a new Class E office use at basement level is also acceptable given the site's accessible location and the provision of pedestrian access to the rear. The existing plans show that the first floor has been used for residential purposes, possibly as a single flat, however there is no recorded planning history for this.
- 9.3 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.
- 9.4 Overall, the proposed development is considered acceptable in principle, subject to compliance with all relevant local and national planning policies which are addressed in the later sections of the report

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

- 10.1 Policy JP-P1 Sustainable Places of the Places for Everyone Plan (2024) states that all development, wherever appropriate, should conserve and enhance the natural environment, landscape features, historic environment and local history and culture; enable a clear understanding of how the place has developed; and respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used.
- 10.2 The proposed alterations to the shop frontages will enhance the appearance of the site, as the existing frontages do not positively contribute to the street scene. The three units will be provided with matching glazed shopfront designs, creating a more visually consistent frontage. No roller shutters are proposed, which further supports an active and attractive street presence.
- 10.3 Minor alterations are proposed to the windows and doors at the rear of the building. The existing basement openings, which currently contain roller shutters will be removed. These changes are minimal in nature and are considered acceptable.
- 10.4 Two of the units currently benefit from existing roller shutters on the front elevation facing Ripponden Road. It is proposed to replace these shutters and install new shutters to the third unit. However, no details have been provided regarding the design or siting of the shutters, and therefore the imposition of a condition requiring this information to be submitted and approved prior to installation is considered appropriate.
- 10.5 A new external metal staircase will be installed to provide access to the HMO. This will be positioned toward the rear of the building and will not be readily visible from public viewpoints. Its simple metal design ensures that it will not significantly detract from the

character of this mixed-use area. Overall, the proposed development is considered acceptable and complies with Policy JP-P1.

## **11. RESIDENTIAL AMENITY**

- 11.1 Policy 9 of the DPD sets out that the Council will protect and improve local environmental quality and amenity by: ensuring development does not cause significant harm to the amenity of the occupants and future occupants; by ensuring there is no significant harm on neighbouring privacy and outlook, and lastly by ensuring there is no significant loss of light.
- 11.2 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.

### HMO Standards

- 11.2 The submitted plans indicate that five bedrooms are proposed at first-floor level. The layout has been assessed against the Council's *HMO Standards for Houses in Multiple Occupation* (October 2010). The proposed arrangement demonstrates that all bedrooms meet the relevant minimum space standards.
- 11.3 Matters relating to kitchen and cooking facilities fall under the requirements of the HMO licensing process administered by the Council's Licensing Team. Notwithstanding this, the proposed kitchen/dining area shown on the plans complies with the relevant standards.

### Amenity of Occupiers of the Development

- 11.4 The site includes a narrow strip of land adjacent to the gable end, which will be paved to provide adequate pedestrian access to the rear of the property and the HMO entrance. This arrangement is considered acceptable, as the principal access route will run from the main road to the rear of the site. The width of the access path is sufficient to ensure it does not feel enclosed or constrained.
- 11.5 During the site visit, it appeared that this route is already used informally for pedestrian access to the rear of the buildings, likely serving existing residential uses. The ground-floor Class E use is located directly beneath the proposed HMO bedrooms.
- 11.6 Environmental Health have recommended a soundproofing condition to safeguard the amenity of future occupiers of the residential floor. However, the lawful use of the ground floor is already an unrestricted Class E use so any activities falling within this use class could operate without further planning control. As such, imposing a soundproofing condition is not considered to be justifiable in this context.
- 11.7 The basement storage area forms a new Class E use, but it is separated from the residential accommodation by one floor. Any future change of use within Class E such

as to a shop or salon would therefore be unlikely to result in significant noise or disturbance to HMO residents. On this basis, the amenity of future occupiers in relation to noise and activity associated with Class E uses is considered acceptable.

#### Amenity of Future & Neighbouring Occupiers

- 11.8 Neighbouring uses are primarily located within the designated Business Employment Area, which is characterised by commercial and industrial activities. The existing terrace also accommodates a mix of uses. The introduction of residential accommodation in this location is considered acceptable, given the degree of separation from the wider business area and the fact that residential use already exists at first-floor level within the terrace. It is therefore considered that the proposals would not be detrimental to the character of the area.
- 11.9 There is no further reasonable mitigation that could be imposed to address potential industrial noise, as any such activity would already affect existing residential occupiers. Should any significant noise issues arise from nearby commercial or industrial premises, these would be addressed through separate regulatory channels, such as Environmental Health investigating noise complaints. Lastly, the existing commercial and industrial neighbours would not be significantly affected by the proposals, given the small-scale nature of the development and the limited level of activity associated with it.
- 11.10 The proposal includes the installation of external security lighting and CCTV to ensure that occupiers of the HMO have safe access to the rear of the site. Although the rear is already used by pedestrians accessing the back of the terraced row, the introduction of five residential bedrooms increases the intensity of use. As a result, it is considered necessary to provide appropriate safety measures to protect future occupiers.
- 11.11 A condition will therefore be imposed requiring all external lighting and CCTV to be fully installed and operational before any residents occupy the HMO bedrooms. The condition will also require that these safety measures are retained and maintained for the lifetime of the development
- 11.12 The proposed Class E use is not considered to give rise to any residential amenity issues for those occupying above bedrooms due to the existing relationship of Class E and residential use on site. The Class E uses themselves will also be adjacent to other Class E uses at ground floor which is considered acceptable.
- 11.12 Given the above assessment, the proposed development complies with Policy 9.

## **12. PARKING AND HIGHWAY SAFETY**

- 12.1 The development site does not benefit from any off-road parking, however, is in a central location with frequent public transport links to Oldham and surrounding towns.
- 12.2 The Council's Highways Engineer has raised no objections to the scheme. A condition has been recommended for secure cycle storage to cover the proposed development, of which is accepted. The condition will apply to the commencement of the HMO as the Class E use is already lawful at ground floor. Accordingly, the proposed development is not considered to result in any severe impact on the highway network or be detrimental to highway safety, in accordance with Policy 9.

### **13. BIODIVERSITY NET GAIN**

- 13.1 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.
- 13.2 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.
- 13.3 This development is exempt from the requirements of Biodiversity Net Gain as the proposed development consisting of the pedestrian access to the rear of the building is under 25sqm.
- 13.4 As such, it is considered that the proposal complies with Local Plan Policy 21 and PpE Policy JP-G8.

### **14. ENERGY AND SUSTAINABILITY**

- 14.1 Policy JP-S2 (Carbon and Energy) requires new development to promote the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling. The policy states that development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy.
- 14.2 A condition will be included on the decision for this energy statement to be provided prior to occupation of the first apartment. This will ensure that the development has sought to maximise reductions in carbon emissions in line with relevant policy targets within the Greater Manchester Net Zero Guidance.

### **15. CONCLUSION**

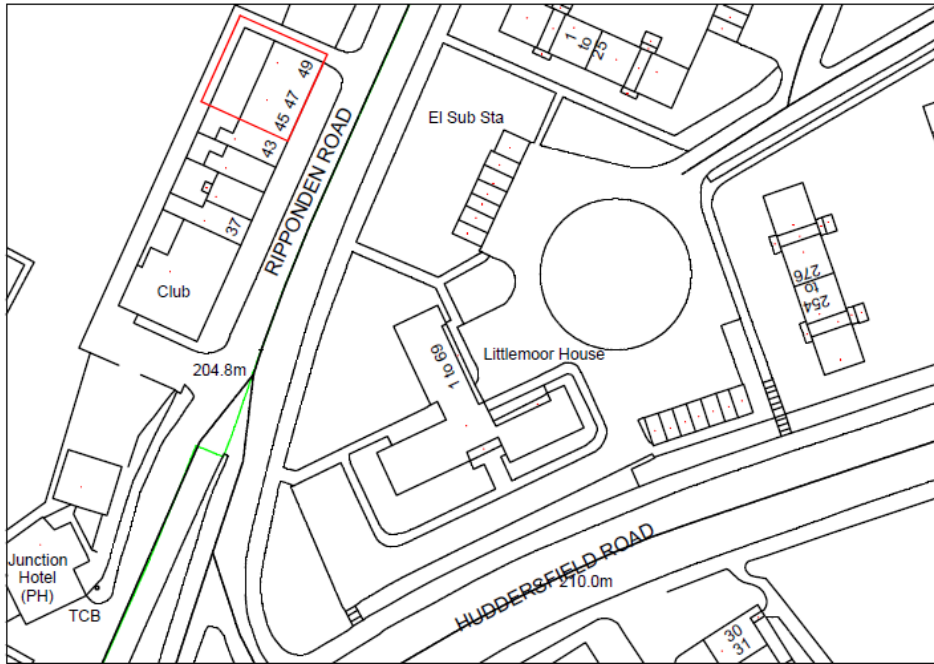
- 15.1 The proposed development is considered acceptable on the basis that it is in accordance with relevant policies contained within the Places for Everyone Plan (2024) and the Oldham Local Plan (2011) and meets the requirements of the National Planning Policy Framework.
- 15.2 Therefore, the application 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 roller shutters shall be installed on any part of the building until full details of their design, materials, colour/finish, method of fixing, and siting have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details. REASON - To ensure a satisfactory appearance in the interests of visual amenity and the character of the area having regard to Policy 9 of the Oldham Local Plan.
4. No occupation of any of the HMO bedrooms shall take place until the scheme for external security lighting and CCTV covering the side and rear access and communal external areas, as shown on plan ref: P06 has been installed in full and made operational. The external lighting and CCTV shall thereafter be retained, maintained in good working order, and kept operational for the lifetime of the development. REASON - To ensure safe access for all occupiers and to protect residential amenity having regard to Policy 9 of the Oldham Local Plan.
5. Prior to occupation of the residential development hereby approved, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Energy Statement. REASON: To ensure the development contributes to the reduction of carbon emissions and promotes sustainable development, in accordance with Policy JP-S2 (Carbon & Energy) of the Places for Everyone Plan (2024).
6. The use of the house in multiple occupation 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.
7. Prior to first operation of the new use, one bat or bird boxes shall be installed on each elevation of the building. REASON - To achieve a net gain to biodiversity 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):**



## **PLANNING COMMITTEE – BACKGROUND PAPERS**

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

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

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## Planning Appeals Update

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### Planning Committee

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

#### DATE OF COMMITTEE

8<sup>th</sup> June 2026

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 15 April 2026. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals between Monday 30 March to Friday 19 June 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	Dismissed, 28/04/2026	26/02/2025	Demolition of existing outbuildings and erection of 4 no. detached dwellings with associated landscaping
FUL/354054/25	Clough Manor, Rochdale Road, Denshaw	Dismissed, 20/04/2026	06/11/2025	Change of use to a touring caravan site including new access to highway.
FUL/355041/25	181 - 183 Huddersfield Road Oldham OL1 3PA	Dismissed, 06/05/2026	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	Ongoing	27/01/2026	Installation of 1 no. digital advertisement display
FUL/355303/25	Land At Arncliffe Rise Oldham OL4 2LZ	Dismissed, 15/06/2026	10/03/2026	Proposed ancillary building for maintenance equipment storage

HOU/355430/25	23 Rivington Road Springhead Oldham OL4 4RH	Dismissed, 27/04/2026	02/03/2026	Rear/side decking to allow level access to building (in part over 300mm above existing GL), associated fencing to provide screen to neighbours
VAR/355200/25	Bottom Field Farm Medlock Road Failsworth Oldham M35 9UA	NEW	29/04/2026	Variation of condition 2 (Approved Plans) associated with application FUL/347760/21 for the installation of new vehicular and pedestrian access gates and boundary wall along with formation of vehicle turning area.
VAR/354748/25	The Vestacare Stadium Whitebank Road, Oldham, OL8 3JH	NEW	11/05/2026	Variation of condition 2 (Approved Plans) associated with application FUL/347760/21 for the installation of new vehicular and pedestrian access gates and boundary wall along with formation of vehicle turning area.
HOU/355496/25	The Stables 67 Thornham Road Shaw	NEW	15/05/2026	Erection of a single storey rear extension.

**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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